

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING
September 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 July 21, 2011 Quarterly Committee Meeting
6. Treasurer's Report
- A. July 2011
- B. August 2011
7. Regional Reviews – Monthly Status Report
- A. PNRS Reviews
- B. Environmental Impact Assessment/Statement Review
8. Coastal Zone Management Program – Sea Level Rise Grant Proposal/ Water Quality Grant Proposal
9. FY 2009 – 2010 Annual Report to the Department of Housing and Community Development
10. Regional Sustainability Program Memorandum of Understanding

REGULAR AGENDA

- 9:40 11. Regional Solid Waste Management Plan
- 9:50 12. Regional Housing Portal
- 10:00 13. HR GREEN Program Briefing
- 10:10 14. Chesapeake Bay TMDL
- 10:25 15. Appointment of Nominating Committee
16. HRPDC Action Items: Three-Month Tentative Schedule
17. Project Status Reports and Advisory Committee Summaries
18. Correspondence of Interest
19. For Your Information
20. 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
Quarterly Commission Meeting
Minutes of July 21, 2011

The Quarterly Commission 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:

COMMISSIONERS:

Stan D. Clark, Chairman (IW)	McKinley Price, D.DS (NN)
Thomas G. Shepperd, Jr. Vice Chairman (YK)	Sharon Scott (NN)*
James O. McReynolds, Treasurer (YK)	J. Randall Wheeler (PQ)
Dr. Alan P. Krasnoff (CH)*	Kenneth L. Chandler (PO)
William E. Harrell (CH)	Kenneth Wright (PO)*
Amar Dwarkanath (CH)	Michael W. Johnson (SH)
Dr. Ella Ward (CH)	Anita Felts (SH)
Barry Cheatham (FR)	Selena Cuffee-Glenn (SU)
Brenda Garton (GL)	Tyrone W. Franklin (SY)
Gregory Woodard (GL)	John Seward (SY)
Mary Bunting (HA)	James Spore (VB)
Molly Joseph Ward (HA)	Jackson C. Tuttle II (WM)
W. Douglas Caskey (IW)	Clyde Haulman (WM)
Bruce Goodson (JC)	

EXECUTIVE DIRECTOR:

Dwight L. Farmer

*Late arrival or early departure.

ABSENT:

Clifton Hayes, (CH), June Fleming (FR), Ross A. Kearney (HA), Robert Middaugh (JC), Neil A. Morgan (NN), Paul D. Fraim (NO), Anthony Burfoot (NO), Marcus Jones (NO), Thomas Smigiel (NO), Theresa Whibley, MD (NO), W. Eugene Hunt (PQ), Linda T. Johnson (SU), Harry E. Diezel (VB), Robert M. Dyer (VB), John E. Uhrin (VB), Barbara M. Henley (VB), Louis R. Jones (VB)

OTHERS RECORDED ATTENDING:

Henry Ryto – Citizen; Earl Sorey (CH); Bryan Pennington (NO); Eric Nielsen (SU); Brian DeProfio (HA); Tom Slaughter, Jerri Wilson (NN); Beverly Walkup (IW); Buddy Green (PQ); Sherri Neil (PO); Shelia S, Noll (YK), Eunice Woodard(GL); Jack Hornbeck – Hampton Roads Chamber; Ellis James – Sierra Club Observer; Sabrina Zimring, John Peterson – ULI Reality Check; Joel Rubin – Rubin Communications; Mark Geduldig-Yatrofsky- Portsmouth Watch Org; Steve Romine- LeClair Ryan; Peter Huber – Wilcox & Savage; Germaine Fleet – Biggs & Fleet; Staff: John Carlock, Camelia Ravanbakht, Shernita Bethea, James Clary, Jennifer Coleman, Nancy Collins, Richard Flannery, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Frances Hughey, Jim Hummer, Rob Jacobs, Whitney Katchmark, Sara Kidd, Robert Lawrence, Jay McBride, Ben McFarlane, Kelli Peterson, Katie Rider, Tiffany Smith, Jennifer Tribo, Joe Turner and Chris Vaigneur.

PUBLIC COMMENTS

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

Ellis W. James

Good morning Chairman Clark, members of the Commission my name is Ellis W. James I reside in the City of Norfolk. While much of the nation attention is focused on the ending of the shuttle program, I would like to refocus us a little bit right here in the Commonwealth of Virginia. First of all, I am sure that each of the communities are paying close attention to the plight of the elderly and the poor who are being hammered out there with this tremendous heat wave. It is critical that we urge all of our agency people across the board in my opinion to pay attention to those who are without fans and air conditioning and so on. Not that we, who survived the earlier decades didn't survive, but some of these folks really are in trouble and need help. I would like to focus on two other things that have occurred that I believe are going to be very serious problems. I won't insult your intelligence, Vivian Page has written a very excellent piece in The Virginian-Pilot this morning. It deals with the issue of what could potentially economically and financially fall on Virginia's head. I think it is extremely important for all of the communities, especially the Mayors and the City Managers and the staff people to be talking to their Congressional representatives. Something needs to be done to fix our problem before we go over the falls, and this matter is not just idle talk and it is not Tea Party versus Democrats or Republicans, this is serious, serious business. As I am sure and I hope most of you are aware, four states are now on the hit parade that was wonderful to see Virginia up there on the TV screen late last night, with respect to what might happen because of our great dependence upon federal funding in this area. If we don't talk to our representatives and get them to move off the dime, we may have a very, very serious problem at a time when we were making pretty good progress before the economic down turn. The last item I have, Mr. Chairman, is something that is really disturbing but some of us have been telling you about for a long time. For those of you who don't know, the sea crest project in West Virginia has now been stopped, no more clean coal folks, there never was such an animal but the fact of the matter is it is a bill of \$668 million of which energy would have been required to pay half, has come home to roost now and we need to pay close attention to that because it has very serious implications especially for the Commonwealth of Virginia and those of us who are at the end of the coal rail line here in Hampton Roads. Thank you, Mr. Chairman.

Chairman Clark stated this concludes the public comment session.

Chairman Clark welcomed Mr. Barry Cheatham, from the City Franklin as a new representative on the Commission.

(Commissioner Scott arrives)

APPROVAL/MODIFICATION OF AGENDA

Chairman Clark asked if there were any changes to the agenda.

Commissioner Shepperd Moved to approve the agenda with the modification of a Resolution for support for Fort Monroe; seconded by Commissioner Goodson. The Motion Carried.

CONSENT AGENDA

The Consent Agenda contained the following items:

Minutes of June 16, 2011 Meeting

Treasurer's Report

Regional Reviews

A. PNRS Items Review

VA Coastal Zone Management 26th Year Implementation Grant – Virginia Department of Environmental Quality

VADEQ Superfund Core Program Cooperative Agreement – Virginia Department of Environmental Quality

Sec. 103 for NATT Air Monitoring Site Program – Virginia Department of Environmental Quality

B. Environmental Impact Assessment/Statement Review

Dominion Boulevard Roadway and Bridge Improvements, USDOT/Federal Highway Administration

Student Success Center, Christopher Newport University

Airport Entrance Sign, Chesapeake Regional Airport, USDOT/Federal Aviation Administration

Consultant Services Contract – SSORS

Consultant Services Contract – CNA

Consultant Services Contracts – ESI

Grant Proposal – Housing Virginia

Grant Proposal – HUD Sustainable Communities

Chairman Clark asked for a motion to approve the consent agenda.

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

Mr. Farmer stated Item No. 11 Grant Proposal - Housing Virginia, HRPDC has been approved to receive a grant from the state in the amount of \$4,500.

RESOLUTION – SUPPORT OF CONTINUED FUNDING FOR THE RESTORATION OF THE CHESAPEAKE BAY

Mr. Farmer stated the Hampton Roads Planning District Commission staff is requesting the Governor, Virginia General Assembly and Congress for continued financial support for the restoration of the Chesapeake Bay. The HRPDC staff recommends the resolution be approved by the Commission to reiterate its ongoing support for the restoration effort, focusing on the current need to maintain funding for the program.

Chairman Clark asked for a motion to approve the resolution to continue financial support for the restoration of the bay.

Commissioner Harrell Moved to approve the Resolution for continued funding for the restoration of the Chesapeake Bay; seconded by Commissioner Goodson. The Motion Carried.

(Commissioner Wright arrives)

RESOLUTION – ENDORSING REALITY CHECK HAMPTON ROADS

Chairman Clark introduced Mr. John Peterson, Chair of the Hampton Roads District Council of the Urban Land Institute (ULI) to brief the Commission on the Reality Check Hampton Roads.

Mr. Peterson stated he would like to briefly describe and define Reality Check, answer any questions about this effort and ask the Hampton Roads Planning District Commission for their support.

Mr. Peterson stated the Urban Land Institute is a forum that facilitates an open exchange of ideas, information and experience about land use policy and practices among local, national and international leaders and policy makers. ULI believes that Hampton Roads will benefit greatly from conducting this program in the spring of 2012.

Mr. Peterson stated he would talk about Reality Check a program that Urban Land Institute developed nationally. Reality Check is a land use visioning exercise. It is a gathering of 300 stakeholders from across the region representing a wide variety of experience and representation. This is a one day exercise for land use principals and to develop alternative growth scenarios for local leaders to utilize in land use decisions in the future. The format has been demonstrated in other regions throughout the country. It is also important to recognize this is not a developer effort. This is an effort that is derived from all constituents, a very well rounded representation of regional stakeholders. Another important fact is this day creates inter-activity between groups that may not otherwise sit at the same table. This process will create a regional land use vision that will help to guide any future decisions.

Why Reality Check in Hampton Roads? There is a projection there will be 350 thousand additional residents in Hampton Roads by 2035, which equals another Chesapeake or Hampton. There will be a need to determine how to accommodate that growth and produce different types of environments for living and also to preserve the natural environments in our region.

How does Reality Check work? This exercise will have tables with ten people at each table with a map. The idea is that each person at the table actually gives their input on where housing, jobs, transportation methods should be located, and what areas should not be developed. The maps have no jurisdictional boundaries, the idea is to treat this as one region. The result is a set of guiding principles that are derived from this exercise.

Mr. Peterson indicated the important point about this exercise is a post implementation exercise in the ULI Hampton Roads District Council. This is not a one day exercise that gets put on the shelf. The ULI Hampton Roads is in partnership with other groups that will preserve the ideals created in this exercise and make sure they are promoted and moved forward.

Mr. Peterson indicated the date and time will be announced in the fall and the exercise will be in the spring of 2012. The Reality Check Planning Committee is led by Mr. Burl Sanders, of H and R Architects and Engineers and Mr. Greg Scrfres with Williams Mullen; both of them have experience in this type of exercise. Also, on the planning committee will be representatives from the Southside as well as the Peninsula communities.

Mr. Peterson stated he was asking for the support of the Hampton Roads Planning District Commission and approve the resolution endorsing Reality Check Hampton Roads. It is critical to the success of a regional land use visioning exercise which is a great demonstration of regional cooperation which supports this effort.

Chairman Clark asked for questions.

Commissioner Franklin asked if Mr. Peterson could elaborate about the resources that are needed from HRPDC.

Mr. Peterson stated the resources needed would be related to research, mapping and other economic statistics. The program needs to have a strong background of information for all the participants prior to their arrival and we need the support of the HRPDC staff to produce some of that information.

Commissioner Goodson asked what procedure would be used to determine who would be participating in this exercise.

Mr. Peterson stated the procedure is a very delicate process one that is going to take all of our time from now until the program day. It is important there are representatives of all different constituencies: housing, transportation, environmental groups as well as civic league representation. ULI is going to try to reply upon the planning committee to make

sure we do not leave any major constituent or major stakeholder out of the process, and by having a wide range of participants we hope to get a regional viewpoint.

Commissioner Franklin asked with regards to this process how would this be infused with the already established documents like the Comprehensive Plans of the communities.

Mr. Peterson stated the comprehensive plans that each of the municipalities are required to produce are somewhat separate from this exercise. Those documents deal with things on a more detailed scale. Where the land uses would make the most sense based upon geographic and transportation constraints and general growth patterns and where would you like to see housing, jobs and transportation methods located. It will not in any way supersede anything that has been done on comprehensive planning efforts and it is really not even to that level of detail. The result of the program is really a set of guiding principles rather than any type of land use map.

Commissioner Shepperd stated his question is for Mr. Farmer. Does the HRPDC staff have the capacity to handle this input?

Mr. Farmer stated based on a discussion he had with Mr. Peterson the HRPDC staff could contribute to the point where we have the facts, figures and data they need. He thought Mr. Peterson would agree the HRPDC is not the only resource they are going to bring to the table?

Mr. Peterson stated Old Dominion University has agreed to support this effort as well and we will rely on their commercial, real estate and economic development group to support the effort as well.

Commissioner Shepperd asked when this exercise will take place.

Mr. Peterson stated most likely in May of 2012.

Commissioner Shepperd asked at the end of the day will there be a briefing on the results?

Mr. Farmer stated absolutely, for the Commission.

Mr. Peterson stated not only will there be a briefing there will also be ongoing efforts to make sure we continue the life of this exercise.

Chairman Clark asked for a motion to approve the resolution endorsing Reality Check Hampton Roads.

Commissioner Goodson Moved to approve the Resolution endorsing Reality Check Hampton Roads; seconded by Commissioner Shepperd. The Motion Carried.

(Mayor Krasnoff arrives.)

REGIONAL WATER SUPPLY PLAN

Chairman Clark introduced Ms. Whitney Katchmark to talk about the Hampton Roads Regional Water Supply Plan.

Ms. Katchmark stated the State of Virginia has a new regulation that requires every locality in the state to submit either a local or regional water supply plan to the Department of Environmental Quality (DEQ) by November 2011. HRPDC has put together a regional plan.

Ms. Katchmark stated the regulation was established in November 2005, it was prompted by the drought of 2002. In August 2002, most of Virginia was under severe drought conditions and some localities were not prepared. The General Assembly wrote the new legislation to make sure localities planned for drought conditions and that localities had contingencies and ordinances in place. The regulation required the following information: 1) Description of existing water sources, uses and water resource conditions; 2) Assessment of projected water demand; 3) Description of water management actions and drought response; 4) Statement of need to compare supply versus demand; 5) Alternative analysis that identifies potential alternatives to address projected deficits in water supplies.

The HRPDC Directors of Utilities Committee prompted the regional initiatives, and in 2007 the localities signed a Memorandum of Agreement to develop a Regional Water Supply Plan. The Directors of Utilities Committee followed the process, reviewed the data, assumptions, and draft report chapters throughout the development of the plan. The need for the plan is comparing the supply versus demand. Overall the region meets the water demands for 20 to 30 years if not longer. There are a number of uncertainties and unknowns associated with both supply and demand.

Ms. Katchmark stated there were two issues she wanted to point out. First is the availability of ground water. Our ground water supplies are dictated by our permit limits and every ten years permits are reviewed and renewed, because the localities do not know if they are likely to get more water or less water in the future. There are some concerns that the ground water system is over allocated. The other issue for the supply side is climate change. There are models that predict an increase, and also some decrease in rainfall in this area and a chance that temperature trends might change. These things affect how much water would reach the reservoirs in terms of less rainfall or bigger storms. All those things can affect how much surface water the localities have. The temperature has an effect as well because it can cause evaporation to occur much faster than it currently does. Another problem is estimating demand for commercial and industrial demands. When looking out 40 years, there is no idea which company will leave Hampton Roads, which ones are going to come to Hampton Roads, and how much water they will need because they are sector dependent. The second unknown is conservation. Both the residential and commercial conservation could increase or decrease overtime. The southside and Western Tidewater appear to have enough water to meet demands until 2050; the Peninsula until 2040, when there is a small deficit of five to ten million gallons a day.

There are no recommendations - the plan does not require localities to choose an alternative, they have to discuss what the options are. However, the regulation does focus on water demand management and conservation. The state wanted localities to determine if they could meet future demands with more conservation, so HRPDC collected historic data. The first data point was water use, per capita water use in 1990, and annual data from 2000 to 2008. This per capita data includes all water use, for residential, commercial, military and all different kinds of usage. If we can separate different groups we might get a handle on whether or not people are watering their lawn less, installing low flow fixtures, or if there is a change in the makeup of our commercial and industrial base.

Ms. Katchmark stated the Chesapeake Energy Center is one of the three large power plants in the region. Energy production takes a ton of water; just to give you some idea that one power plant uses twice the amount of water as all of the public water systems in the entire region. Across the world, communities are looking at this dilemma between needing water for energy production and water for public water systems, and lots of times there is a conflict because they are using the same water sources, the same aquifer systems or same rivers. Hampton Roads does not have that conflict. The water is withdrawn from the James, York and Elizabeth Rivers and most of it is returned to those rivers. Because they are tidal the public water systems are not using the same rivers to support the public water supply. The Hampton Roads communities have been very proactive before this regulation was in place. Every locality has some type of drought response plan or ordinances in place and they also have plans on how they would implement restrictions if the water supply started to decrease.

Ms. Katchmark stated in order to comply with the new regulation each locality needs to pass a resolution adopting the Regional Water Supply Plan, have a public hearing and record any written public comments. HRPDC staff is asking each locality to send them a copy of resolutions and comments by the end of September. The document has to be submitted to the State by the November deadline. When the Plan is complete, the State Water Control Board has the authority to approve the plan. Criteria have not been established on how the Plan will be evaluated. There is an Advisory Committee that will decide if the report has made a good faith effort to provide the information and also approve the report, and indicate when the report will be renewed and updated. The Department of Environmental Quality will put all these plans together and create a State Water Supply Plan. HRPDC staff is participating on the Advisory Committee and will keep the Commission informed on decisions being made.

Chairman Clark asked for a motion.

Commissioner Goodson Moved to accept the Plan as meeting the requirement of the HRPDC Unified Planning Work Program and distribute the Hampton Roads Regional Water Supply Plan to local governments for adoption; seconded by Commissioner Wright. The Motion Carried.

HAMPTON ROADS REGIONAL COMPETITIVENESS

Chairman Clark introduced Mr. Greg Grootendorst to talk about Hampton Roads Regional Competitiveness.

Mr. Grootendorst stated the purpose of this report was to identify theories and strategies regarding sustainable economic growth, review factors that lead to productivity growth in successful regions and determine implications of the research for the Hampton Roads economy.

Mr. Grootendorst stated when looking at competitiveness you have to determine what competitiveness means. Economic competitiveness is less about competition and more about productivity and how to compare other regions with respect to productivity. Competitiveness is also used to inspire action and motivate people. The pursuit of economic competitiveness often falls in the hand of economic development. The theoretical review indicates economic competitiveness between regions is not a zero sum game, increased competitiveness equals increased productivity and theoretical models of competitiveness result in one of three end states. The first is regions as sites of export specialization. According to the theoretical research, it is much less about diversification and more about specialization, in this global economy, regions are becoming more and more specialized. The second end state is regions as sites for increasing returns to scale. As regions can get bigger clusters, more groupings together, they can increase efficiencies, lower costs and have greater return to scale. The third is regions as hubs of knowledge. For an example locally, it would be modeling and simulation. The three end points, the sites for export specialization, source of increasing returns and hubs of knowledge, all collected around clusters.

Empirical review says economies are incredibly complex and each exists in a unique state. Human capital consistently drives economic growth and most job gains are the result of new business establishment or expansion of existing businesses. When looking at the empirical data most think what constitutes success and what factors lead to success? Quite often when we look to success, we are looking for real term, short term solutions, such as current dips in the economy or current stresses and looking for immediate solutions. Silicon Valley is perhaps the most studied success story in the U.S. in terms of how a region booms. What happened in Silicon Valley in 1991 and the confluence of events that led to its success?

Mr. Grootendorst stated the Research Triangle has seen a great deal of success that originated from the events in 1959. There are multitudes of well-planned, well-financed unsuccessful efforts throughout the country. This is where you do not see much research or you do not hear about it as often. There have been multi-billion dollar efforts in both Ohio and Michigan from tobacco settlement money to create bioscience corridors with limited success. When looking at countries and regions across the world, and the nation and looking at the empirical review, what is determined and what the research states are the economies are incredibly complex. When bringing education into the economy, does it stimulate growth or does growth stimulate the degree of educated people coming into the

economy, or are both happening at the same time. A lot of these causal relationships are extremely difficult to determine. One thing we have determined is human capital and education does drive economic growth and that most job gains are the result of new business establishment and the expansion of existing business.

Mr. Grootendorst stated we often look at Hampton Roads in such a way that Hampton Roads is being compared to the very top end performers not realizing the top performers do change. For per capita income in 2009, Hampton Roads is ranked 41st of the top 102 MSAs. The reason we took the top 102 MSAs as opposed to the top 100 MSAs is because we are taking populations of 500,000 or more. In terms of 25 year growth in employment, we are using 25 years because we are looking at sustained growth. The number one ranking metropolitan area was Las Vegas. Hampton Roads ranked 66th in terms of employment growth over that time period. In terms of per capita income growth, Hampton Roads ranked 39th which represents a rather strong economy. Las Vegas is not in the top ten in terms of growth. Las Vegas had a high degree of employment growth but income growth is one of the better measures of quality of life.

When looking where Hampton Roads stands with respect to income growth over 25 years, Hampton Roads is doing well. In terms of education, high school equivalency, Hampton Roads ranked 24th of top 102 MSA's in terms of number of people who completed high school equivalency. That is reflective of our economy and the industries that are in our economy and it is a very strong and powerful indicator. The reason is the number of uneducated people, people without high school equivalency, or high school completion remains in the economy for years. Graduate degrees in Hampton Roads ranked 59th near the middle of the pack. Hampton Roads has a strong high school equivalency and was not strong in graduate degrees, because it is reflective of Hampton Roads jobs and occupation base in the job industries. Also, included in the report are such things as employment multipliers, regional purchase co-efficient, relative labor cost and employment multipliers.

In conclusion, the majority of employment growth comes from new small businesses and growth in existing business; success in sustained economic growth has been rooted in industry clusters based on regional advantages; human capital, which is education, has proven to be a driver of economic growth; regional cooperation on provision of services, tax structures and regulatory requirements increases the co-location efficiencies; and finally, targeted development strategies tend to be costly and rarely prove to be effective in achieving long-term regional growth.

Chairman Clark asked for questions.

Commissioner Shepperd asked if the tourism category was included in the report.

Mr. Grootendorst stated tourism is included in the report.

Commissioner Goodson asked if the multipliers are standard nationwide; where did the standards come from.

Mr. Grootendorst stated multipliers come from the base information for multipliers that comes from the Bureau of Economic Analysis. There is a spreadsheet they put together that looks at inputs and outputs for various industries. These specific multipliers are not national multipliers they are specific to the Hampton Roads economy. In order to come up with these multipliers, we ran a regional economic model 165 different times to come up with the specific multipliers, for each industry. The reality is they are based off the federal data and tailored specifically to the Hampton Roads economy. It simply states that in that industry in this current capacity, for every one job that sits in the industry, another seven people are employed in other industries supported by that single job. One aspect of that is there is a huge amount of funding that comes in with those funds and trust that is dissipated into the economy. Great degree of funding that is distributed which then supports other jobs.

Chairman Clark asked for a motion.

Commissioner Shepperd Moved to approve the release of the Hampton Roads Regional Competitiveness Study; seconded by Commissioner Cheatham. The Motion Carried.

HRPDC ACTION ITEMS: THREE MONTH TENTATIVE SCHEDULE

No questions or comments.

PROJECT STATUS REPORT

No questions or comments.

CORRESPONDENCE OF INTEREST

No questions or comments.

OLD/NEW BUSINESS

Mr. Farmer stated this was a reminder the August HRPDC Executive Committee will be canceled.

Chairman Clark indicated there was one new business item for review, a Resolution endorsing Ft. Monroe National Park.

Mayor Ward stated the Army will leave September 15th and Fort Monroe will revert to the Commonwealth. The majority of the property will revert to the Commonwealth of Virginia through the BRAC process. It has been a very difficult time for the City of Hampton. Hampton has invested a lot of resources in this transition, unlike the usual BRAC process, Hampton did not received federal funds to help with this effort. When a fort or base closes it reverts to a municipality, this is not true for Hampton. Hampton has not received any funds from the Office of Economic Adjustment. One of the ways that Hampton will be successful in the future is a national park servicing Fort Monroe. It is the right thing to do

because of the history of Fort Monroe that needs to be preserved and because of the natural resources at Fort Monroe that should be open to all citizens of the region and the Commonwealth for use. Hampton is asking HRPDC to endorse this resolution supporting our efforts to have a national park. We have received regional support from HRPDC, HRMFFA and the Hampton Roads Partnership before and Hampton is very grateful. Hampton has also received many letters of support from different communities and some of the Mayors have written letters of support which I am very grateful. Hampton has bipartisan support for this effort. The Governor, Senator Webb and Senator Warner support our effort, and the entire Congressional Delegation from the Hampton Roads Region supports this endeavor. The Hampton Roads Congressional Delegation introduced legislation this month. Hampton would be deeply grateful if you pass this resolution. There are flyers which is a post card that has the web site that is open for public comment. The National Park Service has website open for public comment until July 26 at 5 p.m. Mr. Ken Salazar, the Director of the Secretary of the Interior was in Hampton on June 29, and the National Park Service scheduled two public meetings in Hampton, and the federal government scheduled a public meeting on July 19.

Commissioner Franklin asked what would be the worst case scenario for the City of Hampton should this not be provided.

Mayor Ward stated Hampton thinks it is very important for economic, historic and natural resource reasons. If this does not happen Hampton is in danger of losing some very important history that has not been preserved or told, as the story of African-American experience at Fort Monroe. The first enslaved Americans to arrive in America arrived at Fort Monroe; the first African American child born in America was born at Fort Monroe; it is also the site of the very critical contraband slave decision that was made in May of 1861 when Benjamin Butler declared the three brave men that escaped there for sanctuary and contraband of the war changed the course of history. Lincoln was not an abolitionist, and the Civil War was not about slavery until that day Benjamin Butler made that decision, tens of thousands of enslaved Americans escaped to Fort Monroe for sanctuary. Also, when all enslaved Americans gained their freedom, when the tide of the war started to change and the conversation was about slavery, Lincoln began to change his way thinking and it was the birth of the Emancipation Proclamation. The worst case scenario is if that story does not get preserved and told the way it should and not get the national stature and significance it deserves.

Mayor Ward stated talking to an historian who explained the most important parts of our history and most important sites in America make you realize how important it is to be reserved and publicized. The worst case scenario is that story would not be told. For the city of Hampton, it is important that Fort Monroe get the branding of the National Park Service. The story is significant and there are many historically important things that happened there and if we do not get the branding, then it will change the course of what happens next at Fort Monroe because it will get discounted.

Mayor Krasnoff asked if this was for the entire project, inside the moat or just the older project.

Mayor Ward stated the legislation that has been introduced in Congress has a map that has been approved by the National Park Service.

Mayor Price Moved to approve the Resolution endorsing the establishment of the National Park System unit at Fort Monroe and urging the President, Congress and the federal executive branch agencies to move expeditiously; seconded by Mayor Krasnoff. The Motion carried.

CLOSED SESSION

Chairman Clark stated there was a closed session item for discussion and asked for a motion.

Commissioner Shepperd Moved to go into closed meeting for the purpose of discussing the performance, terms of employment and salary of the Executive Director, pursuant to Virginia Code Section 2.2-3711. A.1.; seconded by Commissioner Goodson. The Motion carried.

Commissioner Shepperd Moved to certify that to the best of each member's knowledge (i) only public business matters lawfully exempt from open meeting requirements under the Virginia Code and (ii) only those public business matters that were identified in the motion by which the closed meeting was convened, were heard, discussed or considered during the closed meeting; seconded by Mayor Ward. The Motion carried.

A roll call vote was taken.

Mayor Alan Krasnoff	Yes
William Harrell	Yes
Amar Dwarkanath	Yes
Dr. Ella Ward	Yes
Barry Cheatham	Yes
Brenda Garton	Yes
Gregory Woodard	Yes
Mary Bunting	Yes
Mayor Molly Joseph Ward	Yes
W. Douglas Caskey	Yes
Bruce Goodson	Yes
Mayor McKinley Price	Yes
Sharon Scott	Yes
J. Randall Wheeler	Yes
Mayor Kenneth Wright	Yes
Michael W. Johnson	Yes
Anita Felts	Yes
Selena Cuffee-Glenn	Yes
Tyrone W. Franklin	Yes

John Seward	Yes
James Spore	Yes
Mayor Clyde Haulman	Yes

Mayor Price Moved to approve the contract for the employment of the Executive Director to be extend for a period of one year beginning July 1, 2011 to June 30, 2012 and that included a 2.3% adjustment to base salary and deferred compensation. Mayor Wright seconded the motion. The Motion carried.

ADJOURNMENT

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:33 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
7/31/2011
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	445,157	Current Liabilities	1,152,672
Accounts Receivables	1,583,122	Net Assets	5,290,651
Investments	3,038,546		
Other Current Assets	664		
Net Capital Assets	<u>1,375,834</u>		
Total Assets	<u>6,443,323</u>	Total Liabilities & Equity	<u>6,443,323</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	6,967,682	72,206	72,206
VDHCD State Allocation	151,943		-
Interest Income	15,000	1,481	1,481
Local Jurisdiction Contributions	1,362,766	341,297	341,297
Other Local Assessment	1,696,891	357,247	357,247
Sales and Miscellaneous Revenue	551,150	3,637	3,637
Special Contracts	1,723,517	-	-
Total Revenue	<u>12,468,949</u>	<u>775,867</u>	<u>775,867</u>
EXPENDITURES			
Personnel	4,334,115	331,104	331,104
Standard Contracts	215,905	17,356	17,356
Special Contracts / Pass-Through	7,147,491	152,068	152,068
Office Services	771,438	36,727	36,727
Capital Assets		-	-
Total Expenses	<u>12,468,949</u>	<u>537,255</u>	<u>537,255</u>
Agency Balance	<u>-</u>	<u>238,612</u>	<u>238,612</u>

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: TREASURER'S REPORT

**FISCAL YEAR 2012
8/31/2011
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	486,358	Current Liabilities	1,118,023
Accounts Receivables	905,650	Net Assets	4,825,510
Investments	3,187,546		
Other Current Assets	664		
Net Capital Assets	<u>1,363,314</u>		
Total Assets	<u>5,943,532</u>	Total Liabilities & Equity	<u>5,943,532</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	6,967,682	11,800	84,006
VDHCD State Allocation	151,943		-
Interest Income	15,000	-	1,481
Local Jurisdiction Contributions	1,362,766	-	341,297
Other Local Assessment	1,696,891	-	357,247
Sales and Miscellaneous Revenue	551,150	1,950	5,587
Special Contracts	1,723,517	-	-
Total Revenue	<u>12,468,949</u>	<u>13,750</u>	<u>789,617</u>
EXPENDITURES			
Personnel	4,334,115	297,982	629,086
Standard Contracts	215,905	-	17,356
Special Contracts / Pass-Through	7,147,491	130,612	282,680
Office Services	771,438	50,297	87,024
Capital Assets		-	-
Total Expenses	<u>12,468,949</u>	<u>478,892</u>	<u>1,016,147</u>
Agency Balance	<u>-</u>	<u>(465,142)</u>	<u>(226,530)</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. There are no outstanding comments as of September 7, 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 7/25/2011 **CH #** VA120713-0123760

Title FY 2011 Drinking Water State Revolving Fund Program - Safe Drinking Water Act

Applicant Virginia Department of Health

State/Federal Program Environmental Protection Agency

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

Safe Drinking Water Act (SDWA) 1452-Commonwealth of Virginia Drinking Water State Revolving Fund (DWSRF)

Federal	\$15,711,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$3,142,200.00	Income	\$0.00
TOTAL			\$18,853,200.00

Date 8/8/2011 **CH #** VA120729-0223760

Title FY2011 Water Quality Management Planning Program

Applicant Virginia Department of Environmental Quality

State/Federal Program Environmental Protection Agency

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

This programs supports water quality management planning for the state. This program supports the development of watershed-scale TMDLs and implementation plans.

Federal	\$305,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL			\$305,000.00

Date 8/8/2011 **CH #** VA120729-0323760

Title FY2012-2014 Wetland Monitoring and Assessment Strategy

Applicant Virginia Department of Environmental Quality

State/Federal Program Environmental Protection Agency

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

This program supports the state's continuing efforts to develop regulatory and non-regulatory components of its nontidal wetlands program.

Federal	\$634,627.00	Local	\$0.00
Applicant	\$33,746.00	Other	\$0.00
State	\$177,779.00	Income	\$0.00
TOTAL		\$846,152.00	

Date 8/31/2011 **CH #** VA120805-0423700

Title Community-Based Participatory Research Approach to Understanding and Reducing Risks from Toxic Pollutant Exposure in the SE Community of Newport News

Applicant The Greater Southeast Development Corporation

State/Federal Program EPA's Community Action for a Renewed Environment (CARE)

Type of Impact Newport News

Project Staff Sara Kidd

Project Description

The project will 1) fulfill an informational void regarding community specific impacts of toxic pollutant exposure on the environment and the health of the residents in the SE community of Newport News and 2) generate action that improves local environmental quality and reduced associated risks and impacts.

Federal	\$100,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$100,000.00	

Date 9/1/2011 **CH #** VA120830-0523760

Title Whale Migration Corridors for MSP

Applicant Virginia Department of Environmental Quality

State/Federal Program NOAA Coastal Zone Management Administration Awards

Type of Impact Coastal Virginia

Project Staff Sara Kidd

Project Description

This project will collect aerial survey data on the location of large whales off the coast of Virginia in an approximately 10,000 km² area, the center of which is the Virginia Wind Energy Area. The data is also critical to the development of the Virginia Marine Spatial Plan (MSP).

Federal	\$200,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$200,000.00	

Date 9/1/2011 **CH #** VA120830-0623760

Title Shoreline Management Planning and Inventory

Applicant Virginia Department of Environmental Quality

State/Federal Program NOAA Coastal Zone Management Administration Awards

Type of Impact Coastal Virginia

Project Staff Sara Kidd

Project Description

The Virginia Coastal Zone Management Program of DEQ will sub-award the funds to VIMS to develop Shoreline Management Plans for 3 coastal localities, including the City of Poquoson.

Federal	\$125,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$125,000.00	

Environmental Impact Reviews

Received 7/15/2011

Number 11-130F

Name Commercial Wind Lease Issuance & Site Characterization Activities on the Atlantic Outer C

Sponsor DOI/Bureau of Ocean Energy Management

Description

Full Name: Commercial Wind Lease Issuance & Site Characterization Activities on the Atlantic Outer Continental Shelf Offshore NJ, DE, MD, and VA

The Department of the Interior (DOI) Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) has submitted a draft environmental assessment (EA) considering the environmental impacts and socioeconomic effects of issuing renewable energy leases, which includes reasonably foreseeable site characterization activities (geophysical, geotechnical, archeological, and biological surveys) on those leases, in identified Wind Energy Areas (WEAs) offshore New Jersey, Delaware, Maryland, and Virginia. In addition, the draft EA considers the reasonably foreseeable environmental impacts and socioeconomic effects associated with the approval of site assessment activities (including the installation and operation of meteorological towers and buoys) on the leases that may be issued. Furthermore, BOEMRE has submitted a separate 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 HRPDC

Finding

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

Comments Sent 8/9/2011

Final State Comments Received 8/10/2011

Received 7/18/2011

Number 11-122F

Name Tylers Beach Federal Navigation Project

Sponsor USACE

Description

The Department of the Army, U.S. Army Corps of Engineers (Corps) proposes to conduct maintenance dredging of the Tylers Beach Federal Navigation Project from Burwell Bay to the James River in Isle of Wight County. The Tylers Beach Federal Navigation Project consists of a 150-foot wide and 300-foot long harbor of refuge and entrance channel with two 370-foot long stone revetment/jetties at the entrance. The entrance channel is 50 feet wide extending into the James River approximately 2,660 feet from the harbor entrance. The harbor and channel will be dredged to -9 feet mean lower low water (MLLW), including two feet of paid allowable overdepth and one-foot of nonpaid overdepth. The project depth will require the removal of approximately 25,000 cubic yards of dredged material. Dredging will be accomplished by hydraulic method. The dredged material is proposed for placement in an upland confined placement facility, approximately two miles from the planned dredging activities, which consists of a 35-acre tract of property in Lawnes Point near the Rushmere area in the county. The upland confined placement facility will be approximately 18 to 20 acres in size with dike elevations 10 to 15 feet above terrain elevations. Drainage of the effluent from the spillway will be tied into a nearby manmade tidal canal that flows into the James River. Future dredging cycles will maintain the entire channel and harbor of refuge removing an estimated 25,000 cubic yards of dredged material on an approximate 7 year interval. The Corps 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 Isle of Wight

Finding

Comments Sent

Final State Comments Received 8/19/2011

Received 7/20/2011

Number 11-133S

Name Major Unit Modification of the Southampton Power Station, PUE 2011-00075

Sponsor State Corporation Commission

Description

The Virginia Electric and Power Company (Dominion) submitted an application to the State Corporation Commission (SCC) for a major unit modification at the Southampton Power Station in Southampton County. Dominion plans to convert the Southampton Power Station from primarily a coal-fired generation facility to one that uses waste wood to generate energy. New land will be acquired for construction related to the modification.

Affected Localities Southampton C

Finding

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

Comments Sent 8/16/2011

Final State Comments Received

Received 8/3/2011

Number 11-141F

Name Install Transformer at York River Pier, Coast Guard Training Center Yorktown

Sponsor DHS/U.S. Coast Guard

Description

The U.S. Coast Guard (USCG) intends to install a transformer on the York River Pier at U.S. Coast Guard Training Center Yorktown in York County. The project involves mounting a new transformer on the existing deck of the York River Pier immediately adjacent to the existing pier's main electrical components. The transformer will be tied to the pier's existing electrical infrastructure. The USCG 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 York County

Finding

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

Comments Sent 8/30/2011

Final State Comments Received

Received 8/3/2011

Number 11-140F

Name Expansion of Range Instruction Building, Coast Guard Training Center Yorktown

Sponsor DHS/U.S. Coast Guard

Description

The U.S. Coast Guard (USCG) intends to expand the range instruction building at U.S. Coast Guard Training Center Yorktown in York County. The project will provide a locker room addition to the existing building. The locker room addition will add approximately 900 square feet to the building footprint. A small stormwater retention and erosion control BMP will be constructed. The USCG 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 York County

Finding

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

Comments Sent 8/30/2011

Final State Comments Received

Received 8/8/2011

Number 11-144F

Name Naval Special Warfare Development Group 900-Yd Firing Platform, Naval Air Station Anne

Sponsor DOD/Department of the Navy

Description

The Department of the Navy submitted a federal consistency determination (FCD) for the proposed construction of a 900-yard firing platform at the Naval Air Station Annex, Dam Neck, in the City of Virginia Beach. The platform will be a pile-supported structure, elevated approximately 40-feet above the ground, and measuring approximately 35-feet by 15-feet. The FCD states that the project would be consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

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

Comments Sent 9/2/2011

Final State Comments Received

Received 8/8/2011

Number 11-143F

Name Cove Point Re-Export Project, Dominion Cove Point LNG, LP

Sponsor DOE/Federal Energy Regulatory Commission

Description

Dominion Cove Point LNG, LP (DCP) is proposing to complete a minor modification to its offshore pier and re-export foreign-sourced liquefied natural gas (LNG) after temporary storage at the Cove Point LNG Terminal in Calvert County, Maryland. All work would be completed on the DCP pier in the Maryland waters of the mainstem of the Chesapeake Bay, 1.1 miles offshore of the main terminal property. The proposed project requires authorization by the Federal Energy Regulatory Commission (FERC) pursuant to Section 3 of the Natural Gas Act. The only activities occurring within Virginia would be the transit of ships to and from the Cove Point LNG Terminal pier. However, the project would not result in changes to the current number of ships authorized for transit to the Cove Point LNG Terminal, as approved by FERC and the U.S. Coast Guard and approved in Virginia's coastal zone consistency determinations for the Cove Point Expansion and Cove Point Pier Reinforcement projects. DCP has submitted a Federal Consistency Certification that finds the proposed action consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities HRPDC

Finding

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

Comments Sent 9/2/2011

Final State Comments Received

Received 8/12/2011

Number 11-148S

Name New Fraternity Housing - Sites 3 and 8

Sponsor College of William and Mary

Description

The College of William and Mary submitted an environmental impact report (EIR) for the construction of new fraternity housing at two sites on its campus in the City of Williamsburg. The proposed Site 3 is located in the central portion of campus near Yates Hall and the existing fraternity buildings. It is approximately 2.5 acres. Site 8 includes approximately 3 acres and is located southeast of Ukrop Way, near existing soccer fields and fraternity and dormitory buildings.

Affected Localities Williamsburg

Finding

Comments Sent

Final State Comments Received

Received 8/16/2011

Number 11-150F

Name Property Disposal for Marine Animal Care Center

Sponsor DOD/U.S. Navy

Description

The City of Virginia Beach proposes to purchase property from Department of the Navy (Navy) for the construction of the Marine Animal Care Center (MACC) in the City of Virginia Beach. The city is purchasing approximately 2.5 acres of land to facilitate construction of the MACC. The property fronts on Owls Creek, a tributary of Lake Rudee. The MACC will be located adjacent to Bells Road near its eastern terminus. The MACC will consist of two separate buildings, approximately 18,000 square feet (sf) in total area constructed on slab-on-grade for the ground floors. Parking, landscaping and ingress/egress are part of the overall planning for the site. The purpose of the facility is to house and rehabilitate marine animals recovered by the city's stranding team. The facility will operate as an extension of the Virginia Aquarium for marine animal care and research. The City of Virginia Beach has submitted a Federal Consistency Certification that finds the proposed action consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 8/19/2011

Number 11-152F

Name Heritage Forest Phase II

Sponsor U.S. Department of Housing and Urban Development

Description

The Department of Housing and Urban Development (HUD) proposes to provide mortgage insurance under HUD Section 221d(4) to AGM Financial Services, Inc., which will finance construction of the Proposed Heritage Forest Phase II in the City of Newport News. The HUD program provides mortgage insurance for multifamily rental housing for moderate-income families. The project site is 10.493 acres of a larger 26.12 acre parcel which was the former address of the Newport News General Hospital at 5100 Marshall Avenue. The property consists of undeveloped wooded land, and cleared and partially graded land under development as Phase I of the Heritage Forest development. The proposed Phase II includes the construction of a five-building, 120-unit multi-family apartment complex. HUD 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 Newport News

Finding

Comments Sent

Final State Comments Received

Received 8/29/2011

Number 11-155S

Name Hiden-Hussey Commons Expansion

Sponsor Christopher Newport University

Description

Christopher Newport University (CNU) submitted an environmental impact report for the construction of additions to an existing building on its campus in the City of Newport News. The proposed site consists of the existing one-story Hiden-Hussey Commons Building and landscaped areas. The expansion will consist of two one-story additions.

Affected Localities Newport News

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8: COASTAL ZONE MANAGEMENT PROGRAM – FY 2012 COMPETITIVE GRANTS

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. PDCs are eligible for formula grants to support technical assistance programs and for competitive grants for projects addressing a high priority issue, as determined by the CZM Program. In July 2011, DEQ announced the availability of additional competitive grants for PDCs under the CZM Program

BACKGROUND:

At the March 2011 Executive Committee, the HRPDC authorized the Executive Director to apply for two grants under the Virginia Coastal Zone Management Program. The formula grant, which supports the HRPDC Technical Assistance Program, and a competitive grant for a land use and water quality study were submitted. Both grants were approved by the CZM Program and contracts are expected in October.

In July 2011, DEQ announced that additional funds were available for competitive grants for PDCs under this program. To meet the funding deadline, the HRPDC submitted two proposals. These two proposals were:

Water Quality Policy Analyses to Support Attainment of Nutrient Reduction Goals.

This project, which supports the region's efforts to address the Chesapeake Bay TMDL and Watershed Implementation Plan, includes the following activities:

- A. Identify areas targeted for redevelopment, quantify the potential for nutrient reductions and estimate the cost-effectiveness of those reductions.
- B. Examine the feasibility of implementing BMPs on private property and estimate the potential nutrient removal of these BMPs.
- C. Coordinate project activities and research with the localities through the Chesapeake Bay TMDL Steering and Regional Stormwater Management Committees and document project findings.

Requested funding: \$30,000 with \$36,218 in HRPDC match.

Schedule: November 1, 2011 – February 15, 2012

Coastal Resiliency: Adapting to Climate Change in Hampton Roads. This project provides for continuation of HRPDC efforts to address climate change and sea level rise. It includes the following activities:

- A. Climate Change Public Outreach and Education, including production of educational materials; development of an online resource library; and, presentations and related discussions with the public.

- B. Incorporating Climate Change Impacts in Existing and Ongoing Planning Efforts, to include an inventory and assessment of local and regional plans that may be affected by climate change and development of a set of best practices on how to address climate change in those plans.
- C. Hampton Roads Climate Change Adaptive Management Plan, including a set of best practices, policies and recommendations for a process for incorporating adaptive management into the planning and decision-making process.

Requested funding: \$20,000 with \$20,000 in HRPDC match
Schedule: October 2011 – November 2012

RECOMMENDED ACTIONS:

Authorize the Executive Director to submit competitive grant proposals to the DEQ Coastal Zone Management Program to support the ongoing HRPDC nutrient reduction and climate change efforts as well as to accept grant offers when they are made.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9: FY 2010 – 2011 ANNUAL REPORT TO DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SUBJECT:

The HRPDC staff has completed the FY 2010-2011 annual report, required by the Regional Cooperation Act.

BACKGROUND:

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

Enclosed is the FY 2010 – 2011 Annual Report to the Department of Housing and Community Development. Historically, the report has been provided to the HRPDC at the Annual Report in October. The HRPDC staff requests that the HRPDC approve the report for submission to the DHCD in compliance with the Regional Cooperation Act and the Annual Contract between the DHCD and the Hampton Roads Planning District Commission.

RECOMMENDED ACTION:

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

Separate Enclosure

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10: HUD SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANTS PROGRAM-- MEMORANDUM OF UNDERSTANDING

SUBJECT:

Localities to Sign Memorandum of Understanding

BACKGROUND:

The Department of Housing and Urban Development (HUD) is offering competitive grant funding through its Sustainable Communities Regional Planning Grant Program [SCRPG Program]. The FY 2011 Program includes \$100,000,000 for a Sustainable Communities Initiative to improve regional planning efforts that integrate housing and transportation decisions, and increase the capacity of communities to modernize land use and zoning plans. Of that total, \$70,000,000 is available for the Sustainable Communities Regional Planning Grant Program, and \$30,000,000 is available for the Challenge Planning Grant Program

Grants are limited by population size with HRPDC eligible for between \$1 million and \$5 million. The application process for this Notice of Funding Availability (NOFA) is a two-step process: A preliminary application and a full application. A HUD-approved pre-application is required to submit a final application for consideration. On July 21, 2011 the HRPDC authorized the Executive Director to submit the HUD Sustainable Communities grant application to HUD and accept a grant award if offered. On September 2, 2011, HUD advised the HRPDC of its eligibility and invited HRPDC to submit a full application. The full application is due September 28, 2011.

The NOFA outlines the application structure, program expectations, and the expected final product from the grantee. The program also details the required 'consortium' of regional partners that will need to be engaged in this endeavor. Among the partners required in the consortium are the regional planning agency, regional MPO, regional principal city, member localities to represent a minimum of half of the regional population, and a regional nonprofit organization, foundation, or educational institution that has the capacity to engage a diverse representation of the general population. Other regional partners such as transit agencies and housing authorities are suggested and encouraged by HUD to be involved in the regional consortium.

The HRPDC staff is working with the local government Directors of Planning to develop a project proposal for this grant program. This would be a regional effort consisting of the HRPDC as the lead entity working with HRTPO, member localities, and regional partners to develop a Regional Plan for Sustainable Development.

The goal of the Regional Plan for Sustainable Development would be to improve the regional integration of local plans, accounting for initiatives within different livability areas including transportation, housing, environment, land use, and other applicable areas of interest as outlined in the NOFA.

Attached is a Memorandum of Understanding (MOU) between the HRPDC and the participants of the proposed Hampton Roads Regional Sustainability Consortium for HRPDC consideration and approval. The MOU endorses the HRPDC staff proposal concept, designates the HRPDC as the lead agent in the approved proposal, as well as pledges support as a consortium member for the approved proposal. The MOU is essentially identical to the one approved by the HRPDC at its July 21, 2010 Commission Meeting and executed by the localities and other consortium partners during August 2010. Because of the time constraints on this process the MOU was transmitted to the potential participants on September 7, 2011.

John M. Carlock, HRPDC Deputy Executive Director, will brief the Commission on the Memorandum of Understanding.

RECOMMENDED ACTION:

1. Authorize the Executive Director to submit the Memorandum of Understanding to the localities and potential consortium partners for execution.
2. Authorize the Executive Director to execute the Memorandum of Understanding.

Attachment - Memorandum of Understanding – Sustainable Communities Consortium

MEMBER JURISDICTIONS

CHESAPEAKE

FRANKLIN

GLOUCESTER

HAMPTON

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

WILLIAMSBURG

YORK

Memorandum of Understanding
Between
The Hampton Roads Planning District Commission
and
Participants of the Proposed Hampton Roads Regional Sustainability Consortium

This Memorandum of Understanding (“MOU”), entered into this 15th day of September 2011, among and between the Hampton Roads Planning District Commission (“HRPDC”) and the participants (“signatory parties”) of the proposed Hampton Roads Regional Sustainability Consortium (“HRRSC”), for the purpose of the Sustainable Communities Regional Planning Grant Program, administered by the Office of Sustainable Housing and Communities (“OSHC”) of the Department of Housing and Urban Development (“HUD”), establishes the broad responsibilities of the signatory parties in developing and implementing a Regional Development Framework for the Hampton Roads region.

WHEREAS, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, provided a total of \$100,000,000 to HUD for a Sustainable Communities Initiative to improve regional planning efforts that integrate housing and transportation decisions, and increase the capacity of communities to modernize land use and zoning plans;

WHEREAS, the Sustainable Communities Initiative has allocated \$70,000,000 to the Sustainable Communities Regional Planning Grant Program (“the Program”), and \$30,000,000 to the Challenge Planning Grant Program;

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

WHEREAS, the Program seeks to invest in regional partnership proposals that either develop a Regional Plan for Sustainable Development or a Detailed Execution Plan or Program;

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

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

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

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

NOW THEREFORE, the signatory parties, as listed in Exhibit 1, hereto attached and incorporated by reference, enter into the following MOU:

HRPDC RESPONSIBILITIES

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

1. Developing the proposal concept of a Regional Plan for Sustainable Development for submission to the OSHC on behalf of the HRRSC;
2. Serving as the lead agent within the HRRSC in carrying out and administering the approved proposal within the Program guidelines;
3. Providing administrative staff support to the region in developing the Regional Plan for Sustainable Development;
4. Managing a consultant effort, if necessary, to complete the Regional Plan for Sustainable Development;
5. Working with all Hampton Roads localities and appropriate public and private entities to obtain the required financial resources and leverage to support the development of the Regional Plan for Sustainable Development;

6. Working with all Hampton Roads localities and appropriate public entities to ensure that the completed Regional Plan for Sustainable Development is incorporated into their local or entity comprehensive plans;
7. Working with all Hampton Roads localities and appropriate public and private entities to seek future funding to maintain the Regional Plan for Sustainable Development.

PARTICIPANTS OF THE PROPOSED HRRSC RESPONSIBILITIES

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

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

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

Exhibit 1: Signatory Parties

Signature pages will be signed in counterparts.

Executive Director, Hampton Roads Planning District Commission

Executive Director, Hampton Roads Transportation Planning Organization

Transportation District Commission of Hampton Roads

Williamsburg Area Transit Authority

Hampton Roads Sanitation District

Hampton Roads Center for Civic Engagement

City of Chesapeake

City of Franklin

Gloucester County

City of Hampton

Isle of Wight County

James City County

City of Newport News

City of Norfolk

City of Poquoson

City of Portsmouth

Southampton County

City of Suffolk

Surry County

City of Virginia Beach

City of Williamsburg

York County

SIGNATURE PAGE

IN WITNESS WHEREOF, duly authorized officers of the signatory parties shown on Exhibit 1 execute this Memorandum of Understanding

Hampton Roads Planning District Commission

By: _____

Title: _____

Date: _____

Attest: _____

Date: _____

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: REGIONAL SOLID WASTE PLAN FOR SOUTHEASTERN VIRGINIA

SUBJECT:

The HRPDC with consultant assistance from SCS Engineers has completed the five year update to the *Regional Solid Waste Management Plan for Southeastern Virginia*, enclosed which covers the SPSA service area.

BACKGROUND:

The Virginia Solid Waste Planning and Recycling regulations require that designated solid waste management planning units develop and maintain the regional solid waste management plan and once every five years complete a plan update. These regulations also require annual reporting of recycling activities to serve as the basis for determining whether the region's localities are meeting the states 25% recycling rate requirement.

The Southeastern Public Service Authority of Virginia (SPSA) is the designated solid waste management planning unit for its eight member localities. SPSA requested that the HRPDC staff develop the plan update under contract with SPSA. At its Quarterly Commission Meeting in January 2010, the HRPDC authorized the staff to contract with SPSA for this effort and to also contract with SCS Engineers to assist in the effort.

In July 2010, the HRPDC and SCS Engineers completed a review of the 2005 Plan, as amended, which was submitted by SPSA to DEQ to meet the regulatory requirements. DEQ acknowledged receipt of the review documentation.

As required by DEQ regulations, the HRPDC held a public hearing on the Plan on August 24, 2011. The Plan has also been available for public review for thirty (30) days with the public comment period ending on September 6, 2011. Attached is a set of public comments received by the deadline. Also attached is the HRPDC staff response to these comments.

HRPDC Deputy Executive Director John Carlock will provide a brief overview of the Plan recommendations.

RECOMMENDED ACTION:

Approve the *Regional Solid Waste Management Plan for Southeastern Virginia* and recommend it to SPSA for adoption and submittal to DEQ for approval.

STAFF COMMENTARY:

In addition to HRPDC consideration, the Plan will be presented to the SPSA Board on September 28, 2011 for consideration. Upon completion of action by the SPSA Board, the HRPDC staff will begin the process of redesignating the HRPDC as the regional solid waste planning agency for Southeastern Virginia, as approved by the HRPDC and the SPSA Boards in March 2010.

SCS Engineers, on behalf of the HRPDC, is presently updating the 2018 Solid Waste Management Report, initially completed in 2008. That study serves as input to the localities and SPSA as they consider management of solid waste in Southeastern Virginia after 2018.

Attachments

Separate Enclosure - Regional Solid Waste Management Plan for Southeastern Virginia

September 5, 2011

John M. Carlock, AICP
Deputy Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Subject: Written Comments

Reference: Draft Regional Solid Waste Management Plan for Southeastern Virginia, July 15, 2011

Dear Mr. Carlock:

I have prepared the comments, included herein, concerning the Referenced Draft Solid Waste Management Plan for Southeastern Virginia (Plan) on behalf of my client, John C. Holland Enterprises, Inc (JCHEI). JCHEI is a privately held company that owns and operates an Industrial landfill in Suffolk, Virginia. JCHEI is concerned that the Plan, as it currently written, will have an adverse impact to this family-owned business and ultimately the livelihood of the owners and their employees.

The comments are largely focused on the general direction the Plan's authors have taken for the handling of solid waste in Southeastern Virginia. JCHEI appreciates the opportunity to provide comments and questions concerning the draft Plan.

I have numbered our comments.

1. Section 9 of the Plan outlines the planned implementation, based on Virginia's hierarchical approach to waste treatment, and the alternatives considered by the Plan authors for future strategies. This section, while not directly addressing planning after 2018 does allude to it, does not consider allowing free enterprise to rule or even participate in the future of solid waste in the area. This is the primary focus of this comment.

The current plan in a nutshell is to allow Southeastern Public Service Authority (SPSA), a public utility, to continue managing solid waste through 2018 per their current charter and potentially beyond. However, their operation has changed and is proposed to continue to change from direct manager/operator to contract management. With the sale of major operating assets, outsourcing of some services, and cessation of certain operations SPSA's role is growing into one that seems to be an additional and potentially unnecessary layer of government.

Importantly, SPSA is working to reduce their long-term debt of roughly \$250 million in 2010 just prior to the sale of the RDF plant for \$150 million to Wheelabrator Technologies, Inc. in April of that year. In addition, The sale of the RDF plant to Wheelabrator, while reducing SPSA debt, effectively transferred the bulk of the municipal solid waste management in the area to a subsidiary of the largest solid waste management company in the US: Waste Management. It seems that, relative to the largest waste stream in the area, SPSA is working to fulfill the role of transferring monies from the member communities to Waste Management a \$12.5 billion/year company in 2010

While it is clearly understood that the member communities desire assurance for waste management capacities and Waste Management can readily fulfill this role, my client's concern is that this will result in a monopoly of solid waste management in the area by Waste

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SEP 06 2011

HRPDC

Management. This is especially true since Waste Management can handle every aspect of waste management and every type waste stream.

There are so many issues with the establishment of a monopoly that are so well known that I feel it is unnecessary to elaborate much. Certainly, while government contractual language may result in some price control, that control would certainly not have the power of free enterprise at keeping pricing competitive for the member communities. Ultimately, the consumer will loose and government will probably end up unraveling the monopoly. In addition, the development of a government-sponsored monopoly would certainly be ripe for antitrust litigation. Finally, other than the potential assurance of future capacity, there is little in such a plan for the citizens and businesses that are located in the target areas.

Why did the Plan authors not consider approaching local private companies directly and assess if there is interest in joint planning and sufficient interest to allow for competition in waste management in the area? JCHEI believes that this would have been a good start to bring competition into the local waste market, especially for consideration of waste management after 2018.

2. In a few sections, like Sections 1.3.1 and 2.5.2.4, the use of rail for the transshipment of waste is mentioned. In addition, Figures 8 and 12 show SPSA transfer station locations and private landfill facilities in eastern Virginia on railroad maps. In reviewing Figure 8, one would believe that the transfer stations are strategically located on the railroad. This is of course an illusion resulting from the drawing's scale. For example, the Chesapeake transfer station is adjacent to the switching yard at Mitsubishi Chemical but does not have actual access to the railroad.

While it is odd to present location information on railroad maps instead of street maps, JCHEI finds this focus of the Plan interesting because, their facility is located on a short line with access to both Norfolk-Southern and CSX and had a switch and side rail design completed in 2009. In addition, a concept design for an expanded waste transshipment facility was completed in 2010 and discussed briefly with the Virginia Department of Environmental Quality (DEQ) and several local governments. Finally, a discrete event simulation of potential traffic impacts on Nansemond Parkway resulting from an increase in truck traffic at the facility was completed in 2009. The facility currently also has two commercial enterprises interested in the installation of a non-waste bulk materials rail transfer operation at their facility.

The Plan helps confirm JCHEI's interest in initiating rail transshipment of wastes from the area, a process that was conceived, developed, and designed by JCHEI independent of any participation or knowledge of the Plan or expense to the taxpayer. JCHEI's operating philosophy is pay-as-you-go so that you are not carrying any long-term debt. By diversifying the transshipment facility so that it can handle non-waste bulk materials, JCHEI speculated that they could raise sufficient capital to pay for the waste transshipment facility. Discussions are currently progressing with the interested parties.

Clearly, the actions taken by JCHEI provide direct evidence that market forces in a free enterprise system can and will respond to community needs. However, if the public utility is planning on issuing municipal bonds to cover their cost and construct waste transshipment facilities to compete with JCHEI's proposed facility, or to provide a dedicated waste stream for transshipment to a single company without competition, then JCHEI is concerned that the Plan will have a negative impact on their future plans and livelihood. This is obviously a financial concern to the facility.

Why didn't the plan authors reach out to the local private companies to discuss future plans, the status of these plans, and get these companies involved in the future of waste management in southeastern Virginia? Relative to this issue, JCHEI only received a questionnaire from the HRPDC concerning recycling and source reduction. The facility

believed that a response was not needed since waste quantities are already reported to the DEQ annually on DEQ Form 50-25 per Virginia law.

3. Section 2.3.2.2 includes a write-up that discusses the rationale for the financial crisis at SPSA. JCHEI has two comments concerning this section. The first is that when allowed to select the disposal site, commercial enterprises did not use the SPSA facilities. While the Plan offers an explanation (which has no supporting documentation referenced) that the private carriers used their own landfills for disposal, an equally plausible explanation is that private companies use the facility with the lowest price. Because private enterprises are primarily profit-margin decision makers they will almost always pick the price that supports the lowest price/highest profit. Importantly, as discussed in the Plan, when given the choice, the member communities made the same decision becoming low price decision makers. As described in the Plan, SPSA responded by reducing their tipping fee. This is free-enterprise control in action and the member communities should have a Plan that includes allowing communities to use the lowest cost disposal option.

The second comment is that there is no proof or documentation referenced that would indicate that the court decisions and decisions by the member communities lead to the financial crises at SPSA. It is just as likely that the financial problems at SPSA resulted from other factors or combinations of factors. As such, this discussion, not required by regulation, should be removed from the Plan.

4. Population growth is a primary driver for the discussions in the Plan and is critical to the decision process. As such, the source data was evaluated in an effort to determine the methodology used for estimating future populations. In reviewing Table 3 in Section 1, I was unable to generate the annualized growth rate for Suffolk and Chesapeake but was able to get fairly close for the other member areas. Probably the Plan authors used some type of adjustment or judgment. If so, the Plan authors should describe the methodology in the Plan. Overall, it would be very beneficial to include a discussion of the method used to estimate populations in the out years.
5. While not required by regulation, in addition to planning for future capacity, JCHEI believe that the planning effort should focus on the reduction of future risks for member communities. Environmental risk and price are irreversibly linked when long-term liability of facilities are considered. The Plan, as written, may be moving in the opposite direction. This is the primary focus of this comment which is only included here because of the documentation provided on the future plans for SPSA as determined by the Board of Directors.

Section 1.1.2 outlines SPSA's core goals as adopted by their Board of Directors. Goal 2: "Consider Outsourcing SPSA Functions" has as Objective 2.2 "Determine Feasibility of Operating Household Hazardous Waste, Used Oil, Tire Shredder, White Goods Disposal and Freon Extraction Services Programs." This Objective, was given the following Action: "Perform an Analysis of the Household Hazardous Waste, Used Oil and Freon Extractions Programs to Determine if the Programs Should Be Discontinued."

These core programs when coupled with municipal incinerator ash wastes represent the bulk of air and groundwater pollution risks to the member communities. In addition, portions of these programs are not sufficiently economically viable to be of major interest to commercial enterprises; especially in light of the focus on the six policy areas specified in the State law.

For example, there is currently little interest in used tires relative to recycling and many end up in landfills even though incentives exist for recycling/reuse. While the combustion of the used tire rubber does have a heating value higher than coal, the removal of the steel and nylon belting requires a substantial investment in equipment and energy. Household hazardous waste has little if any commercial viability other than destruction or disposal. Because the waste products included in this section can represent substantial environmental risks JCHEI

believes that these operations should be maintained by a government entity like SPSA or other entity where waste handling is not driven by lowest tipping fee but by lowest lifetime cost. Conversely, disposal options for the high quantity, low risk wastes, should be based on lowest price because the lifetime environmental risks are lower.

6. JCHEI has to provide some corrections to the values presented in Table 17. Capacity calculations completed in 2003, and propagated forward until 2010, were substantially in error. The current remaining capacity is 3,964,000 tons with 5,573,000 tons disposed of to date and 31 years of estimated life remaining.

JCHEI was permitted as an industrial landfill prior to the promulgation of the Subtitle D regulations and prior to the establishment of SPSA. The landfill receives industrial and C&D waste in accordance with their permit issued at that time. JCHEI receives and recycles steel, yard waste, creosote timber, concrete and brick, and used tires. The following recycling volumes were recorded 2010: metal 320 tons, yard waste 7,260 tons, creosote timber 7,790 tons, concrete and brick 7,792 tons, and used tires 751 tons.

JCHEI appreciates the opportunity to comment on the Plan.

A handwritten signature in black ink, appearing to be 'W. A.', written in a cursive style.

Warren Niederhut, P.E., CIH

cc: File, A2

JCHEI

MEMBER
JURISDICTIONS

CHESAPEAKE

FRANKLIN

GLOUCESTER

HAMPTON

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

WILLIAMSBURG

YORK

September 7, 2011

Mr. Warren Niederhut, P.E., CIH
Crestline Consulting
1049 Austin Drive
Chesapeake, Virginia 23320

RE: Response to Public Comment
(POL: Regional Solid Waste Plan Update 2010)

Dear Mr. Niederhut:

Thank you for your letter of September 5, 2011 providing comments on the draft Regional Solid Waste Management Plan for Southeastern Virginia, and for your comments at the August 24, 2011 Public Hearing on the Plan. The staff of the Hampton Roads Planning District Commission has reviewed your comments and provides the following response. The response is keyed to the numbers in your comment letter.

1. The Plan does not assume a specific role for the Southeastern Public Service Authority of Virginia (SPSA) in solid waste management after 2018. The member localities and SPSA are pursuing a separate process to determine the appropriate role of SPSA and the relationship between SPSA and the member localities after 2018. Once that process concludes and decisions are made, the Regional Solid Waste Management Plan for Southeastern Virginia will be amended as appropriate. Prior to adoption of any amendments to the Plan, additional opportunity for public review and comment will be afforded.

There has been no intent on the part of the HRPDC or of SPSA in preparing this Plan to establish a monopoly. The Plan recognizes other public and private sector waste management entities. The Plan proposes maintenance of the existing regional system for solid waste management plan consistent with existing contractual relationships among the various parties. As noted in the previous paragraph, decisions about the future post-2018 system are being considered and appropriate amendments will be made to the Plan once decisions have been made.

Attachment 11B

2. You point out several references, both direct and indirect, to potential use of rail for shipment of solid wastes. Section 1.3.1 notes that this alternative has been previously considered and rejected through previous regional solid waste planning efforts. Section 2.5.2.4 notes the reality that many of the "out-of-region" landfills are located near or adjacent to rail lines. Figures 8 and 12 depict the location of major solid waste management facilities and major transportation facilities, both rail and highway. The Plan makes no assumption about future use of rail for transportation of solid wastes. It points out that rail may be a future option for solid waste transportation. It does not include a proposal for public construction of rail facilities to support solid waste transportation.
3. Section 2.3.2.2 addresses the SPSA financial situation as it influenced decisions that have been made about regional solid waste management facilities. It reflects the fact that commercial waste quantities have declined, which has negatively impacted SPSA revenues. It points out that court decisions and other factors have also negatively impacted the regional system. While this discussion is not required by the DEQ regulations, it is believed to be appropriate background for the current status of regional solid waste management in Southeastern Virginia. The current status obviously influences the available options and Plan direction.
4. The population forecast used in the Plan (Section 1, Table 3) was developed by the HRPDC staff in cooperation with the sixteen member localities, initially for use in developing the Long-Range Transportation Plan. It is presently being used in a variety of regional planning programs, including water supply, wastewater management and solid waste management. Detailed documentation of the forecast methodology can be provided.
5. We agree that household hazardous waste (HHW) and others, such as used oil, white goods and tires are of higher long-term risk and/or lower value than traditional municipal solid waste. The region's Household Hazardous Waste program was established in the late 1980s based on recognition of those risks and the minimal or no profit associated with management of those wastes. As the region goes forward, both the risk and commercial viability, or lack thereof, of managing those wastes will be evaluated. Decisions about future management of these higher risk, lower profit wastes will reflect the inherent risks in managing or not managing the wastes, the cost of doing do and the potential interest of the private sector in participation in their management.
6. You point out the need to correct the capacity calculations for the JCHEI landfill, contained in Table 17. We appreciate the comment and will make the appropriate correction to this Table.

M. Warren Niederhut, P.E., CIH
September 7, 2011
Page 3

7. Your unnumbered final paragraph includes data on the volume of material recycled by JCHEI during Calendar Year 2010. We appreciate this data and look forward to your continued participation in the annual Recycling Rate reporting process.

Again, the staff of the Hampton Roads Planning District Commission appreciates your comments on the Regional Solid Waste Management Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Carlock". The signature is fluid and cursive, with a long horizontal stroke at the end.

John M. Carlock, AICP
Deputy Executive Director

JMC/fh

Copy: Mr. Rowland L. Taylor, SPSA Executive Director

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: REGIONAL HOUSING PORTAL

SUBJECT: The HRPDC staff will provide an update on the progress of the Regional Housing Portal initiative.

BACKGROUND:

Over the last year, the HRPDC staff has created a database of over 400 unique programs and services throughout the region. Services related to closing cost assistance, first-time homebuyer education, foreclosure prevention, rental counseling, and housing services for persons with disabilities have been identified in this uniform database.

HRPDC Staff in the areas of Information Technology, Regional Planning, Housing and Human Services, Economics, and GIS Planning have been working diligently to develop a centralized database that can ultimately be utilized to create a “one-stop shop” approach to making information on services and programs readily accessible to the public and regional housing providers.

Shernita Bethea, HRPDC’s Housing and Human Services Administrator will brief the Commission on updates to this initiative.

RECOMMENDED ACTION:

This briefing provided for background informational purposes and provides the HRPDC Board members the opportunity to provide staff with comments and/or questions.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: HR GREEN PROGRAM BRIEFING

SUBJECT:

The new HR Green Campaign has been initiated and the website, www.askHRgreen.org, is now live.

BACKGROUND:

The regional environmental education committees (HR WET, HR STORM, HR FOG, and HR CLEAN) have been working together on more cohesive messages under the umbrella brand of HR Green. To date, they have conducted regional social marketing research and message testing, developed social media tools including a regional blog, Facebook, Twitter, and YouTube accounts, and launched a new website: www.askHRgreen.org.

Ms. Julia Hillegass, HRPDC's Public Information and Community Affairs Administrator, will brief the Commission on the launch of the new HR Green Campaign and website.

RECOMMENDED ACTION:

This briefing provided for background informational purposes and provides the HRPDC Board members the opportunity to provide staff with comments and/or questions.

STAFF COMMENTARY:

The HRPDC staff provided an overview of the research results at the May 19, 2011 HRPDC Executive Committee Meeting.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

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

SUBJECT:

Hampton Roads Planning District Commission has accepted Virginia's request to support the State's effort to develop the Phase II Watershed Implementation Plan (WIP) for the Chesapeake Bay TMDL.

BACKGROUND:

HRPDC has developed a two-tiered approach to coordinate stakeholder involvement for the Phase II WIP throughout Hampton Roads. The local tier consists of local government teams composed of staff from all departments affected by or affecting nutrient load reductions. The local tier will develop the locality's nutrient reduction strategy by selecting a combination of BMPs (nutrient reduction methods) that meet the locality's nutrient reduction target.

The regional tier is a Steering Committee composed of locality representatives, federal and state agencies, agriculture representatives, and selected environmental groups. The Steering Committee will serve as a forum for local government representatives and other stakeholders to communicate their questions and concerns as they identify the management actions they will implement in order to meet the nutrient and sediment reduction goals necessary for a clean Bay. HRPDC staff will work with the Steering Committee and Virginia and EPA staff to address the local government concerns and provide technical assistance to develop management action scenarios. The following issues have already been identified for the Steering Committee to address:

1. Divide nutrient loads based on land use and ownership (Agricultural, VDOT, DoD, etc.) to clearly identify the portion of the nutrient reductions that the locality must implement.
2. Coordinate with the EPA and DCR to expand the types of BMPs that can be incorporated into the Bay model.
3. Provide regional feedback to the State on what localities need from the State such as more authority, regulations or funding.

The Regional Steering Committee began meeting monthly on July 14, 2011 and has held two subsequent meetings. The Steering Committee has identified and prioritized key issues that should be addressed during the Phase II WIP process. In August HRPDC staff sent a letter to DCR outlining some of these issues and requested answers to outstanding questions concerning modeling data and information. The letter incorporating DCR's responses is attached.

Whitney Katchmark, Principal Water Resources Engineer, will provide a presentation summarizing the progress towards developing the Regional input for Virginia's Phase II WIP.

RECOMMENDED ACTION:

This briefing provided for background informational purposes and provides the HRPDC Board members the opportunity to provide staff with comments and/or questions.

Attachments: HRPDC letter to DCR, incorporating DCR Responses
Priority Spreadsheet

MEMBER JURISDICTIONS

August 15, 2011

CHESAPEAKE

Ms. Joan Salvati, Division Director
Department of Conservation and Recreation
Division of Stormwater Management
Pocahontas Building
900 E. Main Street, 8th Floor
Richmond, VA 23219

FRANKLIN

GLOUCESTER

Dear Ms. Salvati:

HAMPTON

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

The HRPDC is aware that the State has concerns with the data from the 5.3.2 model, and that this has caused a delay in the development of the official ‘tool’ that local governments will be able to use to submit Phase II scenarios to Virginia. However, the Hampton Roads local governments and members of the Regional Phase II WIP Steering Committee have a multitude of issues and questions that need to be addressed in order for local governments to continue developing their Phase II WIP strategies. The answers to most of the questions are not dependent on the model output. Localities are having trouble assessing and correcting the baseline data and estimating the nutrient reductions of proposed actions because the State has not provided information that is critical to make those calculations. Localities are also concerned about how the locality target loads were developed and whether or not they are equitable.

We request a response to the questions and issues, outlined below, prior to our next Steering Committee meeting on September 1, 2011. We also request that you attend the meeting in order to provide the Steering Committee with an update on Virginia’s progress towards Phase II WIP development and to address any concerns of the Committee members.

Critical Information for Developing Phase II Strategies

SOUTHAMPTON

1) What are the loading rates for the different land cover classes? Do these rates vary by physiographic region (coastal plain versus piedmont)? These loading rates are important for localities to have, so they can calculate a reduction from the baseline load for the area treated by a particular BMP.

SUFFOLK

SURRY

2) Localities need urban loads broken down into pervious versus impervious, so that they can better estimate load reductions from BMPs applied to specific land cover classes.

VIRGINIA BEACH

WILLIAMSBURG

3) Is the State working with EPA to reconcile the differences between Virginia’s BMP efficiencies and the Bay Model efficiencies? When will this issue be resolved?

YORK

Attachment 14A

Concerns about Target Loads

- 1) Localities are concerned that the use of '2009 Progress' model run as the baseline for determining urban stormwater load reductions for all localities creates inequity for localities within the Chesapeake Bay Program Act areas that have been implementing stormwater requirements since 2000. Additionally, the information contained in the '2009 progress' scenario is incomplete. HRPDC suggests that DCR use the '2010 no action' model run to determine the necessary percent load reductions for urban stormwater.
- 2) How are the nutrient reduction goals of each locality influenced by the model effectiveness factors for each segmentshed?
- 3) If the State developed the Phase I WIP load goals using a standard treatment percentage for each BMP for each locality, why are the nutrient and sediment load reductions for localities so disparate?
- 4) How can localities account for the nutrient reductions achieved by the Fertilizer restrictions recently passed by the General Assembly?
 - a. Will there be an input for this in the tool that DCR is developing?
 - b. How will this relate to the Nutrient management plan requirement for localities?
 - i. How can localities account for property owners that do not apply any fertilizer to lawns?
- 5) Virginia's Phase I WIP included a statement that federal properties would be held to a higher implementation level of BMP implementation than non-federal properties. Was this included in the model runs for the Phase I WIP? Will it be included in the model runs for the Phase II WIP?
- 6) What additional programs or implementation levels were required for agriculture? What additional funding has been dedicated to achieving nutrient and sediment reductions from agriculture?

Issues on cataloging and documenting nutrient reductions

- 1) Localities need guidance on how to document pre 2006 BMPs that have not been included in the model, so that they can be included during the recalibration in 2017. Localities also request that the Tool DCR is creating have the ability to estimate the

reductions achieved by these ‘missing’ BMPs, so that localities can account for that nutrient removal during their planning process.

- 2) Localities have not been receiving credit for some management actions that have Model efficiencies because they have not been reported.
 - a. Please list the BMPs that the State is aware of that have not been reported.
 - b. What is the State’s plan to address this during the Phase II process?
- 3) Additional BMPs and efficiencies need to be added to the Model.
 - a. What priorities has the State submitted to EPA?
 - b. What actions is the State taking to establish interim efficiencies for localities to use during the planning process?
- 4) Erosion and Sediment Control
 - a. How were the acres under e and s control determined?
 - b. The BMP loading sheet has a 2025 target for acres under E and S. Does this number refer to the acres that will be under e and s control in the year 2025, or the number of acres that have been controlled during a longer period preceding 2025? If the latter, what is the starting year?
 - c. How is a locality supposed to increase areas under erosion and sediment control when that is a factor of the pace of development?
- 5) How can localities estimate the benefit of tree plantings not associated with reforestation or buffer restoration (ie. Street trees or increased canopy on developed lots)?
- 6) How are septic pumpouts and biosolids applications being tracked?
- 7) The BMP crosswalk spreadsheet indicates that street sweeping can be reported in acres swept or pounds of material collected. Which unit was used for the street sweeping in the load reduction spreadsheets delivered to localities?
- 8) Is the State or EPA concerned about localities assuming urban nutrient management plans and agricultural practices will be implemented indefinitely even though the agreements are only effective for 1-3 year periods?

Ms. Joan Salvati
August 15, 2011
Page 4

- 9) How does the TMDL account for air deposition, and is there an opportunity for local/state air emissions reductions programs to have an impact on nutrient reductions locally?
- 10) Are the impacts of extreme storms causing major water quality impacts and should we be considering different BMPs to mitigate these extreme storms?

The HRPDC staff, the region's localities, and members of the Chesapeake Bay TMDL Regional Steering Committee have been working diligently to address the state's expectations of the Phase II WIP effort. At the August 4, 2011 meeting of the Regional Steering Committee, the HRPDC staff sensed a growing frustration on the part of the localities and other stakeholders over the lack of important information and guidance from the state that is critical to moving the process forward. We believe that it is essential that we address these gaps at the September meeting.

We appreciate your participation and assistance in this effort. If you have questions or desire to discuss these concerns further, please call Whitney Katchmark or Jennifer Tribo.

Sincerely,



John M. Carlock
Deputy Executive Director

WSK/fh

Issue	Importance	Agency Contact	Resources	Action	Timeframe
Establish interim BMP efficiencies and tool for planning purposes.	High	DCR/CBP	CSN Technical Bulletin, MDE guidance	Review CSN technical bulletin work with DCR and EPA to incorporate into planning tool and WIP II scenario runs.	ASAP
Coordinate with DCR on Tool development to ensure that all practices are included and can eventually be incorporated into Bay Model simulations.	High	DCR	MAST, CSN Technical Bulletin, MDE NPDES Guidance, Watershed Treatment Model.	Workgroup of locality reps, hrpdc and DCR to provide guidance and feedback to DCR	ASAP
Identify BMPs with efficiencies that have not been reported by the State in the past and recommend form for reporting and tracking these BMPs in the future.	High	DCR	DCR	Workgroup of locality reps, hrpdc and DCR to determine and disseminate to group.	ASAP
Exclusion of properties owned and operated by other entities within the locality boundaries.					
a. Federal Facilities	high	Navy/EPA	EPA federal facilities GIS layer	Identify discrepancies with EPA layer, and work with localities to adjust loadings accordingly.	end of August
b. VDOT	high	VDOT/DCR/MDE	MDE/SHA methodology	Develop methodology to extract VDOT roads and right of ways from locality loads	September/October
c. Industrial facilities with permits	high	DEQ/tetra tech	permit addresses, locality parcel layers, MDE methodology	Develop methodology to extract permitted industrial facilities and loads from locality goals. Explore contracting options.	October/November
d. State facilities (parks, universities)	high	DCR	Protected lands GIS layer, parcels	Develop methodology to extract properties and loads from locality goals	October/November
e. Mines	medium	DMME/DCR	Phase I WIP, other documentation of methodology.	Extract surface mines from locality load targets	Before December
f. Reservoirs located within a locality, but owned by another locality	medium				
Need clarification on agricultural BMPs related to stacking.	Medium High	DCR		DCR work with SWCD	October/November
Develop/Compile cost estimates for types of BMPs	Medium		CWP study, CSN working on.	Coordinate with other entities on status of research, select standard costs for use in HRPDC estimates.	December/January
Authority and feasibility of placing BMPs on private property	Medium		CWP retrofit manual, incentive and trading programs in Richmond, NH, DC	Research, presentations, and white paper on possible incentive or trading programs to encourage BMP on private property. Also research necessary maintenance provisions.	February/March 2012
Identify BMPs that should be added to the model:	Medium High			Work with DCR and appropriate Chesapeake Bay Program workgroups to study BMP efficiencies.	Ongoing
a. Retrofits		CBP/USWG			
b. Runoff reduction BMPs		CBP/USWG			
c. Maintenance upgrades		CBP/USWG			
d. Reduction of SSOs		CBP/USWG			
e. Updated stream restoration		CBP/USWG			
f. Oyster restoration		DCR/VIMS/CBP			
g. Calculating water quality credits for flood control BMPs		CBP/USWG			
Connection between MS4 permits and Phase II WIP management actions	Medium	DCR		Stay in touch with permit process progress.	Draft Permits 6-12 months
Identify regulatory obstacles to buffer restoration and potential solutions to overcome these obstacles.	high	DCR/COE		HRPDC work with localities, DCR and other appropriate agencies to identify obstacles and develop whitepaper on possible solutions.	Spring 2012
Identify/develop tools to estimate redevelopment rates, so localities can factor these reductions into their planning.	Medium		SW Regs, economic development depts.	HRPDC and locality workgroup to research	Spring 2012
Identify obstacles to rainwater harvesting and reuse and identify potential legislative actions.	Medium Low	VDH/DHCD	VDH and DHCD guidance	look for examples in other states, participating in building code standards development process, explore need for more regulatory authority. Reach out to other Regions to determine any planned actions or level of interest in coordinating.	Building codes review late 2011, 2012/2013 legislative packages

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #15: APPOINT HRPDC 2010-2011 NOMINATING COMMITTEE

SUBJECT:

Chairman to appoint Nominating Committee

BACKGROUND:

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

The Chairman will appoint a Nominating Committee to bring a slate of names for Chairman, Vice Chairman, Treasurer and Secretary as well as each government's representative for the Executive Committee to the HRPDC Annual Meeting on October 20, 2011. The following currently serve as the HRPDC Nominating Committee:

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

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

The current officers and their terms are:

Chairman – Stan D. Clark – 2010 – 2012

Vice Chairman – Thomas G. Shepperd, Jr. 2010-2012

Treasurer – James O. McReynolds – 2010 - 2011 (Since 2002)

Secretary – Dwight L. Farmer – 2010 – 2011 (Since 2008)

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

RECOMMENDED ACTION:

Chairman to appoint Nominating Committee and designate a Chairman.

AGENDA NOTE- HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #16: 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.

October 2011

- Election of Officers
- Employee Recognition
- Stormwater Annual Report
- Chesapeake Bay TMDL
- SSO/Capacity Team Report
- Energy Consumption Forecast

November 2011

- Chesapeake Bay TMDL
- Emergency Management Trailers – Pets – HRPDC Staff
- Emergency Management Trailers – Special Needs – Bill Ginnow
- SSO/Capacity Team Report

December 2011

- Chesapeake Bay TMDL
- Housing Program Update
- Benchmarking Study
- Hazard Mitigation Plans

AGENDA NOTE- HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #17: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The summary minutes of the August 3, 2011 Directors of Utilities Committee Meeting are attached. The Directors of Utilities Committee is next scheduled to meet on September 7, 2011.

Attachment 17A

B. HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE SUMMARY MINUTES

The summary minutes of the August 4, 2011 and September 1, 2011 Hampton Roads Chesapeake Bay Committee, Regional Stormwater Management Committee and Chesapeake Bay Implementation Subcommittee Meeting are attached.

Attachment 17B

C. PROJECT STATUS REPORT

Attached are status reports on other HRPDC programs.

Attachment 17C

Attachment 2A
JOINT MEETING SUMMARY
DIRECTORS OF UTILITIES COMMITTEE
August 3, 2011
HRPDC - Chesapeake

1. UASI Water Supply Assessment and Emergency Response Training Project

The Committee agreed that a closed session discussion was not necessary for the August project update.

HRPDC staff and the project team are planning data collection interviews with locality utility and emergency management departments. One-week periods during the months of September, October, and November have been targeted for conducting interviews. Although utility departments will be interviewed individually, emergency manager interviews will be consolidated in sub-regional workshops (Peninsula, Southside, Western Tidewater). HRPDC staff will be coordinating all scheduling. Staff will contact localities in the next few weeks and will provide advance copies of interview questions.

ACTION: No action.

2. Summary of July 6, 2011 Meeting of the Directors of Utilities Committee

The Summary of the July 6, 2011 meeting of the Directors of Utilities Committee was approved.

3. SSO Consent Decree Schedule

Mr. Richard Stahr, Brown and Caldwell, presented a review of the Special Order of Consent (SOC) deadlines for the required deliverables and the recommended interim deadlines.

Mr. Stahr reviewed upcoming milestones:

- **October 31, 2011:** Regional Hydraulic Model (RHM) boundary conditions are provided to local governments.
- **November 26, 2011:** Deadline for completion of sewer system evaluation survey (SSES) field work (documentation due within 30 days).
- **December 15, 2011:** Documentation of RHM calibration results to DEQ for locality Capacity Assessments.
- **May 1, 2012:** Draft Rehabilitations Plans and peak flow commitments (PFCs) to Capacity Team for review.
- **July 31, 2012:** Capacity Assessments due to EPA (HRSD) and DEQ (localities).
- **November 26, 2012:** Final Rehabilitation Plans due to DEQ.

- **November 26, 2013:** Regional Wet Weather Management Plan (RWWMP) due to EPA and DEQ.

The SOC requires a two step process:

- Rehabilitation Plans: Rehabilitation of facilities to achieve the PFC (focus on removing infiltration and inflow (I/I)); and
- RWWMP: Actions to build adequate capacity to meet level of service (LOS), based on the locality PFCs.

Post-RWWMP Performance Assessment is required by EPA. HRSD must demonstrate the effectiveness of corrective work. The assessment will include the number and causes of sanitary sewer overflows (SSOs), quantify PFC modeling/metering by local governments, and action plans to achieve LOS in specific areas as required.

Mr. Stahr reviewed the development of the RGST Business Rules, which provide a standard for rehabilitation planning by addressing the specific requirements not set forth in the Regional Technical Standards (RTS). The Capacity Teams has been discussing the Business Rules with DEQ between April and August 2011. DEQ has indicated that the RTS method for rehabilitation planning requires the assessment of cost and feasibility of reaching the peak flow threshold (PFT) in each SSES basin. DEQ has offered two additional alternative methods for consideration: 1) Fixed Rehabilitation Plan (completion of rehabilitation to the estimated extent needed – e.g. 70% of basin); and 2) Flow Monitored Rehabilitation Plan (complete rehabilitation to the extent needed to demonstrate achievement of PFC).

The alternatives to the Business Rules offered by DEQ exclude language to address private property I/I, sequence of work, long-term maintenance of the PFC, and the idea that the PFC for non-SSES basins is the PFT. These issues would have to be addressed in a Memorandum of Agreement (MOA) between HRSD and the localities.

Mr. Stahr reviewed the options for moving forward as follows:

- DEQ interpretation of Business Rules could be memorialized as an MOA and localities would provide written acknowledgement of the interpretation.
- Approach DEQ to make formal changes to the SOC and negotiate DEQ's interpretation into an acceptable format (agree to selecting one alternative).

The Capacity Team has formed a small sub-committee to work with DEQ on the Business Rules and is targeting August 29, 2011 as the deadline for consensus.

Mr. Stahr polled the Committee on the alternatives offered by DEQ. Localities supporting each alternative are listed below.

- Flow Monitored Rehabilitation Plan: Isle of Wight, Poquoson, Suffolk, Virginia Beach, Portsmouth, Gloucester, James City County, Hampton.
- Flow Monitored Rehabilitation Plan with RTS backstop: Newport News and Chesapeake

- Fixed Rehabilitation Plan: (none)

The following comments were made during Committee discussion:

- Locality use of RTS method is problematic for the RWWMP because a different set of criteria applies; also, comparison of plans between localities will be difficult.
- Locality use of RTS method will work; the intent not to use the RTS to dodge criteria – the rehabilitation plan would be very similar but without some of the details of the Flow Monitoring Rehabilitation Plan.
- A unified approach using the Flow Monitoring Rehabilitation Plan is preferred; flows need to be assured and correct design of system improvements cannot be based on flow estimated based on extent of rehabilitation work.
- There is the concern that DEQ thinks the flow monitoring approach is too aggressive; localities are not obligated to do flow monitoring. The perception of localities “over-committing” is a problem – DEQ support for flow monitoring should be sought.
- The MOA will address the long-term maintenance of the PFC; the MOA will turn into a service agreement between the locality and HRSD.
- There are concerns with the rehabilitation formula and the estimated removal of I/I, but the Capacity Team has concluded that the percent of rehab and associated I/I removal are fair and provisions for special cases are included in the approach.
- It should be suggested to DEQ that the language describing the sequence of work should be included in the amendment to the RTS, rather than the MOA.

The Capacity Team will continue discussions with DEQ regarding the Flow Monitoring Rehabilitation alternative.

ACTION: No action.

4. Infrastructure Optimization Software

The Cities of Newport News and Hampton have been using a software product to support advanced asset management and rehabilitation planning related to the Special Order of Consent. Consultant Woolpert has applied this ArcGIS extension to integrate existing GIS data with new data collected through CCTV and hydraulic modeling to simplify rehabilitation and replacement project planning. Mr. Don Cole and Mr. Scott Cattran, Woolpert, briefed the Committee on the Infrastructure Optimization (IO) toolset and provided a demonstration of key functions relevant to Hampton Roads localities.

ACTION: No action.

5. Virginia Department of Health Requirements for Boil Water Notices

The Committee decided to invite Mr. Dan Horne, Virginia Department of Health (VDH), Office of Drinking Water to a future Committee meeting for a roundtable discussion of VDH requirements for boil water notices and revisions to the total coliform rule.

ACTION: Include the topic on a future meeting agenda.

6. Committee Reports

- **Water Reclamation and Reuse Regulatory Advisory Panel (RAP):** The Water Reuse RAP held its final meeting on July 7, 2011. Amendments are to be sent to the State Water Control Board on August 4, 2011. In general, the Virginia Department of Health was perceived to treat the issue conservatively. The Department of Environmental Quality concluded that the issue of artificial aquifer recharge should be addressed in the Groundwater Regulations. The advisory group to examine incentivizing water reclamation and reuse will continue to meet. The group is expected to look at reduction of wastewater discharges to surface waters.

ACTION: No action.

7. Staff Reports

- **Final Regional Water Supply Plan:** On July 21, 2011, the Hampton Roads Planning District Commission acted to: 1) Accept the plan as meeting the requirement of the HRPDC work program; and 2) Distribute the Hampton Roads Regional Water Supply Plan to local governments for adoption. HRPDC is providing a letter to locality Chief Administrative Officers (CAOs) explaining the regulatory requirement for local program adoption.

ACTION: No action.

- **Hampton Roads Water Quality Response Plan:** The 2011 update of the contact list was distributed on July 21, 2011. Corrections to information for the City of Suffolk will be submitted to HRPDC staff.

ACTION: No action.

- **Data Call – Water Rates and Water Use:** HRPDC staff anticipates commencing the annual data call for water rates and water use in August 2011. The 2011 data call will request information on water rates, taxes, and water use by category.

ACTION: No action.

- **Help 2 Others (H2O) Program Update:** HRPDC staff is working on the following program activities:
 - Solicitation of quotes for website design;
 - Salvation Army program administration meetings;
 - Request for proposals for donation envelopes; and
 - Coordination of meetings with utility departments and Salvation Army staff.

The Committee noted that program coordinates communication between utilities and the Salvation Army to ensure that all the necessary fees and bills are paid to restore water service.

ACTION: No action.

8. Other Business

- The Committee briefly discussed a proposed rulemaking by the State Corporation Commission (SCC). The SCC intends to establish rules for disconnecting water service for persons with serious medical conditions. The Committee was not sure if the proposed rules apply to all public water systems. The deadline for comments or hearing requests is August 16th.
- Mr. John Edwards accepted the position of Town Manager of West Point, Virginia, effective August 1, 2011. The Committee issued a resolution in recognition of his service and thanking him for his contributions to the water and wastewater programs in the region.

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
August 4, 2011

1. Special Presentation

Mr. John Carlock, HRPDC, presented a Resolution of Appreciation to Ms. Cindy Linkenhoker, Portsmouth, for her work with the City of Portsmouth and the region. The Resolution is attached.

2. Summary of the July 7, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

The Summary of the July 7, 2011 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

3. Living Shorelines Presentation

Mr. Tony Watkinson from the Virginia Marine Resources Commission (VMRC) gave a presentation to the Committee on the outcome of the passage of SB964. SB964, passed this past General Assembly Session, includes six main parts. It:

- 1) Defines living shorelines;
- 2) Requires VMRC to develop a General Permit for the implementation of living shorelines;
- 3) Encourages living shorelines by making them the preferred shoreline management alternative;
- 4) Requires VMRC to develop guidance for their implementation;
- 5) Requires Tidewater localities to incorporate guidance developed by the Virginia Institute of Marine Science (VIMS) into their comprehensive plans starting in 2013; and
- 6) Requires VIMS to develop comprehensive coastal resource management guidance by 12/30/2012.

The General Permit will apply to submerged lands, wetlands, sand dunes, and berms. It will also contain review procedures, notice requirements, fees, application, and a tiered approach for implementation.

The guidance will provide approaches for different shoreline types and situations. It will describe the risks and benefits of using living shorelines in different situations. It will also contain information on stakeholder and regulatory communication and

procedures for efficient and effective implementation. VIMS will have a major role in developing specific criteria and guidance. VMRC and VIMS will coordinate with other regulators and stakeholders, including local wetlands boards. A draft general permit should be released in spring 2012. In order to effectively implement the general permit and guidance, there will probably be more scrutiny and oversight of local wetland board decisions regarding shoreline stabilization. However, VMRC realizes that living shorelines may not always be appropriate, depending on the needs of the project and the specific situation and characteristics of the shore.

ACTION: None required.

4. HR Green

Ms. Julia Hillegass, HRPDC, gave an update to the Committee on the HR Green program. A new website, www.askhrgreen.org, has gone live that combines the information resources previously available on the environmental education subcommittees' individual websites. The website is part of an overall consolidation of those programs (HR Clean, HRWET, etc.) under the new HR Green program. The website incorporates social media (twitter, Facebook, YouTube, a blog) and includes educational and program-related information, news, and events. If localities have materials to put on the website or comments, please contact Ms. Hillegass (jhillegass@hrpdcva.gov) or Ms. Lisa Hardy (lhardy@hrpdcva.gov).

ACTION: None required.

5. Chesapeake Bay Phase II Watershed Implementation Plan (WIP) Update

Ms. Jenny Tribo, HRPDC, updated the Committee on the Chesapeake Bay Phase II Watershed Implementation Plan (WIP):

- DCR will be sending new load spreadsheets to localities in August. The Commonwealth is also looking for input on implementation costs for BMPs from local government staffs.
- The Committee asked for more information on the definitions used in the WIP for land cover/use classifications.

The Chesapeake Bay TMDL Steering Committee will meet at 1pm this afternoon. Steering committee meetings will be held monthly from 1pm to 3pm following the Joint Environmental Committee meeting. These meetings will be open to the public. The goal of these meetings will be to pull together questions and issues for discussion at the regional level.

ACTION: None required.

6. Stormwater Subcommittee Update

Ms. Tribo reported to the Committee on the Stormwater Subcommittee's last meeting. The Stormwater Subcommittee discussed where each locality was on putting together a Chesapeake Bay TMDL team of local government staff. The Subcommittee also discussed the water reuse issue and determined to pursue and explore the uses of stormwater reuse as a best management practice (BMP) under the stormwater regulations and TMDL. If anyone has feedback, please contact Ms. Tribo (jtribo@hrpdcva.gov). The Subcommittee will be discussing in the future how to integrate stormwater permits with the WIP.

ACTION: None required.

7. Wind Energy Lease Program Draft Environmental Assessment

Mr. Benjamin McFarlane, HRPDC, reported to the Committee on the draft environmental assessment released for the proposed offshore wind lease program, which will guide the process used to select bids for research and commercial wind energy development in four areas off the Atlantic coast, including an area off Virginia Beach. Virginia Beach is currently looking for the draft assessment to determine whether or not they will comment on the document or program.

ACTION: None required.

8. Meeting Locations

Ms. Hillegass announced that HRPDC staff is looking for alternative meeting sites around the region for future Committee meetings. The Virginia Modeling and Simulation Center in Suffolk has been selected as the site for the September meeting.

ACTION: None required.

9. Status Reports

A. Hampton Roads Planning District Commission

HRPDC representatives had nothing to report.

B. Hampton Roads Sanitation District

HRSD representatives had nothing to report.

C. Soil and Water Conservation Districts

SWCD representatives had nothing to report.

D. Department of Conservation and Recreation

DCR staff reported that the new Stormwater Management Division Director is Reese Peck. DCR will be hiring operations and regulatory managers in the next few weeks.

E. Department of Environmental Quality

DEQ representatives reported that the Tidewater Regional Director position has been filled by Ms. Maria Nold.

F. U.S. Geological Survey

In the absence of a USGS representative there was no report.

G. Department of Transportation

VDOT representatives announced that VDOT has open positions for engineers.

H. U.S. Navy

In the absence of a U.S Navy representative there was no report.

I. Local Programs

Norfolk staff reported that Mr. Justin Shafer will be taking over Ms. Jill Sunderland's full-time position, and he will be attending future Committee meetings. An environmental specialist field position will be open soon. The principal planner position formerly held by Mr. Brian Ballard has been filled by Mr. Mark Woodward.

Chesapeake staff reported that the City is building a compressed natural gas (CNG) fueling station and converting the City's garbage fleet to CNG.

Gloucester County staff reported that Gloucester's Director of Code Compliance and Zoning Administrator, Mr. Ron Peaks, has resigned, effective August 31, 2011.

Virginia Beach staff reported that the City is finalizing a contract for a sustainability plan consultant. The City is also working with Norfolk on a beach vitex eradication project.

10. Other Matters

The next meeting of the Joint Environmental Committee is scheduled for September 1, 2011 at the Virginia Modeling, Analysis and Simulation Center in Suffolk, Va. Materials will be sent in advance for review.

PROJECT STATUS REPORTS

1. Regional Housing Program

Hampton Roads Loan Fund Partnership

The Department of Housing and Community Development (DHCD) extended the FY11 contract as it relates to the HOME grant for down-payment and closing cost assistance funding to local administrators for qualified first-time homebuyers. Staff now has until October 31, 2011 to utilize these funds for current requests for assistance. FY12 funding has not yet been announced.

Housing & Human Services Technical Assistance

Staff members are currently working on the HUD Secondary Financing Application, a newly enforced regulation requiring housing agencies that receive secondary financing and/or purchase HUD owned properties, become approved by HUD. The HRPDC staff is working with representatives from the Department of Housing and Community Development (DHCD) and HUD to complete the process. Housing staff members continue to provide support to various housing related regional projects and initiatives.

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. Over the past month, staff has responded to information requests from individuals, member localities, regional organizations, and the media. Staff is currently exploring the development of an index of regional economic conditions in cooperation with economists from several higher education institutions.

Regional Competitiveness

The Hampton Roads Regional Competitiveness report was published in July, and since that time staff economists have given presentations to the Hampton Roads Partnership and the Williamsburg City Council to help engage the regional community. Several more presentations and discussions have been planned.

Analysis of Energy Development Strategies

Staff is beginning work on an analysis of energy development strategies in Hampton Roads. At present, very little is commonly understood as to the ability for the region to capitalize on various forms of energy development. Staff will be collecting and compiling information on the region's capacity to develop energy and with research the potential economic benefits associated with energy development.

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 August 23, 2011:

- As the current REMTAC Chair has stepped down, the Vice-Chair, if there is no objection, should assume the duties of Chair, and a Vice-Chair be nominated and selected. As the REMTAC charter states, the next Vice-Chair would preferably be from the Peninsula.
- Special Needs Subcommittee Progress: Ms. Sara Ruch (Hampton/SN Subcommittee Chair) lead REMTAC in a discussion for approval of the strategic planning documents as submitted by the Special Needs Subcommittee, as well as approval of the Hampton Roads Special Needs Appendix Template: Medical Needs Registry Integration with WebEOC.
- HRPDC Water Assessment Project Update: As a follow-up to the June discussion an overview document was presented and discussed regarding the type of questions Watermark/CNA is interesting in obtaining from emergency management for the Water Assessment project as well as the proposed workshop format. Ms. Natalie Easterday (HRPDC) briefly reviewed the information within the attached document and discussed the proposed workshop dates.
- MMRS Shelter Support Unit (SSU) Update: Mr. Bill Ginnow provided an update on the status of the MMRS Shelter Support Units (SSUs). Anticipate receiving trailers with medical needs shelter supplies and equipment in late fall 2011.
- Chief Administrative Officers Table-top Exercise After Action Report (CAO TTX AAR) REMTAC Action Items: Ms. Donna Brehm (CRA/VDEM) gave an overview of REMTAC-related action items resulting from the prior and current CAO tabletop exercise after action reports.
- American Red Cross Regionalization: Ms. Cindy Jackson (ARC) briefed REMTAC on Red Cross chapter consolidation and any impacts it may have on planning or operations.
- Regional Citizen Corps Council: Ms. Martha Burns (Citizen Corps/CH) gave an overview of activities accomplished as well as planned activities for the Hampton Roads Regional Citizen Corps Council.

Debris Management

In preparation for Hurricane Irene, many of the participating localities in Hampton Roads activated a pre-approved debris management contract through SPSA and/or VPPSA. These contractors were either on-site or pre-positioned in/near the region upon the arrival of the hurricane to facilitate the scope of work in the contracts for city/county debris removal support.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

The EM Administrator continues to work with the Hampton Roads Interoperability Communications Advisory Committee (HRICAC) Oversight Group in an effort to find a funding solution for sustainment of the system for follow-on service and maintenance procurement. The FY08 UASI investment supporting ORION was modified to support HRTacRAN and has been sent to DHS for approval. This initial request was denied by DHS since the HRTacRAN was built with FY06 Port Security Grant Funds. However, in July 2011, DHS approved the modified IJ to support the reconstitution of the HRTacRAN while using as much of the existing infrastructure as possible with the 2008 grant funds.

Peninsula Local Emergency Planning Commission (PLEPC)

The Committee met in August and is nearing the completion of the updated plan.

FY12 Healthcare Organization Emergency Preparedness Seminars (HOEPS)

The HOEPS committee met in August and has begun planning for the May 2012 seminars. The focus of the seminar will be on recovery planning and actions.

Hazard Mitigation Planning

The HRPDC and Hazard Mitigation Planning Committee (for the Southside Hampton Roads Hazard Mitigation Plan, the Franklin Hazard Mitigation Plan and the Southampton Hazard Mitigation Plan) are on-going with the consultant. The Franklin and Southampton Plans have been reviewed and approved by VDEM and are at FEMA Region III undergoing a review for final approval. Once they are approved by FEMA, the plans can be formally adopted. The Southside Hampton Roads Plan is being reviewed by VDEM at this time and will follow the same process once approved.

The Emergency Management staff continues to work with the City of Hampton's Emergency Management Office (Project Manager) by providing support to update the Peninsula Hazard Mitigation plan when requested.

A website supporting this project for the staff, local agencies and future public participation has been established: www.remtac.org/mitigation.

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 is integrated. The initial grant for FY08 is drawing to a close and the RCPT is completing all products at this time.

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). The following is a summary of the UAWG meeting held on August 22, 2011:

- UAWG members were provided with a status report on the FY08 UASI projects and given an opportunity to inquire of project managers/representatives as to the current progress and expectation of their initiatives.
- As the work on the FY 2008 Capabilities Assessment nears completion, the next step is to update the Hampton Roads Homeland Security Strategic Plan in September utilizing the results from phase two of the regional capabilities assessment. Members of the UAWG were asked to volunteer on the subcommittee to help update the plan.
- The HRPDC forwarded a document from the National UASI Association which educates policymakers on the impact that UASI funding has had on national security and preparedness.
- Unused grant funds from completed projects were reallocated to other projects that needed additional funding.

WebEOC Implementation Update

The WebEOC Subcommittee continues to implement their plan for institutionalizing WebEOC in the region. All instances of the WebEOC have been upgraded to the latest version. Also, all licenses have been sustained until September 30, 2013 with UASI grant funds.

Hampton Roads Medical Special Needs

The Special Needs website and registry (www.hrspecialneeds.org) continues to be populated by/for citizens with special needs in Hampton Roads. Of special interest, over 200 new registrations were received in the days preceding Hurricane Irene. Registrations continue to increase as a result of outreach activities. The new hurricane evacuation guide now has a page dedicated towards special needs emergency preparedness planning.

Multi-Region Target Capabilities Assessment (FY08 UASI Project)

The Emergency Management staff provides program management and implementation support for the Target Capabilities Assessment (TCA), through the UASI Grant program. The gap analysis for phase two is now complete. To complete this project, the Hampton Roads Homeland Security Strategy will be updated and adopted by October or November 2011.

Pet Sheltering Support (FY09 UASI Project)

The first of seven trailers with pet sheltering supplies and equipment was delivered to the City of Chesapeake. Emergency Managers and animal control officials were able to view the trailer configuration and make recommendations for adjustments before the rest are built. The remaining trailers are now being constructed and reconfigured based on the recommendations and delivery is expected in September and October 2011.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #18: CORRESPONDENCE OF INTEREST

A. Letter from The Honorable John Miller, Senate of Virginia 1st District, to HRPDC Executive Director Dwight Farmer, August 4, 2011

Attached is a letter to HRPDC Executive Director Dwight Farmer from Honorable John Miller, Senate of Virginia 1st District, acknowledging receiving HRPDC letter and resolution regarding funding of programs to restore the Chesapeake Bay.

Attachment 18A

B. Letter from Mr. Anthony Moore, Assistant Secretary of Natural Resources for Chesapeake Bay Restoration to HRPDC Executive Director Dwight Farmer, August 26, 2011

Attached is a letter to HRPDC Executive Director Dwight Farmer from Mr. Anthony Moore, Assistant Secretary of Natural Resources for Chesapeake Bay Restoration, acknowledging receiving HRPDC letter and resolution regarding funding of programs to restore the Chesapeake Bay.

Attachment 18B

C. Letter from Mr. Michael Caldwell, National Park Service to HRPDC Executive Director Dwight Farmer, August 22, 2011

Attached is a letter to HRPDC Executive Director Dwight Farmer from Mr. Michael Caldwell, National Park Service, thanking HRPDC for Resolution 2011-07 which endorsed the establishment of a unit of the National Park System at Fort Monroe in Hampton Virginia.

Attachment 18C

D. Letter from Michael Cline, State Coordinator, Department of Emergency Management to HRPDC Regional Special Needs Planner, Jenny Redick, August 23, 2011

Attached is a letter to HRPDC Regional Special Needs Planner, Jenny Redick from Mr. Michael Cline, State Coordinator, Department of Emergency Management, thanking her for assisting with the process of revising the local emergency operations plan.

Attachment 18D

E. Letter from Christine Morris, Vice President of Initiatives, Hampton Roads Community Foundation Vice President of Initiatives, to HRPDC Executive Director Dwight Farmer.

Attached is a letter to HRPDC Executive Director Dwight Farmer from Christine Morris, Vice President of Initiatives, Hampton Roads Community Foundation State Coordinator, thanking him for meeting with the Hampton Roads Community Foundation to discuss the regions challenges and providing the Foundation with an overview of the work HRPDC has done through the region.

Attachment 18E

F. Letter from Christine Morris, Vice President of Initiatives, Hampton Roads Community Foundation Vice President of Initiatives, to HRPDC Chief Economist Greg Grootendorst.

Attached is a letter to HRPDC Chief Economist Greg Grootendorst from Christine Morris, Vice President of Initiatives, Hampton Roads Community Foundation State Coordinator, thanking him for providing the region with outstanding data and analysis.

Attachment 18F

G. Certificate, to Robert Lawrence, HRPDC Senior Regional Emergency Management Planner from FEMA

Attached is a certificate for Robert Lawrence, HRPDC Senior Regional Emergency Management Planner from FEMA, certifying that he has demonstrated exemplary performance and commitment to the Nation's continuity program by completing all requirements for, and is officially recognized by FEMA as a Continuity of Operations Excellence Series – Level 1 Professional Continuity Practitioner.

Attachment 18G

H. Letter from Mr. Dwight L. Farmer, HRPDC Executive Director to Mr. Clyde Cristman, Legislative Analyst, Senate Finance Committee

Attached is a letter from Dwight L. Farmer, HRPDC Executive Director to Mr. Clyde Cristman, Legislative Analyst, Senate Finance Committee, outlining HRPDC activities associated with the Chesapeake Bay TMDL and state Watershed Implementation Plan, Phase II.

Attachment 18H

I. Email from Mr. Richard Batiuk, Associate Director for Science, U.S. EPA Chesapeake Bay Program Office to John Carlock, HRPDC Deputy Executive Director

Attached is an email from Mr. Richard Batiuk, Associate Director for Science, U.S. EPA Chesapeake Bay Program Office to John Carlock, HRPDC Deputy Executive Director, requesting a copy of Jennifer Tribo's presentation to the 2011 Environment Virginia Conference and recognizing that it was excellent.

Attachment 18I

J. Letter from Dwight L. Farmer , HRPDC Executive Director to Governor Robert McDonnell, September 7, 2011

Attached is a letter from Dwight L. Farmer, HRPDC Executive Director to Governor Robert McDonnell referring him to the recently completed HRPDC report, *Hampton Roads Regional Competitiveness*, and offering HRPDC assistance to the Governor and the new Governor's Task Force on Economic Competitiveness and Versatility.

Attachment 18J

K. Letter from Dwight L. Farmer , HRPDC Executive Director to Lt. Governor William T. Bolling, September 7, 2011

Attached is a letter from Dwight L. Farmer, HRPDC Executive Director to Governor Robert McDonnell referring him to the recently completed HRPDC report, *Hampton Roads Regional Competitiveness*, and offering HRPDC assistance to the Governor and the new Governor's Task Force on Economic Competitiveness and Versatility.

Attachment 18K

SENATE OF VIRGINIA



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

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

August 4, 2011

Dwight Farmer
Executive Director/Secretary
Hampton Roads PDC
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear Dwight:

I received your recent letter and the resolution passed by the Hampton Roads Planning District Commission regarding funding of programs to restore the Chesapeake Bay.

I fully support efforts to clean up the Bay. However, since these are federal mandates, I would hope the federal government would provide the bulk of the funding to implement their plan.

I appreciate you letting me know of the action of your board.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Miller", written over a large, stylized, light-colored scribble.

Senator John Miller
1st District

RECEIVED

AUG 08 2011

HRPDC

Attachment 18A



COMMONWEALTH of VIRGINIA

Office of the Governor

Doug Domenech
Secretary of Natural Resources

August 26, 2011

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

Dear Mr. Farmer:

Thank you for your recent letter and resolution to Governor McDonnell regarding funding for the implementation of Virginia's Chesapeake Bay Watershed Implementation Plan (WIP). The Governor has asked that I respond to you on his behalf.

Governor McDonnell and I share the concerns of the members of your commission. Throughout this process we have expressed our commitment to promote the most cost-effective practices to reduce nutrients and sediment. We have embarked on a process to determine how changes to our current nutrient credit program might allow for greater flexibility and cost effectiveness in the implementation of nutrient and sediment reduction practices.

As you know, despite the difficult economic and budget climate, funds have continued to flow to the Virginia Water Quality Improvement Fund. We anticipate an additional substantial deposit to the fund this year as the result of the end of fiscal year surplus. Governor McDonnell has personally informed our congressional delegation and most recently the Administrator of the Environmental Protection Agency of the need for additional federal funds to support this significant mandate.

I am grateful for the participation of the commission and your local government's involvement in this effort. We will continue to work hard to minimize the financial burden on Virginia's localities.

Sincerely,

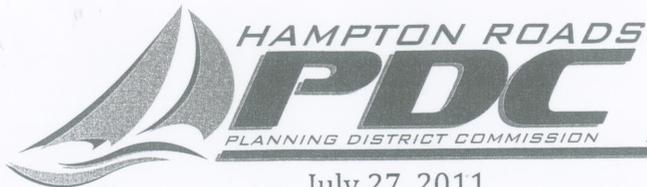
A handwritten signature in black ink, appearing to be "Anthony U. Moore", written over a circular stamp.

Anthony U. Moore
Assistant Secretary for
Chesapeake Bay Restoration

RECEIVED

AUG 30 2011

HRPP



STAN D. CLARK, CHAIRMAN • THOMAS G. SHEPPERD, JR., VICE CHAIR • JAMES D. MCREYNOLDS, TREASURER
DWIGHT L. FARMER, EXECUTIVE DIRECTOR/SECRETARY

July 27, 2011

MEMBER JURISDICTIONS

This letter was sent to the attached list.

CHESAPEAKE

RE: Chesapeake Bay Restoration Funding
(POW: CHESAPEAKE BAY TMDL)

FRANKLIN

Dear :

GLOUCESTER

At its Quarterly Commission Meeting on July 21, 2011, the Hampton Roads Planning District Commission adopted the enclosed Resolution 2011-05 in support of continued funding to support restoration of the Chesapeake Bay.

HAMPTON

ISLE OF WIGHT

In 2010, the U. S. Environmental Protection Agency, in cooperation with six states and the District of Columbia that lie within the Chesapeake Bay Watershed, completed development of a Total Maximum Daily Load for the Bay and its Tributaries and Phase I Watershed Implementation Plans (WIP). Through the Phase II WIP planning process, these Plans will be translated into requirements for pollutant reduction and implementation measures for all levels of government as well as the private sector, including agriculture. Because of the considerable expense associated with implementation of this program, local governments and the private sector require financial assistance in order to achieve the restoration goals. Your support of continued state and federal funding is critical to our hopes for success in the Chesapeake Bay Restoration effort.

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

The HRPDC and its member localities appreciate your favorable consideration of this matter.

SOUTHAMPTON

Sincerely,

SUFFOLK

SURRY

Dwight L. Farmer
Executive Director/Secretary

VIRGINIA BEACH

WILLIAMSBURG

JMC/fh

YORK

Attachment

MAILED
AUG 01 2011
HRPDC



**HAMPTON ROADS PLANNING DISTRICT COMMISSION
RESOLUTION 2011-05**

**RESOLUTION OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION
IN SUPPORT OF CONTINUED FUNDING TO SUPPORT RESTORATION OF THE
CHESAPEAKE BAY**

WHEREAS, the Chesapeake Bay and its Tributaries are vital elements of the economy and quality of life of the 1.7 million plus people living in the Hampton Roads Region; and

WHEREAS, the Hampton Roads region faces significant new requirements to reduce nutrients and sediments going to the Chesapeake Bay and its Tributaries, which will result in substantial increased costs for stormwater management, wastewater treatment and land development; and

WHEREAS, the Hampton Roads region has worked cooperatively with the Commonwealth of Virginia, the U.S. Environmental Protection Agency and other regional partners to devise cost-effective strategies for restoration of the Chesapeake Bay and its tributaries and to implement those strategies within their financial and legal resources for more than twenty (20) years; and

WHEREAS, on January 20, 2011, the Hampton Roads Planning District Commission adopted HRPDC Resolution 2011-01 endorsing the "Hampton Roads Statement of Legislative Principles Regarding Implementation of the Chesapeake Bay TMDL," and requesting the support of the Governor, Virginia General Assembly and Hampton Roads Congressional Delegation for appropriate legislative authority and funding to support the restoration effort, particularly the efforts of the region's local governments; and

WHEREAS, on June 21, 2011, the Hampton Roads Planning District Commission formally advised the Commonwealth of Virginia of its commitment to facilitate and coordinate development of a local/regional implementation strategy to support the Phase II Watershed Implementation Plan.

NOW THEREFORE BE IT RESOLVED, the Hampton Roads Planning District Commission requests the Governor and Virginia General Assembly and the Hampton Roads Congressional Delegation support the continued funding of programs, including the Virginia Water Quality Improvement Fund, that support clean water, including state and federal funds to support local and regional development and implementation of watershed implementation plans and cost-share programs for agriculture to support those efforts; and

BE IT FURTHER RESOLVED that the Hampton Roads Planning District Commission requests the Hampton Roads Congressional Delegation to resist all attempts to defund the Chesapeake Bay restoration effort.

PASSED AND ADOPTED by the Hampton Roads Planning District Commission this 21 day of July, 2011.



Stan D. Clark
Chairman



Dwight L. Farmer
Executive Director/Secretary

The Honorable Robin A. Abbott
Delegate
Virginia General Assembly
12515 Warwick Blvd.
Suite 100
Newport News, VA 23606

The Honorable Kenneth C. Alexander
Delegate
Virginia General Assembly
7246 Granby Street
Norfolk, VA 23505

The Honorable Mamy E. BaCote
Delegate
Virginia General Assembly
PO Box 5154
Newport News, VA 23605

The Honorable William K. Barlow
Delegate
Virginia General Assembly
PO Box 240
Smithfield, VA 23431

The Honorable Harry B. Blevins
Senator
Virginia General Assembly
P.O. Box 16207, 14th Distr.
Chesapeake, VA 23328-6207

The Honorable John A. Cosgrove
Delegate
Virginia General Assembly
301 Castle Forbes Way
Chesapeake, VA 23322

The Honorable Thomas D. Gear
Delegate
Virginia General Assembly
P.O. Box 7496
Hampton, VA 23666

The Honorable Algie T. Howell, Jr.
Delegate
Virginia General Assembly
Post Office Box 12865
Norfolk, VA 23541

The Honorable Salvatore R. Iaquinto
Delegate
Virginia General Assembly
P.O. Box 6888
Virginia Beach, VA 23456

The Honorable Johnny S. Joannou
Delegate
Virginia General Assembly
709 Court Street
Portsmouth, VA 23704

The Honorable S. Chris Jones
Delegate
Virginia General Assembly
P.O. Box 5059
Suffolk, VA 23435

The Honorable Barry Knight
Delegate
Virginia General Assembly
1852 Mill Landing Road
Virginia Beach, VA 23457

The Honorable Lynwood W. Lewis, Jr.
Delegate
Virginia General Assembly
Post Office Box 760
Accomac, VA 23301

The Honorable Mamie E. Locke
Senator
Virginia General Assembly
1811 Marshall Avenue
PO Box 9048; 2nd Dist
Hampton, VA 23670

The Honorable L. Louise Lucas
Senator
Virginia General Assembly
P.O. Box 700
Portsmouth, VA 23705

The Honorable Jeffrey L. McWaters
Senator
Virginia General Assembly
1207 Laskin Road
Virginia Beach, VA 23451

The Honorable Paula Miller
Delegate
Virginia General Assembly
9437 Wells Parkway
Norfolk, VA 23503

The Honorable John Miller
Senator
Virginia General Assembly
P.O. Box 6113
Newport News, VA 23606

The Honorable Yvonne B. Miller
Senator
Virginia General Assembly
2816 Gate House Road
Norfolk, VA 23504

The Honorable Harvey B. Morgan
Delegate
Virginia General Assembly
P.O. Box 949
Gloucester, VA 23061

The Honorable Thomas K. Norment, Jr.
Senator
Virginia General Assembly
P.O. Box 6205
Williamsburg, VA 23188

The Honorable Ralph Northam
Senator
Virginia General Assembly
PO Box 9363
Norfolk, VA 23505

The Honorable G. Glenn Oder
Delegate
Virginia General Assembly
213 Robin Drive
Newport News, VA 23606

The Honorable Brenda L. Pogge
Delegate
Virginia General Assembly
PO Box 1386
96th District
Yorktown, VA 23692

The Honorable Harry R. Purkey
Delegate
Virginia General Assembly
2352 Leeward Shore Drive
Virginia Beach, VA 23451

The Honorable Frederick M. Quayle
Senator
Virginia General Assembly
P.O. Box 368, 13th Dist
Suffolk, VA 23439

The Honorable Lionell Spruill, Sr.
Delegate
Virginia General Assembly
P.O. Box 5403
Chesapeake, VA 23324

The Honorable Christopher Stolle
Delegate
Virginia General Assembly
P.O. Box 5429
Virginia Beach, VA 23471

The Honorable Robert Tata
Delegate
Virginia General Assembly
4536 Gleneagle Drive
Virginia Beach, VA 23462

The Honorable Roslyn C. Tyler
Delegate
Virginia General Assembly
25359 Blue Star Highway
Jarratt, VA 23867

The Honorable Ronald A. Villanueva
Delegate
Virginia General Assembly
P.O. Box 61005
Virginia Beach, VA 23466

The Honorable Frank W. Wagner
Senator
Virginia General Assembly
P.O. Box 68008
Virginia Beach, VA 23471

The Honorable Jeion A. Ward
Delegate
Virginia General Assembly
Post Office Box 7310
Hampton, VA 23666

Congressional List and Governor

The Honorable Mark R. Warner
U. S. Senator
United States Senate
101 W. Main Street, Suite 4900
Norfolk, VA 23510

The Honorable Jim Webb
U. S. Senator
United States Senate
222 Central Park Avenue, Suite 120
Virginia Beach, VA 23462

The Honorable Bobby Scott
Congressman
U. S. House of Representatives
2600 Washington Ave., Suite 1010
Newport News, VA 23607

The Honorable J. Randy Forbes
Congressman
U. S. House of Representatives
505 Independence Parkway, Suite 104
Chesapeake, VA 23320

The Honorable Scott Rigell
Congressman
U. S. House of Representatives
4772 Euclid Road, Suite E
Virginia Beach, VA 23462

The Honorable Rob Wittman
Congressman
U. S. House of Representatives
4904-B George Washington Memorial Highway
Yorktown, VA 23692

The Honorable Robert McDonnell
Governor
Commonwealth of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219



IN REPLY REFER TO:

A36 (NER-HPPC)

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
United States Custom House
200 Chestnut Street
Philadelphia, PA 19106

AUG 22 2011

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

Dear Mr. Farmer:

Thank you for your letter of July 26, 2011, to Director of the National Park Service Jonathan B. Jarvis regarding the Hampton Roads Planning District Commission's Resolution 2011-07 endorsing the establishment of a unit of the National Park System at Fort Monroe in Hampton, Virginia.

As you are aware, Fort Monroe has a lengthy history including as an artillery training school and as a bastion of Union Forces during the Civil War in the heart of the Confederacy. Fort Monroe is also recognized as the place where enslaved persons sought and were granted safe haven during that conflict. The importance of Fort Monroe to the history of the United States was initially recognized by its designation as a National Historic Landmark in 1960.

In light of the closure of Fort Monroe as an active military installation scheduled for September 15, 2011, there has been great interest in the preservation of the resources located there. Legislation has been introduced by the Virginia delegation in both houses of the United States Congress for the purpose of establishing Fort Monroe as a unit of the National Park System. Public interest has also been expressed in the designation of Fort Monroe as a National Monument by the President of the United States through the Antiquities Act of 1906. The National Park Service has taken an active role in evaluating the public interest in the designation of a National Monument or National Historical Park at Fort Monroe through public meetings and an interactive website. The National Park Service has also been a party to a Programmatic Agreement between the United States Army, the Commonwealth of Virginia, and the Fort Monroe Authority that will serve to preserve the historic resources of Fort Monroe.

Should you have additional questions regarding the potential for designation of Fort Monroe as a National Monument, please contact Gay Vietzke, Deputy Regional Director for Park Operations for the Northeast Region of the National Park Service. Ms. Vietzke may be reached at 215-597-7013.

RECEIVED

AUG 29 2011

Attachment 18C

HPPC

Thank you for your interest in the National Park System.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Caldwell".

for Dennis R. Reidenbach
Regional Director
Northeast Region



COMMONWEALTH of VIRGINIA
Department of Emergency Management

MICHAEL M. CLINE
State Coordinator

JACK E. KING
Chief Deputy Coordinator

BRETT A. BURDICK
Deputy Coordinator

10501 Trade Court
Richmond, Virginia 23236-3713
(804) 897-6500
(TDD) 674-2417
FAX (804) 897-6506

August 23, 2011

Ms. Jenny Redick
Regional Special Needs Planner
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Ms. Redick:

Thank you for assisting with the process of revising the local emergency operations plan (LEOP). I am pleased to share with you that it has been posted to the website of the Virginia Department of Emergency Management (VDEM). You may review it at <http://www.vaemergency.gov/em-community/plans/local-templates>.

Because of the time and talent you brought to this process, I expect the new template will guide local emergency managers through an efficient planning process and help them to address the needs of all citizens in their jurisdictions.

Your participation reflects your dedication to the safety and well being of the citizens of the Commonwealth of Virginia. Please contact Eileen Tarr with questions or comments at (804) 897-9773 or by email at Eileen.Tarr@vdem.virginia.gov.

Sincerely,

Michael M. Cline

MMC/jv

C: Mr. Richard Flannery, Emergency Management Administrator
Mrs. Eileen Tarr, Local Planning Assistance Program Manager

RECEIVED
AUG 29 2011
HRPDC

"Working to Protect People, Property and Our Communities"

Attachment 18D



Dear Dwight,

Listening to you and Greg yesterday discuss the work of the HRPDC and the environment in which you operate gave me a new perspective to the challenges of positioning Hampton Roads as a region.

I want to thank you for taking the time to discuss the issues and for educating me about the work that is currently underway. I hope you will continue to offer your insights as we work to find the proper role the Foundation can play to bring added value to the tremendous work already being done to position our region to be competitive in important sectors in the coming decades.

I look forward to our next meeting
Best regards,
Christine



Hampton Roads
Community Foundation

*Uniting The Norfolk Foundation
and The Virginia Beach Foundation.*

hamptonroadscf.org



Hampton Roads
Community Foundation

Inspiring Philanthropy. Changing Lives.

Christine R. Morris

Vice President of Initiatives

cmorris@hamptonroadscf.org

101 W. Main Street, Suite 4500, Norfolk, VA 23510
(757) 622-7951 • (757) 622-1751 fax • hamptonroadscf.org



Dear Greg,

For years the HRPDC's website has been my go to place for data and analysis. Your work brings such value to decision making across the region.

I want to thank you for giving us your valuable time and expertise yesterday. The conversation was enlightening and your suggestion on the preliminary work that still needs to be done resonated with both Dabby and me.

I look forward to our next discussion.

I know with your help the foundation can find a value-added role in the tremendous work being done to position our region to be competitive in economically important sectors well

into the future.

Thank you again for your time &
expertise.

My best regards,
Christine



Hampton Roads
Community Foundation

*Uniting The Norfolk Foundation
and The Virginia Beach Foundation.*

hamptonroadscf.org

Emergency Management Institute



FEMA

This is to certify that

Robert Lawrence

has demonstrated exemplary performance and a commitment to the Nation's continuity program by completing all requirements for, and is officially recognized by FEMA as a
CONTINUITY OF OPERATIONS EXCELLENCE SERIES - LEVEL I
PROFESSIONAL CONTINUITY PRACTITIONER

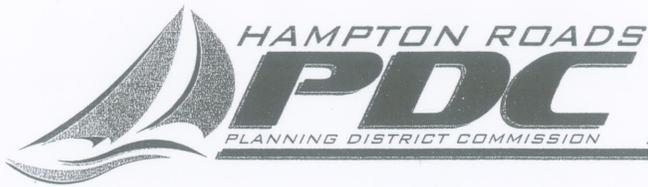
Awarded this 17th day of June 2011

Handwritten signature of Damon C. Penn in black ink.

Damon C. Penn
Assistant Administrator
FEMA National Continuity Programs

Handwritten signature of Vilma Schifano Milmoe in black ink.

Vilma Schifano Milmoe
Superintendent (Acting)
Emergency Management Institute



STAN D. CLARK, CHAIRMAN • THOMAS G. SHEPPERD, JR., VICE CHAIR • JAMES D. MCREYNOLDS, TREASURER
DWIGHT L. FARMER, EXECUTIVE DIRECTOR/SECRETARY

MEMBER JURISDICTIONS

August 30, 2011

CHESAPEAKE

Mr. Clyde Cristman, Legislative Analyst
Senate Finance Committee
General Assembly Building, 10th Floor
Richmond, Virginia 23219

FRANKLIN

GLOUCESTER

RE: HRPDC Involvement with Chesapeake Bay TMDL
(POW: Chesapeake Bay TMDL)

HAMPTON

Dear Mr. Cristman:

ISLE OF WIGHT

At the VAPDC Meeting in Virginia Beach in July, you talked about areas where the Planning District Commissions could get involved in programs to assist the state in meeting its obligations. One of the areas that you discussed was the Chesapeake Bay TMDL Program and the state's effort to develop the Phase II Watershed Implementation Plan. You indicated some concern that the PDCs were not playing an active role in that effort.

JAMES CITY

NEWPORT NEWS

NORFOLK

I wanted to provide you some background on the very active role that the HRPDC has and is playing in this important state initiative. The following paragraphs provide an overview and summary of the HRPDC efforts.

POQUOSON

PORTSMOUTH

The Hampton Roads Planning District Commission (HRPDC) has a long history of helping State agencies and localities evaluate and understand the requirements and challenges of implementing the Chesapeake Bay TMDL. HRPDC has served as a conduit for information between Virginia, EPA, and local governments' staff from the development of Tributary Strategies in the 1990s and the development of the Chesapeake Bay 2000 Agreement to the current Phase II Watershed Implementation Plan (WIP) process.

SOUTHAMPTON

SUFFOLK

SURRY

The HRPDC is uniquely positioned to be a source of valuable information to Virginia, EPA, and local governments due to its partnerships with State agencies, access to local elected officials and city and county managers, and ability to communicate with locality staff through stormwater and planning committees. (As you are aware, the HRPDC Board consists of local elected officials the chief administrative officers, appointed by the local governing bodies.) The HRPDC staff is able to deliver and solicit information quickly and effectively to and from its 16 member local governments. This provides Virginia agencies and EPA with one stop shopping to meet with local government staff and elected officials to discuss regulatory requirements and local government concerns. The HRPDC staff has the technical expertise to evaluate the water quality issues addressed by the

VIRGINIA BEACH

WILLIAMSBURG

YORK

Mr. Clyde Cristman
August 30, 2011
Page 2

Total Maximum Daily Load (TMDL) and delve into details of the Chesapeake Bay models used to develop the TMDL requirements. Without the combination of technical expertise and understanding of local programs, the region could not provide comments and input to the State given the breakneck schedule of the TMDL process.

The following list is a description of many of the key contributions that HRPDC has made to the development of the Chesapeake Bay TMDL:

- Reviewed both the draft TMDL and Virginia's Phase I WIP and helped a subcommittee of local government staff and elected officials develop Regional comments on both documents.
- Developed preliminary estimates of the cost to implement the urban stormwater controls called for in the draft WIP and the TMDL. The resulting cost estimates gave local governments the leverage to put pressure on Virginia to develop a revised Phase I WIP that would provide greater reasonable assurances that agricultural targets could be met and require Hampton Roads' wastewater discharges to meet nutrient targets consistent with the rest of Virginia. The revised Phase I WIP convinced the EPA to remove the backstops placed on stormwater discharges in the draft TMDL, resulting in an estimated savings of \$7 billion to Hampton Roads local governments.
- Hosted the EPA's senior adviser on Chesapeake Bay restoration, Jeff Corbin and Virginia's Assistant Secretary of Natural Resources for Chesapeake Bay Restoration, Anthony Moore to answer questions on details of the final TMDL and Phase I WIP and provide some guidance on the Phase II WIP process.
- Outlined a Regional approach to local government involvement in the Phase II development process. HRPDC staff recommended that local governments form teams composed of City managers and staff from various city departments to groundtruth the baseline information provided by the Department of Conservation and Recreation (DCR) and develop local strategies to meet nutrient and sediment reduction targets. The HRPDC staff also recommended the creation of a Regional Steering Committee to facilitate information transfer between the State and local government staff and between local governments.
- In June, the HRPDC communicated to the Secretary of Natural Resources its intent to assist Virginia in the development of the Phase II WIP. HRPDC convened the Regional Steering Committee, and the first meeting was held on July 14, 2011. At this meeting, members identified key issues and questions that need to be addressed during the Phase II process.

Mr. Clyde Cristman
August 30, 2011
Page 3

- Convened a Regional Steering Committee, which will meet at least monthly through March 2012 or until the Phase II development process is complete to discuss the possible solutions and answers to these questions and issues.
- Represent the Region on Virginia's Phase II WIP Stakeholder Advisory Committee and will serve as conduit to communicate local government concerns to Virginia and keep local governments current on Virginia's progress on developing the Phase II WIP.
- Meet regularly with the Governor's appointed representatives to the Chesapeake Bay Program's Local Government Advisory Committee (LGAC). LGAC advises the Bay Program's Executive Council on how to develop policies and programs that have the best chance to succeed at the local level. Staff developed binders of relevant materials for the representatives and accompanied them to their May 2011 meeting. Following the meeting, HRPDC composed a letter on behalf of Virginia's LGAC representatives and distributed it to local government officials within the Bay watershed informing them of the TMDL process.
- Provided regular briefings and presentations on the Bay TMDL, Watershed Implementation Plan and Hampton Roads efforts to address them to local governing bodies in the Hampton Roads region, state associations and conferences and both the Citizens Advisory Committee and the Local Government Advisory Committee to the Chesapeake Bay Program.
- Served on several Chesapeake Bay Program Committees and Task Forces, most notably, continue to serve on the Urban Stormwater Task Force.

I hope that this information is helpful in giving you a sense of the involvement and role of the HRPDC and its staff in the EPA Chesapeake Bay Program - TMDL and Virginia's Watershed Implementation Plan. If you have any questions or would like to discuss this further, please give me a call.

Sincerely,



Dwight L. Farmer
Executive Director/Secretary

JMC/fh

PDC Executive Directors
Mr. Stan D. Clark, HRPDC Chairman
Mr. Thomas G. Shepperd, Jr., HRPDC Vice-Chairman
Mr. Bruce C. Goodson, James City

From: Batiuk.Richard@epamail.epa.gov
Sent: Wednesday, August 31, 2011 12:25 PM
To: John Carlock
Subject: Copy of Jenni Tribo's April 2011 Environment Virginia Conference Presentation

John-

Could you please share a copy of Jenni Tribo's excellent April 2011 Environment Virginia presentation on VA's Phase II WIP. This was an excellent presentation and one that we want to share with our colleagues. If Jenni or you have additional, more updated version of this presentation, we would appreciate receiving copies of those presentations as well.

And as always, was great to see you earlier this year and confirm you continue to cause trouble and make progress all at the same time.

Thanks, Rich

Richard Batiuk
Associate Director for Science
U.S. Environmental Protection Agency
Chesapeake Bay Program Office
410 Severn Avenue, Suite 109
Annapolis, Maryland 21403
410-267-5731
1-800-968-7229 Ext 731
443-223-7823 Cell Phone
410-267-5777 FAX
batiuk.richard@epa.gov
www.chesapeakebay.net
www.epa.gov/chesapeake

Frances Hughey

From: Brian Rishel <brishel@comcast.net>
Sent: Wednesday, August 31, 2011 11:25 PM
To: John Carver
Subject: Copy of Leah Tindal's April 2011 Enforcement Virginia Clean Air Presentation

John-
Could you please share a copy of Leah Tindal's excellent April 2011 Enforcement Virginia presentation on VA's Phase II VAP? This was an excellent presentation and one that we want to share with our colleagues. If time or you have additional, more updated version of this presentation, we would appreciate receiving copies of these presentations as well.

And as always, was great to see you earlier this year and confirm you continue to cause trouble and make progress all at the same time.

Thanks, Rich

Richard Rishel
Associate Director for Science
U.S. Environmental Protection Agency
Climate Change Program Office
420 Severn Avenue, Suite 109
Annapolis, Maryland 21403
410 287-5731
1-800-868-7122 ext 731
443-237-5825 Cell Phone
410 287-3777 FAX
richard.rishel@epa.gov
www.epa.gov/climatechange
www.epa.gov/transportation

MEMBER
JURISDICTIONS

September 7, 2011

CHESAPEAKE

The Honorable Robert McDonnell
Governor
Commonwealth of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219

FRANKLIN

GLOUCESTER

HAMPTON

Dear Governor McDonnell:

ISLE OF WIGHT

At the July 2011 Commission meeting, the Hampton Roads Planning District Commission (HRPDC) released a report titled **Hampton Roads Regional Competitiveness**. The focus of the report was to identify effective strategies to promote economic growth at the regional level, ensuring the efficient use of scarce resources.

JAMES CITY

NEWPORT NEWS

As you are intimately aware, competitive advantages in Hampton Roads have resulted in the region being recognized as a military bastion, employing 146,000 federal employees and receiving an estimated \$20 billion in direct Department of Defense spending. Given the significance of federal expenditures in the Hampton Roads economy, local leaders are very concerned about the regional implications of the government reining in federal expenditures. As a result, the Hampton Roads Planning District Commission (HRPDC) directed the PDC economics team to investigate the topic of regional competitiveness as it relates to Hampton Roads.

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

Since the report was released, I have received several requests to have staff present the report to local governments and various regional organizations such as the Hampton Roads Partnership.

SUFFOLK

SURRY

VIRGINIA BEACH

This past Friday I received notice of your Executive Order #39 establishing a multidisciplinary task force to analyze Virginia's economic competitiveness and versatility in advance of the potential for federal spending cuts in the future. Given that the purpose of the Commission's report mirrors that of your task force, I thought you might find our analysis to be of some assistance. A full copy of the report is available on the Commission's website at:

WILLIAMSBURG

YORK

<http://www.hrpdcva.gov/Documents/Economics/2011/Hampton%20Roads%20Regional%20Competitiveness.pdf>

The Honorable Robert McDonnell
September 7, 2011
Page 2

If there is any way that I or the HRPDC can further assist in this effort, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Dwight L. Farmer". The signature is written in a cursive style with a large initial 'D'.

Dwight L. Farmer
Executive Director/secretary

GG/fh



MEMBER JURISDICTIONS

September 7, 2011

CHESAPEAKE

The Honorable William T. Bolling
Lieutenant Governor
Commonwealth of Virginia

FRANKLIN

102 Governor St.
Richmond, VA 23219

GLOUCESTER

Dear Lieutenant Governor Bolling:

HAMPTON

At the July 2011 Commission meeting, the Hampton Roads Planning District Commission (HRPDC) released a report titled **Hampton Roads Regional Competitiveness**. The focus of the report was to identify effective strategies to promote economic growth at the regional level, ensuring the efficient use of scarce resources.

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

As you are intimately aware, competitive advantages in Hampton Roads have resulted in the region being recognized as a military bastion, employing 146,000 federal employees and receiving an estimated \$20 billion in direct Department of Defense spending. Given the significance of federal expenditures in the Hampton Roads economy, local leaders are very concerned about the regional implications of the government reining in federal expenditures. As a result, the Hampton Roads Planning District Commission (HRPDC) directed the PDC economics team to investigate the topic of regional competitiveness as it relates to Hampton Roads.

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

Since the report was released, I have received several requests to have staff present the report to local governments and various regional organizations such as the Hampton Roads Partnership.

SUFFOLK

SURRY

This past Friday I received notice of Executive Order #39 establishing a multidisciplinary task force to analyze Virginia's economic competitiveness and versatility in advance of the potential for federal spending cuts in the future. Given that the purpose of the Commission's report mirrors that of your task force, I thought you might find our analysis to be of some assistance. A full copy of the report is available on the Commission's website at: <http://www.hrpdcva.gov/Documents/Economics/2011/Hampton%20Roads%20Regional%20Competitiveness.pdf>

VIRGINIA BEACH

WILLIAMSBURG

YORK

Attachment 18K

The Honorable William T. Bolling
September 7, 2011
Page 2

If there is any way that I or the HRPDC can further assist in this effort, please let me know.

Sincerely,



Dwight L. Farmer
Executive Director/Secretary

GG/fh

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #19: FOR YOUR INFORMATION

A. Air Quality Regulations

On September 2, 2011, President Obama announced that he had requested the U.S. Environmental Protection Agency to withdraw the draft Ozone National Ambient Air Quality Standards. Commissioners may recall from a 2010 briefing from Mr. Tom Ballou, Virginia Department of Environmental Quality, that more stringent ozone standards were being considered by EPA and were expected to be promulgated later in 2010 or 2011.

Attached are copies of the following:

- Statement the by President on the Ozone National Ambient Air Quality Standards
- Statement by EPA Administrator Lisa P. Jackson on the Ozone National Ambient Air Quality Standards
- Letter, Cass R. Sunstein, Office of Management and Budget, to Lisa P. Jackson, EPA Administrator, September 2, 2011

Based on a September 2, 2011 White House telephone briefing, further consideration of revisions to the ozone standard will be delayed until 2013 following completion of the review of the scientific literature by the Clean Air Scientific Advisory Committee later in 2011. This would put the standards review on the normal five-year regulatory schedule.

Attachment19A

B. Multidisciplinary Taskforce on Economic Competitiveness and Versatility

Attached is a copy of Executive Order 39, which notes that Virginia, recognized as a business friendly state, needs to stay attuned to market forces, focus government on core services, and maintain sound fiscal management. (The associated release from the Governor's Office is also attached.) That being said, the state is threatened because of the federal budget situation and the high level of federal dollars this state receives (#1 in total per capita federal spending in 2009). Virginia must be vigilant in protecting the federal assets located in this state.

Thus the Governor is authorizing the development of a multidisciplinary taskforce which will consist of the Lieutenant Governor, the Secretary of Finance, the Secretary of Commerce and Trade, the Secretary of Technology, the Secretary of Veterans Affairs and Homeland Security, the Senior Economic Advisor, the Director of the Office of Intergovernmental Affairs, the President and CEO of the Virginia

Economic Development Partnership, as well as others appointed by the Governor who will serve at his pleasure and at his discretion.

This taskforce will analyze the workforce, identify opportunities to diversify the economy, solicit ideas from the public, quantify the impact of federal budget actions on Virginia, and support collaboration in local and regional entities to aid adapting to changes in federal spending.

Attachment 19B

C. Article, Richard Flannery, HRPDC Emergency Management Administrator featured in the Disaster Recovery Journal, summer 2011 volume 24 number 3.

Attached is a copy of an article written by HRPDC Emergency Management Administrator, Richard Flannery in conjunction with Theresa A. Kirchner Ph.D., MBCP entitled "Leveraging Regional External Agencies to Strengthen your Program," featured in the **Disaster Recovery Journal**, summer 2011 volume 24 number 3.

Attachment 19C

D. Article, Sara Kidd, HRPDC Senior Environmental Planner featured in NEWSBRIEF a Publication of the Virginia Chapter of the American Planning Association, summer 2011 volume 8 issue 2.

Attached is a copy of an article written by HRPDC Senior Environmental Planner, Sara Kidd entitled "The Planner's Toolbox: What Can You Really Do with GIS?" featured in **NEWSBRIEF** a Publication of the Virginia Chapter of the American Planning Association, summer 2011 volume 8 issue 2.

Attachment 19D

Office of the Press Secretary

FOR IMMEDIATE RELEASE

September 2, 2011

Statement by the President on the Ozone National Ambient Air Quality Standards

Over the last two and half years, my administration, under the leadership of EPA Administrator Lisa Jackson, has taken some of the strongest actions since the enactment of the Clean Air Act four decades ago to protect our environment and the health of our families from air pollution. From reducing mercury and other toxic air pollution from outdated power plants to doubling the fuel efficiency of our cars and trucks, the historic steps we've taken will save tens of thousands of lives each year, remove over a billion tons of pollution from our air, and produce hundreds of billions of dollars in benefits for the American people.

At the same time, I have continued to underscore the importance of reducing regulatory burdens and regulatory uncertainty, particularly as our economy continues to recover. With that in mind, and after careful consideration, I have requested that Administrator Jackson withdraw the draft Ozone National Ambient Air Quality Standards at this time. Work is already underway to update a 2006 review of the science that will result in the reconsideration of the ozone standard in 2013. Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.

I want to be clear: my commitment and the commitment of my administration to protecting public health and the environment is unwavering. I will continue to stand with the hardworking men and women at the EPA as they strive every day to hold polluters accountable and protect our families from harmful pollution. And my administration will continue to vigorously oppose efforts to weaken EPA's authority under the Clean Air Act or dismantle the progress we have made.

###

CONTACT:

EPA Press Office (News Media Only)

press@epa.gov

202-564-4355

FOR IMMEDIATE RELEASE

September 2, 2011

Statement by EPA Administrator Lisa P. Jackson on the Ozone National Ambient Air Quality Standards

Since day one, under President Obama's leadership, EPA has worked to ensure health protections for the American people, and has made tremendous progress to ensure that Clean Air Act standards protect all Americans by reducing our exposures to harmful air pollution like mercury, arsenic and carbon dioxide. This Administration has put in place some of the most important standards and safeguards for clean air in U.S. history: the most significant reduction of sulfur dioxide and nitrogen oxide air pollution across state borders; a long-overdue proposal to finally cut mercury pollution from power plants; and the first-ever carbon pollution standards for cars and trucks. We will revisit the ozone standard, in compliance with the Clean Air Act.

R278



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

ADMINISTRATOR
OFFICE OF
INFORMATION AND
REGULATORY AFFAIRS

September 2, 2011

Dear Administrator Jackson:

On July 11, 2011, the Environmental Protection Agency (EPA) submitted a draft final rule, "Reconsideration of the 2008 Ozone Primary and Secondary National Ambient Air Quality Standards," for review by the Office of Information and Regulatory Affairs (OIRA) under Executive Orders 13563 and 12866. The President has instructed me to return this rule to you for reconsideration. He has made it clear that he does not support finalizing the rule at this time.

OIRA shares EPA's strong and continued commitment to using its regulatory authorities, including the Clean Air Act (the Act), to protect public health and welfare. Over the last two and a half years, EPA has issued a significant number of rules to provide such protection. We also recognize that the relevant provisions of the Clean Air Act forbid EPA to consider costs in deciding on the stringency of national ambient air quality standards, both primary and secondary.

Nonetheless, we believe that the draft final rule warrants your reconsideration. We emphasize three related points:

1. Under the Act, finalizing a new standard now is not mandatory and could produce needless uncertainty. The Act explicitly sets out a five-year cycle for review of national ambient air quality standards. The current cycle began in 2008, and EPA will be compelled to revisit the most recent standards again in 2013. The new scientific work related to those forthcoming standards has already started (see point 2 below). A key sentence of Executive Order 13563 states that our regulatory system "must promote predictability and reduce uncertainty." In this light, issuing a final rule in late 2011 would be problematic in view of the fact that a new assessment, and potentially new standards, will be developed in the relatively near future.
2. The draft reconsideration necessarily depends on the most recent recommendations of the Clean Air Scientific Advisory Committee (CASAC), which in turn rely on a review of the scientific literature as of 2006. Executive Order 13563 explicitly states that our regulatory system "must be based on the best available science." As you are aware, work has already begun on a new and forthcoming scientific review, "based on the best available science." We urge you to reconsider whether to issue a final rule in late 2011, based on evidence that is no longer the most current, when a new scientific assessment is already underway.
3. Under your leadership, EPA has taken a series of strong and unprecedented steps to protect public health by reducing harmful air pollution in general and ozone in particular. For example, EPA and the Department of Transportation recently finalized the first joint rule reducing air pollution (including ozone) from heavy-duty

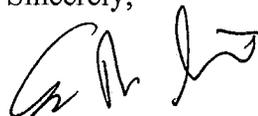
trucks, with overall net benefits of \$33 billion. EPA also recently finalized its Cross-State Air Pollution Rule, which will reduce air pollution (including ozone) and which is projected to prevent 13,000 to 34,000 deaths annually, producing annual estimated net benefits in excess of \$100 billion. In addition, EPA has proposed national standards for mercury and other toxic pollutants; EPA's preliminary estimates, now out for public comment, suggest that these standards will prevent 6,800 to 18,000 premature deaths annually. These standards, whose annual net benefits are currently estimated to exceed \$40 billion, are projected to reduce ozone as well. Cumulatively, these and other recently proposed and finalized rules count as truly historic achievements in protecting public health by decreasing air pollution levels, including ozone levels, across the nation.

As noted, Executive Order 13563 emphasizes that our regulatory system "must promote predictability and reduce uncertainty." Executive Order 12866, incorporated in Executive Order 13563, states that each "agency shall avoid regulations that are inconsistent, incompatible, or duplicative with its other regulations . . ." Executive Order 12866 also states that the "Administrator of OIRA shall provide meaningful guidance and oversight so that each agency's regulatory actions are consistent with . . . the President's priorities . . ." In light of these requirements, and for the foregoing reasons, I am requesting, at the President's direction, that you reconsider the draft final rule.

More generally, the President has directed me to continue to work closely with all executive agencies and departments to implement Executive Order 13563 and to minimize regulatory costs and burdens, particularly in this economically challenging time. The President has instructed me to give careful scrutiny to all regulations that impose significant costs on the private sector or on state, local, or tribal governments.

We look forward to continuing to work with you to create, in the words of Executive Order 13563, a regulatory system that will "protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation."

Sincerely,

A handwritten signature in black ink, appearing to read "Cass R. Sunstein". The signature is fluid and cursive, with a prominent initial "C" and a long, sweeping tail.

Cass R. Sunstein

COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

NUMBER THIRTY NINE (2011)

MULTIDISCIPLINARY TASKFORCE ON ECONOMIC COMPETITIVENESS AND VERSATILITY

Importance of the Initiative

The Commonwealth of Virginia continues to be recognized by many as the most business-friendly, entrepreneurial, and dynamic economy in the nation. Maintaining this status requires the constant monitoring of market forces; agile adaptation to new information; vigilance against new programs and trends that would extend government beyond core services; and swift response even to risk factors outside of our immediate legislative or budgetary control. Modern Virginians are the beneficiaries of over a century of sound fiscal management and we will pass that good inheritance to future generations. Virginia has held its treasured AAA bond rating from each of the three rating agencies longer than any other state in the Union.

Today we are faced with the stark reality that our federal government has not followed Virginia's example of thrift, moderation, and restraint. For the first time, the credit rating of the world's greatest economy has been downgraded by at least one rating agency. While we may doubt the wisdom and timing of that downgrade, there is no doubt that the size, scope, debt, and spending of the federal government has grown at an unconscionable and unsustainable pace. Because it has not lived within its means for decades, the federal government is now forced to take bold steps to change course. Virginia welcomes those necessary and inevitable federal budget reforms and will, as it has in every prior change of course in federal spending, do its part in preparing for the impact and come out stronger than before. That includes a continuing effort to diversify our state's economy into multiple high and long-term growth sectors.

The connection between Virginia and the federal government is well-known both politically and economically, but difficult to accurately quantify. Less than five percent of Virginia workers are federal employees; moreover, 92 percent of all the jobs created since February 2010 are in the private sector. Still “[t]he people of Virginia are acutely aware of the integral role military and national security facilities play in the economic vitality of the Commonwealth. The estimated \$56 billion the Department of Defense alone is projected to spend in the Commonwealth in 2010 translates to business for Virginia and high-quality jobs for our citizens.” (*Governor’s Exec. Order No. 22(2010)*)

In 2009, Virginia ranked first among the states in total per capita federal expenditures. The Commonwealth also ranked first in per capita spending for procurement, second in defense spending, fourth in salaries and wages, and fifth in retirement and disability payments. Conversely, Virginia ranked 39th in per capita federal spending for direct payments and next to last in per capita federal grant spending. Because of this wide diversity in the measurement of federal spending in Virginia, and because we do not know what form anticipated federal reforms will take, we have to take steps now to prepare for the potential impact on our revenue from personal withholdings and corporate income taxes, as well as the secondary impact on sales and other taxes. In addition, while we have a relatively low unemployment rate around 6 percent, there are far too many Virginians out of work. We must continue to focus our efforts on the expansion, retention, and recruitment of jobs.

Virginia will be vigilant in protecting the military and national security assets located in the Commonwealth as authorized in Executive Order 22, but must continuously seek new opportunities for growth. To that end, the Lieutenant Governor in his capacity as Chief Job Creation Officer, will be charged with leading a multidisciplinary taskforce to identify strategies to further strengthen the Commonwealth’s economic diversity and competitiveness in light of future federal action.

To accomplish this, in accordance with the authority vested in me by Article V of the *Constitution of Virginia* and by Section 2.2-134 of the *Code of Virginia*, I hereby create the Multidisciplinary Taskforce on Economic Competitiveness and Versatility.

The Multidisciplinary Taskforce on Economic Competitiveness and Versatility

The Taskforce will consist of the Lieutenant Governor, the Secretary of Finance, the Secretary of Commerce and Trade, the Secretary of Technology, the Secretary of Veterans Affairs and Homeland Security, the Senior Economic Advisor, the Director of the Office of Intergovernmental Affairs, the President and CEO of the Virginia Economic Development Partnership, as well as others appointed by the Governor who will serve at his pleasure and at his discretion.

The Multidisciplinary Taskforce’s responsibilities shall include the following:

1. Analyze and report to the Governor the state of Virginia's workforce and its degree of versatility to respond to future contraction in federal spending, both in terms of individual regions and economic sectors.
2. Identify appropriate opportunities for further diversifying Virginia's economy to help reduce private sector reliance on federal spending and provide alternative employment for potentially displaced federal workers.
3. Receive from the private sector, economic development allies, institutions of higher education, legislators, elected officials, and other interested parties ideas for promoting Virginia's economic versatility and analyzing those ideas for further action by the Governor.
4. Manage the communication among the Commonwealth of Virginia, the Joint Select Committee on Deficit Reduction as established in the *Budget Control Act of 2011* (Public Law No: 112-25), and the Virginia congressional delegation relative to any budget reform proposals and their impacts on the Commonwealth.
5. Quantify and report to the Governor the impact to the Commonwealth, its subdivisions, and private industry of any such proposals to address the federal deficit.
6. Identify the regions, localities, and economic sectors most readily affected by federal contraction or budget reform proposals.
7. Support and foster collaboration among local and regional entities in identifying appropriate strategies for adaptation to changes in federal spending and policies.
8. Determine the best and most efficient manner to foster and promote business, technology, transportation, education, economic development and other efforts to support, attract and retain a broad array of new private sector businesses to the Commonwealth.
9. Determine, in conjunction with the Commission on National Security Facilities, the best and most efficient manner to foster and promote business, technology, transportation, education, economic development and other efforts to support and retain existing military and non-military national security facilities in the Commonwealth.
10. Inform the Governor on a regular basis on all pertinent findings and recommendations.

Multidisciplinary Taskforce Staffing and Funding

Necessary staff support for the Multidisciplinary Taskforce's work during its existence shall be furnished by the Office of the Governor and the Office of the Secretary of Commerce and Trade, and such other agencies and offices as designated by the Governor. An estimated 150 hours of staff time will be required to support the work of the Interagency Taskforce. No public funds will be expended in support of this Taskforce.

The Taskforce shall report quarterly, beginning on October 1, 2011, to the Governor and shall issue such other reports and recommendations as necessary or as requested by the Governor.

Effective Date of the Executive Order

This Executive Order shall be effective upon its signing and pursuant to Section 2.2-135 of the *Code of Virginia* shall remain in force and effect until August 31, 2012, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 1st day of September 2011.

Robert F. McDonnell, Governor

Attest:

Secretary of the Commonwealth

DISASTER RECOVERY

JOURNAL

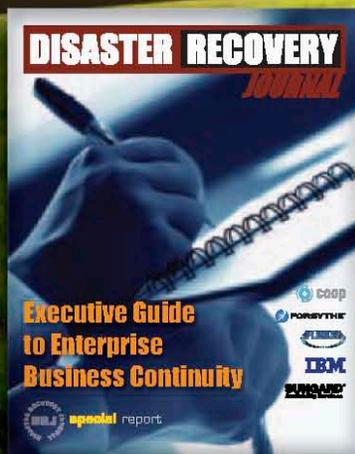
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INSIDE ...

- The Silver Lining In Japan
- Deadliest Tornado Season
- Networking Backups
- Alternative Site Survey



Attachment 190

Leveraging Regional External Agencies to Strengthen your Program

By **RICHARD FLANNERY, MS, CFM & THERESA A. KIRCHNER, Ph.D., MBCP**

As business continuity professionals, we are familiar with the DRII Professional Practices which outline what to do and how to do business continuity planning. Professional practice subject matter area No. 10 deals with emergency management from a business continuity/disaster recovery perspective, and it includes numerous references to the need to communicate and interact with external agencies. However,

the importance of not only understanding and leveraging external agencies, but also supporting them for mutual benefit, has a much broader scope for business continuity professionals than that covered in the Emergency Management Professional Practice. In fact, the broad scope of emergency management, as defined from a government perspective, includes mitigation, preparedness, response, recovery, and post-event planning and implementation.

As a result, all 10 of the DRII Professional Practices include references to coordination with external sources/entities and recognizing the importance of understanding the potential impacts of laws, regulations, codes, zoning, standards, practices, resources, and opportunities related to developing, implementing, and maintaining emergency procedures that are specific to the organization's location and industry.

This article concentrates on services and opportunities provided by state and regional public authorities. Although national agencies were created to support and monitor legal and regulatory mandates and are important and useful, many of those mandates delegate responsibility down to the state, regional, and municipal levels. As a result, your interaction and that of your organization – with external agencies such as homeland security, emergency management, fire, police, public utilities, and elected officials – is likely to take place at the local level. Detailed

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information on suggested interactions with business continuity professionals and external agencies is outlined in the DRJ/ARMA/DRII/FSTC/NFPA 1600 Generally Accepted Practices (GAP) document, which is posted on the DRJ Web site. Another good source of information about local public/private interactions is your local Association of Contingency Professionals chapter, since public authority representatives are often ACP members and attend ACP meetings.

Regionally-Operated Public Authorities

External agencies operating at the regional level are powerful resources, but understanding the plethora of public/private entities, the interactions among them, and related opportunities for business continuity professionals and their organizations can be somewhat daunting. As a result, organizations, particularly small and medium businesses, are either

unaware of or fail to understand the wealth of strategic and tactical options that such relationships may provide. Examples of regional emergency management-related entities include the following:

- ◆ Emergency management association is a generic term for a professional association for emergency management that operates at the local and state level, primarily on the public side. Such an association is usually titled with the state name, followed by emergency management association. For example, in Virginia, the organization is called Virginia Emergency Management Association.
- ◆ Regional or area councils and planning district commissions are emergency management groups/committees which are established throughout the U.S. and are created by state statute. These entities are separate from the state EMAs described above. A region may have more than one such entity (such as one that engages in strategic emergency planning and another which focuses on operational and tactical emergency management).
- ◆ Local emergency planning committees (LEPC) are mandated at the federal level by the Environmental Protection Agency under Title III of the Superfund Amendments and Reauthorization Act. All communities must maintain LEPCs, which engage in emergency planning for disasters related to hazardous materials in the community.
- ◆ Voluntary Organizations Active in Disaster (VOAD), a coalition of major national U.S. voluntary organizations, is the primary point of contact for voluntary efforts in the FEMA National Response Coordination Center. It supports training of volunteers to participate in disasters and enables a business organization to serve as a volunteer entity under the umbrella of one of the VOAD service organizations. Examples of those service organizations include the Red Cross, Salvation Army, United Way, faith-based groups, and civic/community service-based organizations (e.g. Rotaries and Ruritans). The business supplies volunteers who can be deployed around the country as needed to assist with disaster situations. It also supplies the resources required to support those volunteers.
- ◆ The Community Emergency Response Team (CERT) is an example of a program operating under the VOAD/Citizen Corps umbrella. The CERT program educates people about disaster preparedness for

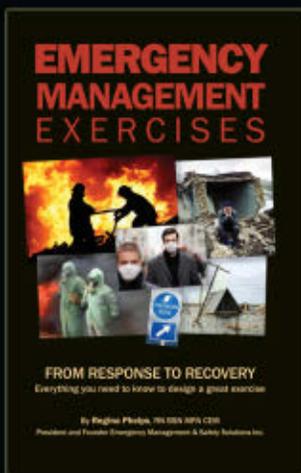
Create Exercises That Sizzle!

Why should you read this book?

Exercises are a mainstay in the field of emergency management and business continuity planning. Although many companies conduct exercises, and the organizers may be emergency response subject matter experts, they do not excel in the discipline of designing and conducting the actual exercise – which means they simply don't get the best results out of their effort. This thoughtful book starts with a "silly little question": Why are we doing this? What seems like a simple query is actually one of the keys to get the most out of every exercise you design. This text peels back the design process with the goal of creating the best experience possible. Whether you are developing a simple tabletop exercises or working on a full-scale extravaganza that resembles a Hollywood movie, this book will provide you with gems of wisdom that will make your next exercise sizzle. An internationally recognized expert in exercise design, Regina Phelps shares

The Author – Regina Phelps

Regina Phelps RN BSN MPA CEM is an internationally recognized expert in the field of emergency management and continuity planning. Since 1982, she has provided consultation and speaking services to clients on four continents. She is founder of Emergency Management & Safety Solutions, a consulting company specializing in emergency management, continuity planning



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hazards that may impact their area and trains them in basic disaster response skills such as fire safety, light search and rescue, team organization, and disaster medical operations. Using the training learned in the classroom and during exercises, CERT members can assist others in their neighborhood or workplace following an event when professional responders are not immediately available to help. CERT members also are encouraged to support emergency response agencies by taking an active role in emergency preparedness projects in their community.

- ◆ Local and/or regional emergency management committees work together to focus on policies, guidance, standard operating procedures, and operational capabilities for emergency management.
- ◆ Public emergency operation centers (EOC) often do not have private business involvement. However, businesses should proactively coordinate with EOCs, both to volunteer and provide resources, and to participate in planning. As much as possible, businesses should ask to be involved in public EOC exercises to gain an understanding of how the community responds and recovers from an event and understand how they fit in.
- ◆ Joint emergency operations centers are more broadly based than public EOCs and may include multiple municipalities, state and/or federal partners, and other stakeholders such as the private sector and the military.
- ◆ The National Guard is a state asset, controlled by the governor, who may call it to service based on local community requests for services. The National Guard may be sent to a locality ahead of time to prepare for a significant anticipated event.

Leveraging External Agencies in the Context of the Emergency Management Cycle

It is important to understand that in the private sector, the business continuity planning cycle as outlined in the DRII Ten Professional Practices is structured differently from the public arena perspective at the national, state, regional, and

municipal levels as the event emergency management cycle moves through mitigation, preparedness, response, recovery, and post-event phases. While those two standards differ, they are compatible; they have parallels and can be correlated. Participation and collaboration in public-private dialogue and planning at all levels is important for governments and government agencies, businesses, individuals, and the community at large. However, collaborating at the regional and municipal levels can be particularly rewarding, because participants at the local level have personally-shared interests and win-win opportunities.

Mitigation and Preparedness

From an education/orientation perspective, it is important for businesses to understand the National Incident Management System (NIMS), because that is the framework that local, state, and national government use to manage disasters. A free course on FEMA is available to businesses which can help them understand how governments manage disasters, including terminology and protocols. The Incident Command System (ICS) is part of NIMS but offers a separate course. Those courses will orient you to NIMS/ICS standards and improve your ability to communicate effectively in public-private interactions.

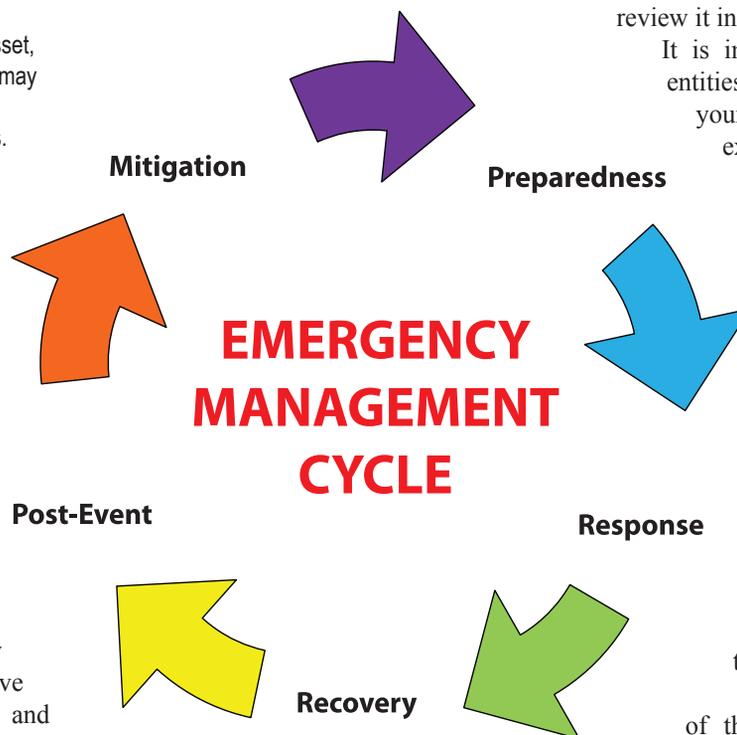
Organizational interfaces at the regional level involve public authority contacts, public information officers/public relations, area councils, local emergency planning commissions, and CERT. Businesses must establish information sources and understand how public authorities communicate. It is also important to provide up-to-date information about your organization to public safety officials on an ongoing basis.

Determining vulnerabilities and risks to your organization, which, from a business continuity planning perspective, takes place during the risk assessment phase, is best done in consultation with experts. In the case of hazard mitigation plans, for example, the best place to start for information may be regional councils or local offices of emergency management. These places are helpful because they offer interpretation of flood maps and assessment of flooding risk.

Business continuity professionals are invited to participate in training and local/regional public sector exercises. Surprisingly, few take advantage of those opportunities. For example, you can participate in local emergency management and homeland security exercises and educational opportunities that support your industry. Those experiences will be more rewarding if you obtain a copy of the pertinent emergency operations plan and review it in advance.

It is important to invite the public entities to participate in, or observe, your organization's training and exercises. That interaction lays the foundation for the level of support that is needed and available during disaster situations. In the event of a disaster, it may be essential for your key management and technical personnel to gain access to your organization's facilities. Prior arrangements with public sector authorities may make the difference between being granted access when an area is cordoned off and not getting access.

To become a valued member of the local emergency manage-



ment environment, consider support that you can provide to public authorities. Your organization may be able to host an emergency operations center (EOC), contribute needed resources, or develop a CERT group comprised of employees who are interested in volunteering as a group in the event of a disaster. Establishing a CERT group comprised of your organization's people allows them to be pre-trained, vetted, and credentialed prior to a disaster, so that they can be immediately

available to serve the community. Some of your employees are likely to want to help in such a situation, but spontaneous unaffiliated volunteers without credentials who are untrained create challenges for first responders rather than viable resources and may be turned away when they offer support. Spontaneous donations can also be an issue if they take forms that are not useful for the event in which the items are being donated (e.g. unneeded clothing, truckload of teddy bears, painting supplies,

etc.). Your organization should establish, in advance, what types of support will be appropriate and accepted, working with emergency management authorities, and the logistics for providing and distributing those contributions.

Many large companies support FEMA, the states, and local governments by contracting with them for services and supplies. If your organization is interested in doing this, establish the necessary public authority contacts and relationships.

Business continuity professionals play an important role in supporting the protection and resiliency of the community's critical infrastructure and key resources (CIKR), which are essential to the community's security, public health and safety, economic vitality, and way of life. Loss of CIKR due to an incident could significantly disrupt the functioning of government and business alike and produce cascading effects far beyond the sector and physical location of an incident. Direct terrorist attacks and natural, manmade, or technological hazards could produce catastrophic losses in terms of human casualties, property destruction, and economic effects as well as profound damage to public morale and confidence and even more devastating physical and psychological consequences.

Response and Recovery

During disaster event response and recovery, good documentation is everything. For example it supports your community and organization when applying for disaster funding. Computerized documentation, which can be accessed from anywhere important, but what is most critical is the pre-established communications network that facilitates the work that must be done. Ensure that the contacts and relationships that you will need during a disaster are established before you need to use them. You need to be able to pick up the phone and call the people who can help your organization function adequately in a disaster situation.

Web-enabled consequent management systems may provide secure real-time information sharing capabilities that are used by local and/or state emergency management agencies. Contact your local emergency management office to find out more about how it communicates and shares information in crisis situations and how you can get in the loop.

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Post-Event

After both exercises and disaster situations, regional and local agencies summarize lessons learned and develop after action reports and improvement plans. Usually, a public input period is established for feedback from businesses and the community provided through local forums and town meetings. Local emergency management wants to hear from you. Become part of the process, and use information from the resulting reports to revise and enhance your organization's plans and documentation.

Regional Agency Example – Commonwealth of Virginia

The Department of Homeland Security established the National Infrastructure Protection Plan (NIPP) in 2009 which outlines a coordinated approach to critical infrastructure protection. It also maintains sector-specific plans at the national level. The NIPP instructs the individual states and regions to develop their own customized infrastructure protection plans that adhere to the tenets of the national plan and are built to support state and regional sector partners.

The Commonwealth of Virginia, for example, has developed and maintains the Virginia Critical Infrastructure Protection and Resiliency Strategic Plan. At the regional level, the Hampton Roads Planning District Commission (HRPDC), one of 21 Planning District Commissions in the Commonwealth of Virginia, is a regional organization which supports 16 local city/county governments in southeastern Virginia. The Hampton Roads region has a population of about 1.7 million people and represents the 36th-largest metropolitan area in the U.S. The HRPDC, in conjunction with the Governor's Office of Veterans Affairs and Homeland Security, is currently developing and implementing the Hampton Roads Critical Infrastructure Protection Program with regional sector



The Hampton Roads Planning District Commission (HRPDC), one of 21 Planning District Commissions in the Commonwealth of Virginia, is a regional organization which supports 16 local city/county governments in southeastern Virginia.

On-Line Resources – Public Agency Emergency Management Information

- DRJ / ARMA / DRII / FSTC / NFPA 1600 Generally Accepted Practices (GAP). <http://www.drj.com/resources/resources/generally-accepted-practices.html>
- DRII Professional Practices. <https://www.drii.org/professionalprac/index.php>
- DRJ / DRII Glossary. <http://www.drj.com/tools/tools/glossary-2.html>
- ANSI / NFPA 1600:2010 – Standard on Disaster/Emergency Management and Business Continuity Programs. National Fire Protection Association, 2010. <http://www.nfpa.org>
- Community Emergency Response Teams (CERT), FEMA. www.citizencorps.gov/cert
- Emergency Planning and Community Right-to-Know Act (EPCRA) Local Emergency Planning Committees Requirements, EPCRA Sections 301-303. http://www.epa.gov/oswer/e1/content/epcra/epcra_plan.htm
- Incident Command System Overview (ICS), FEMA. <http://www.fema.gov/emergency/nims/IncidentCommandSystem.shtm>
- Ready Business. <http://www.ready.gov/business/>
- FEMA Independent Study Program. <http://training.fema.gov/IS/>
- National Incident Management System (NIMS), FEMA IS-700, Independent Study Program Course. <http://www.training.fema.gov/emilWeb/IS/is700.asp>
- National Voluntary Organizations Active in Disaster (National VOAD). www.nvoad.org

partners. The HRPDC is leveraging existing best practices of infrastructure security around the nation and Virginia, through the implementation of key objectives found within both the National Infrastructure Protection Plan and the Virginia Critical Infrastructure Protection and Resiliency Strategic Plan, to develop and implement an effective regional plan. Participants in that strategic planning process include businesses/industries, infrastructure owners and operators, governments, and academic leaders in risk analysis and business security strategy development. The goal is to enhance the capability of organizations to improve continuity of operations and community resilience and to decrease the overall level of risk to critical infrastructure owned and operated by the public and private sectors.

The Bottom Line

Governments enlist private sector participation in emergency planning and operations prior to and following major crises and disasters to help coordinate response efforts and hasten community recovery. Coordination offers dual benefits. Business continuity professionals can offer fundamental expertise needed for planning, response, and recovery efforts that government sometimes cannot provide. Participation by the private sector in emergency planning and operations, for example, through regional councils, VOADs, CERT, and offices of emergency management, provides private sector businesses and individuals with a sense of community support and real-time access to information that enhances their business continuity planning efforts to prepare for disasters, and, at the time of disaster, enables them to return as quickly as possible to full operating status.



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NEWSBRIEF



American Planning Association
Virginia Chapter

Making Great Communities Happen

A Publication of the Virginia Chapter of the
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Volume 8, Issue 2
Summer 2011

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Deadline

for fall issue is
September 9, 2011.

The Planner's Toolbox: What Can You Really Do with GIS?

By Sara J. Kidd, GISP, Senior Regional Planner,
Hampton Roads Planning District Commission

Most planners are already well aware of how valuable a geographic information system (GIS) is as a planning tool. Planners have long embraced GIS technology. Many utilized it well before other departments in their organization. That is no surprise – GIS is an ideal tool for planning because planning is closely tied to the discipline of geography. In order to understand and plan for a community, it is necessary to first identify what features exist, where they are located, and how they interact with each other.

Most importantly, planners act as a link between decision makers and those who live in the community. Planners need to be able to communicate the results of their work with all stakeholders in order to develop useful and meaningful plans. A large part of that communication will happen visually – through maps, charts, photographs, and other visual aids. As technology improves, both inside and outside of the GIS industry, the way GIS is used by planners will change. However, GIS will continue to function primarily as a tool to assist in the decision-making process.

Visualization and Analysis

The primary function of GIS has generally been creating informational maps. There is considerable value in simply mapping where things are located. Maps tell important stories about communities because you can see at a glance what features are on the landscape and where they are located in relation to each other. Thus, you may also be able to spot patterns or other

relationships between features that were not obvious before. In a planner's world, maps are made to depict the existing conditions of the community or show alternative scenarios for the future. Planners create maps for plans and reports, public meetings, and even for placing online for the public to view.

As GIS has become increasingly user-friendly over time, planners have become more adept at taking advantage of its analytical capabilities. While mapping data is important to the work planners do, GIS really proves its worth when it comes to analyzing data. Geographic analysis studies spatial relationships between features. This is where you can really dig into the data and tease out trends, make projections, or study changes over time. The information gained from these exercises allows planners to understand their community better and they, in turn, can help frame discussions with the public and elected officials.

GIS is quite robust as a stand-alone software application, but many planning agencies have also chosen to purchase a GIS-based planning support system (PSS). A PSS contains tools specifically designed to support a variety of planning functions. These tools generally include wizards, interactive charts, and 3D capabilities. PSS tools are particularly popular for such activities as visioning, creating plans, and communicating with the public.

Continued on page 4

Attachment 19D

The Planner’s Toolbox (continued from page one)

Visioning Exercises

A GIS-based PSS is particularly suited for the process of visioning. The use of GIS for this purpose is relatively new but quite powerful. The visioning process allows planners to work directly with the public in order to develop alternative scenarios for the future. The outcomes of visioning exercises can inform any number of plans for the community. Using GIS during community meetings or charrettes is an effective tool in gathering the required citizen input. In an interactive format, planners can show existing conditions on a map and demonstrate the impacts of various policies or projects by changing values directly in the GIS. Citizens can see the scenarios develop in real-time and offer feedback to planners on how they believe the community currently functions and what changes will be needed to help the community grow in a positive way going forward.

As a part of the visioning process, planners may also choose to develop growth projections to illustrate possible scenarios. A once tedious task done by hand, build-out analysis is now easy to do in GIS. Build-out analysis looks at current zoning regulations to determine maximum development potential if the locality moves forward in a “business as usual” way. Given current land use, density rules, constraints, and so forth, the PSS software can calculate the maximum number of new buildings that can be built and where they can be built (Figure 1). Then multiple scenarios can be developed based on hypothetical changes to zoning regulations.

Creating Plans

Similar to using GIS for visioning exercises, GIS can also be used to look at alternative scenarios for specific plans. In particular, the process of creating a future land use map for the comprehensive plan can benefit from scenario-building exercises. Traditionally, multiple alternatives are developed by planners, and with input from elected officials and the public, the preferred alternative is chosen. With the interactive nature of a PSS, planners can change assumptions interactively, analyze the impacts on indicators, and view alternative future land use maps for comparison and discussion. Using GIS in public meetings can be an exciting way for citizens to see how the planning process works.

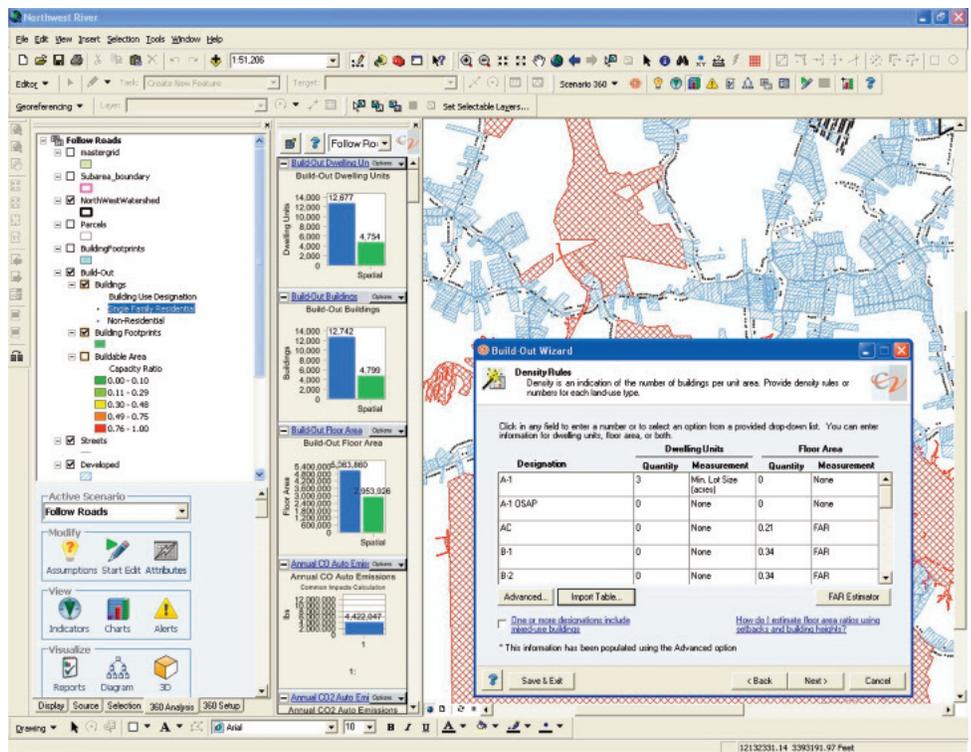


Figure 1: Build-Out Wizard in CommunityViz ®. Graphs depict differences in build-out indicators using only density rules versus density rules and spatial constraints, such as setback distances. Source: Hampton Roads Planning District Commission.

Suitability analysis is another classic application of GIS and is often a part of developing a plan. Suitability analysis is a process in GIS that helps determine which areas are most appropriate for a given use. Suitability analysis is used in such cases as selecting new sites for public buildings or ranking properties to purchase for conservation. Suitability analysis requires GIS data layers that represent selection criteria. The criteria in the case of conservation value might be the presence of wetlands, biodiversity, and connectedness to other conservation areas. The criteria are given relative weights in order of importance based on stakeholder input. The GIS then calculates the final score in order to rank the sites. The results provide decision makers with valuable information and insight into an otherwise complicated process. Continued on next page

The Planner’s Toolbox (continued)

Public Participation and Communication

Community planning is becoming the norm as localities engage with their citizens on an ever-increasing basis. But getting a significant portion of the public to participate in town hall meetings or other outreach activities can still be difficult. By stepping up your technical savvy and engaging the public in a more interactive way, proposed plans or projects can truly reflect the values of the citizens, which results in better decision-making.

Planning 2.0 is a new term coined to describe the trend of engaging citizens with various interactive technologies, including GIS. The term is derived from the concept of Web 2.0, which is the current information-sharing and collaborative nature of the Internet. Social networking, crowdsourcing, blogs and the like are the new way people share information. Planners can take advantage of this trend by creating GIS tools for public engagement that mesh with the always-connected lives of the public.

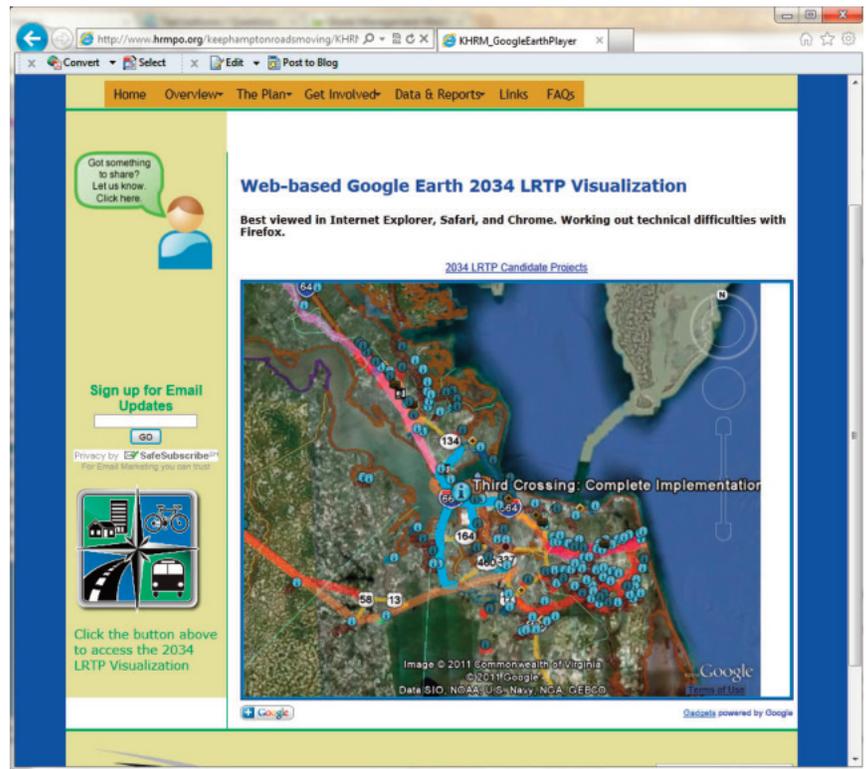
Online Mapping

A large number of local and regional governments now have some interactive mapping on their main websites. These mapping applications display GIS data to the public, which helps them locate information of interest quickly and easily. The public is becoming more comfortable with “Google-like” interactive maps and are able to navigate around them easily.

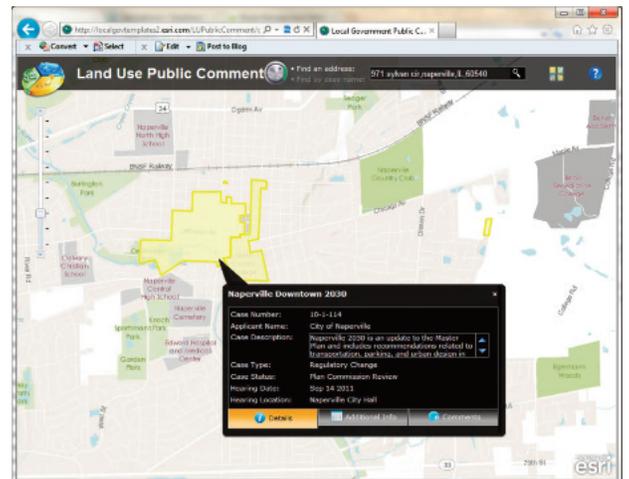
Although widely utilized to display parcels and tax assessment information, there are many other uses for interactive mapping. Planners are beginning to use mapping applications to inform and engage the public on the planning process. Some sites can be as simple as displaying information about proposed plans (Figure 2). This alone is a powerful tool because the citizen feels empowered by the transparency of the locality in sharing the information.

GIS technology also gives users the capability to actually leave comments in the mapping application on particular issues of interest. Figure 3 illustrates an interactive mapping application that encourages public comment on land use. In this example, the user clicks on the yellow polygon representing the area with a proposed regulatory change. In the “Details” tab, the user can read a summary of the issue. The “Additional Info” tab links to a PDF document with further details. The “Comments” tab allows the user to submit a comment about the change. The comments are submitted directly to the planner, who can then respond as needed. Further analysis can determine if there are particular patterns to the types of comments or the locations of the comments.

Continued on next page



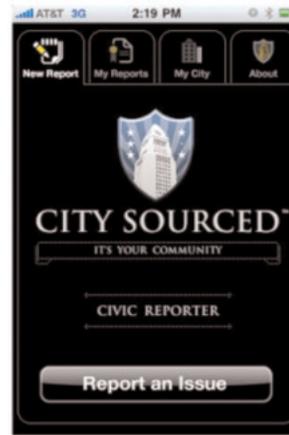
Above: (Figure 2) Figure 2: 2034 Long-Range Transportation Plan visualized in Google Earth online. Source: Hampton Roads Transportation Planning Organization. Below: (Figure 3) Sample interactive mapping site for land use public comment. Source: Esri



The Planner's Toolbox (continued)

Mobile Mapping

Planning agencies that are really on the cutting edge have begun developing mobile applications (apps) for public engagement. These apps allow citizens to comment on things they see in their community from the convenience of a smartphone or other mobile device. When the citizen is out and about, they can bring up the app on their phone and make a comment right when they see something of note. The comment is stored directly in the locality's GIS database with global positioning system (GPS) coordinates and even a picture where it can be instantaneously added to the map, both within the app and in the online mapping application. The citizen can see what comments have been made by others and perhaps what the response by staff was to the comment. Mobile mapping applications are not only useful for infrastructure related comments but can also be used by planners when they are developing comprehensive plans, parks and recreation plans, housing plans, and the like.



(Figure 4) A mobile web app used by citizens to report problems or comment on plans. Source: CitySourced

The goal of mobile mapping is to engage citizens who may not otherwise attend public meetings or are not available to attend meetings. The “coolness” factor may also encourage participation. Coupled with a social media campaign to help spread the word, mobile mapping for planning could prove to be an essential tool in the planning process.

Resources

The following websites or companies were referenced in the article. The URLs are provided for you to obtain further information.

Hampton Roads Planning District Commission/Hampton Roads Transportation Planning Organization
www.hrpdeva.gov and www.hrtpo.org

Keep Hampton Roads Moving
www.keephamptonroadsmoving.com

Land Use Public Comment (sample site from Esri)
<http://localgovtemplates2.esri.com/LUPublicComment/default.htm>

Other local government sample sites (click on “planning and development” box)
<http://localgovtemplates2.esri.com/gallery/gallery.html>

CommunityViz
<http://placeways.com/communityviz>

CitySourced
www.citysourced.com



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AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #20: OLD/NEW BUSINESS