

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING
November 15, 2012

1. Call to Order
2. Approval/Modification of Agenda

WORKSHOP AGENDA

3. Legislative Agenda
4. Analysis of Energy Development Strategies in Hampton Roads – Part II
5. Small Municipal Separate Storm Sewer System (MS4) Permit Comments
6. Groundwater Management Area Regulations

REGULAR AGENDA

7. Submitted Public Comments
8. Public Comment Period
9. Approval of Consent Items
 - A. Minutes of October 18, 2012 Meeting
 - B. Treasurer's Report
 - C. Regional Reviews – Monthly Status Report
 1. PNRS Reviews
 2. Environmental Impact Assessment/Statement Review
 - D. FY 2013 Budget Amendment
 - E. Legislative Agenda
 - F. Analysis of Energy Development Strategies in Hampton Roads – Part II
 - G. PDC Boundaries
 - H. Appointment to MMRS Oversight Committee
 - I. Small Municipal Separate Storm Sewer System (MS4) Permit Comments
 - J. Groundwater Management Area Regulations Comments
 - K. State Homeland Security Grant Application
 - L. Reallocation of Urban Areas Security Initiative Grant Funding
 - M. National Fish and Wildlife Grant for Chesapeake Bay TMDL Watershed Implementation Plan Development in Hampton Roads
 - N. Hampton Roads Adaptation Forum – Sea Grant Application
10. HRPDC Three-Month Tentative Schedule
11. Project Status Reports and Advisory Committee Summaries
12. Correspondence of Interest
13. For Your Information
14. 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: 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.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #3: LEGISLATIVE AGENDA

SUBJECT:

Develop a legislative agenda for the Hampton Roads Planning District Commission for the 2013 Session of the Virginia General Assembly.

BACKGROUND:

In preparation for the 2013 Session of the Virginia General Assembly, the HRPDC staff recommends the HRPDC consider developing a legislative agenda.

The HRPDC staff has developed the attached revised draft Legislative Agenda with input from the various advisory committees to focus on issues and programs being carried out by the HRPDC in cooperation with the region's localities. To facilitate review, a redline copy of the Legislative Agenda showing revision is also attached. It is not inclusive of all potential state and federal legislative matters that are of interest to the region's localities. It reflects the legislative statements and agendas of the Virginia Municipal League, Virginia Association of Counties, American Planning Association – Virginia Chapter, the member localities and Commission discussion at the October Annual Meeting.

HRPDC Deputy Executive Director John Carlock will provide an overview of the changes to the proposed Legislative Agenda.

Attachment 3-A – Revised Legislative Agenda – Clean Copy

3-B – Revised Legislative Agenda - Redline

Note: This item will be considered for action under Agenda Item 9E.

HAMPTON ROADS PLANNING DISTRICT COMMISSION 2013 LEGISLATIVE AGENDA

In preparation for the 2013 Session of the Virginia General Assembly, the staff of the Hampton Roads Planning District Commission has developed the 2013 Legislative Agenda. It outlines, based on ongoing HRPDC projects, prior HRPDC legislative positions and work of the region's localities, a series of issues that warrant regional attention during the upcoming legislative session. It also provides a recommendation or recommendations addressing each of the issues for consideration by the HRPDC.

Virginia Housing Trust Fund

Housing trust funds are distinct funds established by city, county, or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing opportunities for families and individuals to access decent affordable housing. Several local and state organizations are advocating for the creation of a state housing trust fund. Governor McDonnell recently announced support of the Housing Trust Fund as a resource to decrease homelessness by fifteen percent by 2013. The Housing Trust Fund was initially funded during 2012. The HRPDC supports continued funding in order to sustain the Virginia Housing Trust Fund as a vehicle for producing affordable housing opportunities.

Emergency Management Funding

The frequent occurrence of natural disasters affecting the Hampton Roads has stretched the budgets and capacity of local emergency managers. HRPDC supports Virginia Emergency Management Association's intention to propose the establishment of a dedicated funding stream for emergency management to provide adequate funding.

Emergency Planning

HRPDC supports legislation, proposed previously by the Virginia Emergency Management Association, requiring development and certification of emergency plans for nursing homes, assisted living facilities, adult day care centers, and child day centers. The HRPDC supports efforts to minimize or eliminate costs for the required emergency planning for these facilities.

State Support for Readily Deployable Assets

The HRPDC supports efforts to provide liability coverage, hold harmless, and workers compensation to emergency responders. Additionally, the HRPDC supports the use of State resources for sustaining and replacing used/damaged equipment and supplies for the Hampton Roads Metropolitan Response System Strike Team (HRMMST), Hampton Roads Incident Management Team (HRIMT), and other regional readily deployable assets, without activating the State Mutual Aid agreement and/or obtaining a federal emergency declaration.

Stormwater Management Program

In 2012, the General Assembly passed HB1065/SB407 that integrated the Erosion and Sediment Control Act, Chesapeake Bay Preservation Act, Virginia Stormwater Management Act and expanded the requirement to administer a qualified local program to all localities within the Commonwealth. While the HRPDC supported the intent of these Bills, their implementation has created confusion at the local level and identified inconsistencies in language. The HRPDC supports continued revision of the integrated stormwater management laws to provide clarity and consistency.

Specifically, the HRPDC supports revising the Stormwater Management Act to allow localities to require that Pollution Prevention Plans be submitted by a developer when seeking a Virginia Stormwater Management Program Permit for construction activity. The locality needs the opportunity to review the Plan prior to the commencement of construction activity in order to properly enforce the Plan during site inspections.

HRPDC also supports amending the Stormwater Management Act to provide localities required to adopt VSMP for land-disturbing activities with the authorities necessary to implement and enforce the provisions of 10.1-603.3 and associated regulations, including the Virginia Stormwater Management Program (VSMP) General Permit for Discharges of Stormwater from Construction Activities. Localities may need explicit authority to conduct post construction inspection of stormwater BMPs on properties outside of MS4 permit boundaries.

Based on the work of the Governor's Commission on Government Reform and Restructuring, the 2012 General Assembly approved moving the Municipal Separate Storm Sewer System (MS4) Permit Program from the Department of Conservation and Recreation to the Department of Environmental Quality following and administration review to evaluate moving the all water quality permitting programs. This proposal follows the recent efforts by the Department of Conservation and Recreation to reorganize and better integrate the stormwater programs. The full impact of this proposal on the region's localities is not clear, but the HRPDC is concerned that it may cause additional confusion and delays in the implementation of stormwater and water quality management programs in Virginia. The HRPDC will continue to monitor and evaluate this proposal.

Expansion of the Nutrient Credit Exchange Program

In 2012, the General Assembly directed the Soil and Water Conservation Board to adopt regulations for to establish statewide procedures for the certification of nutrient credits other than those generated by waste water point sources or certified by the State Water Control Board. HRPDC supported this action as it will allow the certification of credits generated by urban stormwater improvements and plans to actively participate in the development of these regulations. Due to the development of these regulations the HRPDC does not anticipate that any nutrient trading legislation will be proposed during the 2013

session. However, we continue to advocate for a nutrient trading program that protects local water quality and allows localities the authority to review any trading proposed within their jurisdiction.

Water Quality Funding

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

The HRPDC urges the General Assembly to maintain its commitment to water quality through dedicated and adequate state appropriations to the Water Quality Improvement Fund and to make full and timely payments under point source upgrade contracts with local governments. Concurrently, the General Assembly should address costs associated with the permit requirements of Municipal Separate Storm Sewer Systems (MS4) Permits, associated new EPA regulations and the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

Uranium Mining

Prior to the 2012 Session of the General Assembly, the HRPDC requested that the General Assembly maintain the moratorium on uranium mining or the consideration of such, until at least the 2013 General Assembly session. The HRPDC further requested that the General Assembly direct the Department of Mines, Minerals, and Energy to not pursue development of regulations for uranium mining until after completion of and full consideration of the studies, which are presently underway.

In September 2012, the HRPDC adopted Resolution 2012-02 reaffirming its opposition to uranium mining and to the lifting of moratorium on uranium mining. Based on review of the several scientific studies that have been completed and the ongoing work of the state's Uranium Mining Work Group, the HRPDC does not believe that an adequate regulatory framework to address mining operations and waste disposal is either in place or likely to be developed and funded. The Hampton Roads region is dependent upon water from Lake Gaston as an integral component of the region's water supply. A catastrophic incident associated with uranium mining upstream from Lake Gaston, while of small probability, would result in enormous and unacceptable adverse consequences to this region.

Advertising of Required Public Notices

Many provisions of the Code of Virginia require the advertising of public notices in a "newspaper published or having general circulation in the locality." As newspaper circulation continues to decline and citizens look increasingly to the internet for news and information, it appears that alternative means of providing public notice would be

appropriate. Increasingly, state agencies are using their websites and other electronic media to handle public notice requirements. The HRPDC supports legislation that would allow local governments, planning district commissions and other regional agencies to publish legal advertisements and public notices on their website and to use other media outlets, such as local public access channels, in order to meet legislative requirements for public notices.

Federal Facilities

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

- Maintain state funding for the land acquisition program supporting mitigation of encroachment around NAS Oceana.
- Provide state funding for the land acquisition program supporting mitigation of encroachment around Langley Air Force Base (now Joint Base Langley-Fort Eustis).
- Amend legislation governing the Federal Action Contingency Trust (FACT) Fund to clarify that such funds are to be used to encourage business growth and protect existing military resources and use of these funds is not contingent upon a new Base Realignment and Closure (BRAC) or BRAC-like action.

Recycling Requirements

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

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

The HRPDC supports legislation that would:

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

Plastic Bags

Plastic bags that are not properly disposed of contribute to unsightly littering of Virginia's landscape, contaminate various agricultural crops, contribute to mortality of aquatic species and birds and contribute to urban stormwater problems. While voluntary recycling programs and substitution of reusable shopping bags has had some success in reducing the volume of plastic bags that must be disposed of, improper disposal of plastic bags appears to be increasing. In reaction to the problems associated with improper disposal of plastic bags, restrictions on the use of plastic bags by localities throughout the country is becoming more widespread. The HRPDC supports legislation that would provide localities the option of restrictions on the use of plastic bags through increased voluntary programs, incentives, taxes or outright bans.

Septic Tanks

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

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

Sea Level Rise and Coastal Flooding

The HRPDC has identified the issue of sea level rise as a critical issue facing Hampton Roads. HRPDC staff studies to date have focused on the magnitude of the problem and its potential implications to the region. Ongoing work is addressing options for adaptation. In 2012, the City of Norfolk, with regional support, requested that the Commonwealth conduct a one-year study to examine the overall effectiveness of current adaptation efforts to address relative sea level rise and coastal flooding in Virginia's shoreline and coastal communities. That study, conducted by the Virginia Institute of Marine Science, in

cooperation with coastal localities and planning district commissions, will be presented to the General Assembly prior to the 2013 Session.

The City of Norfolk is requesting that the appropriate natural resource and emergency management agencies of the Commonwealth work in partnership with Virginia's coastal planning districts to oversee the implementation of the 2012 study's recommendations. The HRPDC supports this proposed initiative as the critical next step in addressing the critical coastal flooding issue in Hampton Roads and all of coastal Virginia.

Environmental Education

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

Agriculture Programs

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

Expand Authority for Tree Canopy Requirements

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

Restoration of Funding to PDCs

In FY 2001, HRPDC received \$366,628 or \$0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. FY 2012 funding is \$151,943.00 or roughly, \$0.09 per capita. The legislative agenda of the Virginia Association of Counties supports overall funding of Virginia's

Planning District Commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater. The Department of Conservation and Recreation (DCR) is relying on PDCs to facilitate the development of locality specific nutrient reductions in Phase II of the State's Watershed Implementation Plan.

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

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

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

Unfunded Mandates

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

Education Funding

A strong public school system is essential to regional economic competitiveness. Public school systems provide education and training essential to maintaining a skilled workforce in Hampton Roads. The Commonwealth must be a reliable funding partner in maintaining and enhancing Virginia's education performance measures.

Interoperability

The HRPDC supports the state's goal that by 2015 agencies and their representatives at the local, regional, state and federal levels will be able to communicate using compatible systems to respond more effectively, particularly during major emergencies. Local governments require new dedicated federal and state funding to achieve this goal.

Local Planning Authority

The HRPDC opposes any legislation that would reduce the authority of local government for planning, zoning, subdivision, resource protection, hazard mitigation, neighborhood preservation and local redevelopment.

Local Taxing Authority

The HRPDC supports granting equal taxing authority for cities, counties and towns. Furthermore, the General Assembly should not cap, remove or restrict any revenue sources, taxing authority or user fees available to localities. If any such authority is restricted or eliminated, the state should replace the lost local revenue, including potential increases to accommodate potential growth.

HAMPTON ROADS PLANNING DISTRICT COMMISSION
2013 LEGISLATIVE AGENDA
Redline Version

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~~VDOT Requirements for Locality-owned Drainage Easements~~

~~VDOT has recently determined that drainage easements that convey runoff from the State maintained roadways must be owned by the locality. In counties, the secondary highway system, including streets developed for subdivisions and accepted into the secondary system, are County roads for which VDOT has operational control. If the locality will not accept the drainage easements, then VDOT will not accept maintenance responsibilities for these roads. Localities currently require homeowners associations to own the drainage easements and sign a maintenance agreement with the locality. VDOT is unnecessarily burdening localities with additional maintenance responsibilities.~~

Uranium Mining

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Assembly direct the Department of Mines, Minerals, and Energy to not pursue development of regulations for uranium mining until after completion of and full consideration of the studies, which are presently underway.

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

Sea Level Rise and Coastal Flooding

The HRPDC has identified the issue of sea level rise as a critical issue facing Hampton Roads. HRPDC staff studies to date have focused on the magnitude of the problem and its potential implications to the region. Ongoing work is addressing options for adaptation. In 2012, the City of Norfolk, with regional support, requested that the Commonwealth conduct a one-year study to examine the overall effectiveness of current adaptation efforts to address relative sea level rise and coastal flooding in Virginia's shoreline and coastal communities. That study, conducted by the Virginia Institute of Marine Science, in cooperation with coastal localities and planning district commissions, will be presented to the General Assembly prior to the 2013 Session.

The City of Norfolk is requesting that the appropriate natural resource and emergency management agencies of the Commonwealth work in partnership with Virginia's coastal planning districts to oversee the implementation of the 2012 study's recommendations. The HRPDC supports this proposed initiative as the critical next step in addressing the critical coastal flooding issue in Hampton Roads and all of coastal Virginia.

Environmental Education

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

Agriculture Programs

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

Expand Authority for Tree Canopy Requirements

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

Restoration of Funding to PDCs

In FY 2001, HRPDC received \$366,628 or \$0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. FY 2012 funding is \$151,943.00 or roughly \$0.09 per capita. The legislative agenda of the Virginia Association of Counties supports overall funding of Virginia's Planning District Commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater. The Department of Conservation and Recreation (DCR) is relying on PDCs to facilitate the development of locality specific nutrient reductions in Phase II of the State's Watershed Implementation Plan.

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

Transportation

~~The HRPDC supports the transportation proposals contained in the Legislative Agenda of the Hampton Roads Transportation Planning Organization.~~

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

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

Unfunded Mandates

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

Education Funding

A strong public school system is essential to regional economic competitiveness. Public school systems provide education and training essential to maintaining a skilled workforce in Hampton Roads. The Commonwealth must be a reliable funding partner in maintaining and enhancing Virginia's education performance measures.

Interoperability

The HRPDC supports the state's goal that by 2015 agencies and their representatives at the local, regional, state and federal levels will be able to communicate using compatible systems to respond more effectively, particularly during major emergencies. Local governments require new dedicated federal and state funding to achieve this goal.

Local Planning Authority

The HRPDC opposes any legislation that would reduce the authority of local government for planning, zoning, subdivision, resource protection, hazard mitigation, neighborhood preservation and local redevelopment.

Local Taxing Authority

The HRPDC supports granting equal taxing authority for cities, counties and towns. Furthermore, the General Assembly should not cap, remove or restrict any revenue sources, taxing authority or user fees available to localities. If any such authority is restricted or eliminated, the state should replace the lost local revenue, including potential increases to accommodate potential growth.

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AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #4: ANALYSIS OF ENERGY DEVELOPMENT STRATEGIES IN HAMPTON ROADS - PART II

SUBJECT:

Overview of the region's energy portfolio, with particular focus on the economic potential to develop energy assets within Hampton Roads.

BACKGROUND:

There has been a sustained effort to reduce national dependence on foreign energy sources and meet the continuous demand with homegrown energy solutions. This issue is of significant importance to Hampton Roads as the region is currently home to numerous and varied efforts to expand energy development. Staff has prepared an analysis of various energy strategies in Hampton Roads, and their potential to impact the region's economy. Analysis of energy development strategies was approved as part of the FY 2012 HRPDC Unified Planning Work Program (UPWP).

The report, Hampton Roads Energy Options, is enclosed.

Mr. James A Clary, Economist, will present the second of two presentations on the Analysis of Energy Development Strategies in Hampton Roads.

Enclosure

NOTE: The first presentation was presented at the September 20, 2012 Executive Committee meeting. This item will be presented for action under Consent Agenda Item 9F.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #5: SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT COMMENTS

SUBJECT:

The Virginia Department of Conservation and Recreation has proposed revisions to the Virginia Stormwater Management Program (VSMP) Permit Regulations to reauthorize and amend the General Permit for stormwater discharges from small MS4s. The revisions, located at: (<http://www.townhall.virginia.gov/L/viewstage.cfm?stageid=6358&display=general>), are available for public comment until January 4, 2013. HRPDC staff and legal counsel, Dave Evans of McGuire Woods, have prepared a draft comment letter for the Commission's consideration based on input from the HRPDC Joint Environmental Committee.

BACKGROUND:

This VSMP general permit regulation governs stormwater discharges from small (Phase II) MS4s which include Poquoson, Suffolk, Williamsburg, Isle of Wight County, James City County and York County. The general permit expires on July 8, 2013. The state must reissue the permit to provide coverage for another 5 year permit term. HRPDC staff anticipates that revisions to the small MS4 permit will be incorporated into the Phase I MS4 permits for Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Virginia Beach.

The significant changes in the proposed General Permit include measurable goals for six minimum control measures, requirements to address water quality impairments including the Chesapeake Bay TMDL, and incorporation of the new stormwater management technical criteria. This presentation will highlight concerns with the proposed General Permit. Key issues include:

- Baseline loading rates for Chesapeake Bay TMDL Action Plans are not accurate and do not account for greater BMP implementation in the localities subject to the Chesapeake Bay Preservation Act.
- DCR should use 2010 No Action model run for baseline loading rates.
- DCR should allow localities to take credit for BMPs installed between June 30, 2008 and July 1, 2013.
- DCR should develop guidance for calculating nutrient reductions and documenting new development and identify additional expectations for the Chesapeake Bay Action Plans.

A draft comment letter on the Small MS4 General Permit is included in the agenda. Dave Evans will revise the letter based on DCR's regulatory factsheet, which was published after this agenda was developed. The Joint Environmental Committee will review the final comment letter at its December 6, 2012 meeting.

Ms. Jenny Tribo, Senior Water Resources Planner, will brief the Commission.

Attachment 5 – Draft Small MS4 Permit Comments

Note: Recommended actions are included in Consent Agenda Item #9I.

Comments on the Draft Small MS4 Permit

**Submitted by the Hampton Roads Planning District Commission
on Behalf of its MS4 Member Jurisdictions**

November __, 2012

The following comments on the draft General Permit for Discharges of Stormwater from Small MS4s (the “Permit”) are submitted by the Hampton Roads Planning District Commission (“HRPDC”) on behalf of the HRPDC’s MS4 member jurisdictions (the “MS4 Localities” or “Localities”).¹

I. Introduction

Although HRPDC and the MS4 Localities appreciate the Department of Conservation and Recreation’s (“DCR’s”) willingness to address many of our concerns during the advisory panel process leading up to publication of the Permit, we continue to have serious concerns with the baseline loading rates in Section I.C. of the Permit. We have expressed these same concerns a number of times during development of the Permit and the Phase I and Phase II Watershed Implementation Plans (“WIPs”), and it is disappointing to see not only that the deficiencies remain unaddressed, but also that our concerns appear to have been largely ignored.

II. The Baseline Loading Rates are Not Accurate and Their Use in Calculating Baseline Pollutant Loads May Require the MS4 Localities to Achieve Greater Load Reductions Than Necessary to Reach Their Bay TMDL Target Loads.

The baseline loading rates are the starting point for determining the baseline pollutant loads for the localities covered by the Permit, and ultimately for determining the load reductions required of the localities. The higher the baseline loading rates, the higher the calculated baseline pollutant loads and the greater the reductions required of the localities. Accordingly, the importance of including accurate baseline loading rates in the Permit cannot be over-emphasized.

¹ The small (Phase II) MS4 jurisdictions are the cities of Poquoson, Suffolk and Williamsburg, and Isle of Wight, James City and York counties. The Phase I MS4 jurisdictions are the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Virginia Beach.

We understand that the baseline loading rates in Section I.C. of the Permit were calculated using state-derived estimates of the types, numbers, and efficiencies of stormwater best management practices (“BMPs”) installed on the acreage of developed impervious and pervious land in each river basin as of June 30, 2008. These estimates were then used as inputs to the Chesapeake Bay Watershed Model to produce basin-wide 2009 edge of stream (“EOS”) baseline loading rates for each pollutant of concern (nitrogen, phosphorus, and total suspended solids). We have identified three compounding flaws in the approach used to derive the baseline loading rates.

A. The Rates are Based On Flawed State-Derived Estimates and Do Not Accurately Reflect Locally Documented BMP Implementation Levels.

Although DCR has never provided us with a meaningful explanation of how it arrived at its BMP estimates, it is apparent that DCR’s BMP estimates are inconsistent with Locality-documented BMP implementation data as of June 30, 2008. As you know, during the Phase II WIP process, DCR shared its BMP data with HRPDC and the Localities and asked us to check its data against local BMP implementation data. The Localities found significant discrepancies between local and state BMP data and reported this information to DCR in February 2012, but DCR neither corrected its data nor responded to the Localities’ findings.² DCR’s failure to use readily available and updated BMP data prevented it from calculating accurate baseline loading rates.

B. Even if DCR Had Incorporated Accurate Locality Derived BMP Data in the Permit, the Baseline Loading Rates Would Still be Flawed Because they Reflect Average Rates Over the Entire Basin.

Baseline loading rates derived using BMP implementation data averaged over the entire James River basin fail to account for greater BMP implementation by localities that are subject to the Chesapeake Bay Preservation Act (“CBPA”), and therefore, over-estimate loading rates for these localities. As directed pursuant to the CBPA, the 38 Virginia localities in the tidal

² As an example, one locality in Hampton Roads contains 3,000 acres of developed land. According to DCR’s 2009 Progress Run, BMPs in this locality treat only 300 acres. Locality ground truthed data indicates, however, that BMPs treat three times as many acres for a total of 900 acres. In this example, the state estimates that approximately 1/10 of the area of the locality is treated by BMPs, when in actuality, closer to 1/3 of the acres in the locality have the benefit of BMP treatment.

portion of the Chesapeake Bay Watershed (including 13 localities within the HRPDC), have been requiring developers to offset nutrient and sediment loads since 1990 by installing stormwater BMPs. The tidal localities receive only partial credit for the resulting lower loading rates because the basin-wide average BMP implementation estimates used by DCR to derive basin-wide baseline loading rates simply offset the higher loading rates of those localities in the non-tidal portion of the basin rather than giving full credit to the localities that actually achieved the reductions.

C. Section I.C. Fails to Provide the Localities with the Opportunity to Take Credit for BMPs Installed After June 30, 2008.

We understand from remarks by DCR staff during the Soil and Water Conservation Board meeting on September 28, 2012 that the failure to provide localities with the opportunity to take credit for BMPs installed after June 30, 2008 was an oversight that DCR intends to correct before the Permit is finalized. While we are pleased that DCR intends to correct this flaw, we are unsure if it intends to provide the public with an opportunity to comment on the amended Section I.C. before the end of the comment period. If not, we urge you to do so. This is an important amendment to the Permit and the public should have an opportunity to comment on the language proposed by DCR.

IV. DCR Has Largely Ignored Earlier Requests from HRPDC and the Localities to Correct the Same Deficiencies in The Baseline Loading Rates Identified in these Comments.

As noted above, HRPDC and the Localities have alerted DCR to the above described deficiencies on more than one occasion in the past. While DCR has responded to a number of our questions related to the baseline loading rates, it has either not responded to others or has provided responses that fail to explain or offer a reasoned explanation and justification for its decisions to develop the baseline loading rates in Section I.C. of the Permit using the state basin-wide BMP data and the 2009 Progress Run. Two of the more obvious examples of this are (i) DCR's failure to even respond to the discrepancies in DCR's and the Localities' BMP implementation data identified by the Localities even though the Localities were responding to a request from DCR, and (ii) DCR's reliance on a directive from the Environmental Protection Agency ("EPA") to use the 2009 Progress Run to derive the baseline loading rates rather than

exercising its own judgment and discretion to determine whether some other model run would produce more accurate loading rates.³

Although courts accord considerable deference to an agency's exercise of its discretion, the agency must exercise that discretion in a way that is not arbitrary and capricious. In short, the agency must provide a reasoned explanation and basis for its action.⁴ We respectfully submit that DCR's failure to respond to our concerns regarding the discrepancies in the state and Locality BMP data, its total reliance on EPA's directive to use the 2009 Progress Run to produce the baseline loading rates, and its failure to offer a reasoned justification for using basin-wide average baseline loading rates is arbitrary and capricious and must be corrected before the Permit is finalized.

V. Use of the 2010 No Action Model Run Would Address the Deficiencies in the Baseline Loading Rates.

DCR can readily correct the above described deficiencies by modifying Section I.C. of the Permit to instruct localities to calculate their baseline loads using loading rates from the 2010 No Action Model Run instead of the 2009 Progress Run (the 2010 No Action Model Run reflects pollutant loads without BMPs). Under this approach, localities would also submit data on actual BMP implementation and the resulting pollutant load reductions from these BMPs from 2006 through July 2013 and receive credit for these reductions beyond their calculated baseline loads. This approach would (i) provide for use of the most accurate BMP data in the development of loading rates, (ii) avoid the use of inaccurate basin-wide loading rates because locality-specific information would be used to calculate more accurate locality-specific loading rates, and (iii) permit localities to obtain credit for all BMPs implemented within the locality up to the effective date of the Permit, which would result in more accurate pollutant load and load reduction calculations.

³ See August 15, 2011, letter from John Carlock (HRPDC) to Joan Salvati (DCR) and August 31, 2011 email response from Noah Hill (DCR) to Jennifer Tribo (HRPDC), copies of which are Attachment A to these comments.

⁴ See *Chemical Mfrs. Ass'n v. Environmental Protection Agency*, 28 F.3d 1259, 1265-66 (D.C. App. 1994); *Virginia Real Estate Comm'n v. Bias*, 226 Va. 264, 269, 308 S.E.2d 123, 125 (1983); *Environmental Defense Fund v. Ramirez*, 15 Va. App. 271, 277, 422 S.E.2d 608, 611-12 (1992); *Johnston-Willis v. Kenley*, 6 Va. App. 231, 241-44, 369 S.E.2d 1, 19-24 (1988); *Atkinson v. Virginia. Alcoholic Beverage Control Comm'n*, 1 Va. App. 172, 176, 336 S.E.2d 527, 529-30 (1985).

While we understand that EPA has directed DCR to frame statewide strategies in terms of pounds of pollutants removed from the 2009 Progress Run to meet the statewide TMDL targets, we believe that DCR should view this as a reporting requirement without dictating the way in which a state actually measures reductions by sector. If DCR wishes to comply with EPA's request, it should do so by requiring localities to (i) calculate the number of total pounds of pollutants reduced by achieving a five percent reduction from the 2009 Progress Run, and (ii) then express that load reduction as a percent reduction from the 2010 No Action Model Run. This latter calculation may result in load reductions greater than five percent of the load based on the 2009 Progress Run in the first permit year, however, it is balanced by the fact that localities will be able to credit their documented BMPs from 2006 to 2013 towards this percent reduction. Although those localities that have implemented fewer BMPs prior to the effective date of the Permit will need to achieve greater pollutant reductions than those localities that have implemented more BMPs since 1990, this approach will ensure that the burden is shared fairly by all.

VI. Neither the Permit nor the Fact Sheet Refer to Methodologies for Calculating Nutrient Reductions and Guidance for Developing Action Plans.

Virginia's BMP Clearinghouse (which is still under construction) and the Chesapeake Bay Program's guidance are not consistent with respect to methodologies for calculating nutrient reductions and the differences between some of the methods and calculations are not inconsequential. Therefore, in order to develop consistent and effective strategies for pollutant load reduction, localities need to know which BMPs can be included in their Chesapeake Bay TMDL Action Plans ("Action Plans") and the BMP efficiencies that should be assigned to those BMPs. Localities also need to know the equivalencies that can be used for non-traditional BMPs so that they can use these equivalencies to obtain credit for their implementation. Although flexibility is appreciated, localities must have confidence that the methodologies and equivalencies used for their calculations will ensure compliance with their obligations under the Permit.

A related concern involves the absence of any guidance on the content of the Action Plans required by Section I.C.2. of the Permit. Although Section I.C.2. lists the subjects that

must be addressed in the Action Plans, neither it nor the Fact Sheet provide localities with any guidance as to DCR's expectations regarding the minimum acceptable content of the Action Plans. Without such guidance, localities are left to assume what is required of them and thereby risk being charged with non-compliance despite their best efforts to submit and implement complete Action Plans.

By the foregoing, we do not mean to suggest that DCR should try to include the methodologies and guidance in the Permit. To the contrary, we do not believe it would be appropriate to include either the methodologies or the guidance as permit conditions given their technical nature and anticipated length and the need for flexibility. Rather, the Fact Sheet should announce DCR's intention to publish a separate document containing the methodologies and guidance before the Permit's effective date and following public notice and the opportunity for comment. The Maryland Department of the Environment has recognized the need to assist Maryland's localities in fulfilling their MS4 permit obligations and has provided guidance for that purpose.⁵ We know of no reason why DCR cannot do the same.

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⁵ See Maryland Department of the Environment, Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated: Guidance for National Pollutant Discharge Elimination System Stormwater Permits (June 2011 Draft).

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: GROUNDWATER REGULATIONS COMMENTS

SUBJECT:

The Virginia Department of Water Quality (DEQ) has proposed revisions to the Eastern Virginia Groundwater Management Area Regulations (9VAC25-600) and the Groundwater Withdrawal Regulations (9VAC25-610). The revisions would expand the Eastern Virginia Groundwater Management Area to include the remaining portion of Virginia's coastal plain and amend the Groundwater Withdrawal regulations to manage groundwater resources more comprehensively. The proposed regulations are available at the Town Hall website at:

<http://www.townhall.virginia.gov/L/viewchapter.cfm?chapterid=1445>
<http://www.townhall.virginia.gov/L/viewchapter.cfm?chapterid=1451>.

The public comment period ends on January 11, 2013. HRPDC staff has prepared a draft comment letter for the Commission's consideration based on input from the HRPDC Directors of Utilities Committee.

BACKGROUND:

These regulations govern groundwater withdrawals in designated Groundwater Management Areas which currently include all Hampton Roads localities except Gloucester County. Most public water systems and industrial users withdraw more than the 300,000 gallons per month threshold and must acquire a permit under these regulations. Individual homeowners with wells are typically not required to get a permit since their use is less than 300,000 gallons per month.

The significant changes in the proposed regulation include:

- Expansion of the Groundwater Management Area to include the entire Coastal Plain,
- Establishment of supplemental drought relief permits and conjunctive use permits for systems with surface and groundwater sources,
- Water conservation and management plans will be an enforceable part of the permit, and
- Agency guidance concerning the 80% drawdown criteria has been incorporated into the regulations.

The groundwater regulations were reviewed by a Regulatory Advisory Panel in 2010. At the conclusion of the panel, the Directors of Utilities Committee submitted comments to Mr. David Paylor, Director of DEQ. The suggested revisions have not been incorporated into the proposed regulations. This presentation will highlight the Committee's concerns:

- If groundwater supplies are limited, public water system demands instead of "human consumption" should be the highest priority. Human consumption is a subset of public water system demands.

- Public water system permits should be grandfathered and should not be required to raise pumps or reduce the amount of permitted withdrawals based on the new hydrologic framework or new 80% drawdown criteria guidance.
- Public water systems should not be required to purchase surface water in lieu of renewing a groundwater withdrawal permit.
- Technical evaluations of proposed withdrawals should be based on predicted water levels at the end of the permit term instead of evaluating the “stabilized effects” of proposed withdrawals.
- Permit term should be extended from 10 years to 30 years to match financing periods for water infrastructure. However, withdrawal amounts should be limited to projected demands for 15 years.
- Virginia Coastal Plain groundwater model should be used to manage the Coastal Plain aquifer system instead of the RASA model currently in use.
- Conjunctive Use Permits should be eliminated; Drought Relief Permits should be evaluated on typical use (2 years of 10 year period) instead of constant use.
- Regulations should encourage Aquifer Storage Recovery wells which inject drinking water into the aquifer system.

The comment letter on the groundwater regulations that was submitted to DEQ in 2010 is included in the agenda. The Directors of Utilities Committee will meet on November 7th to consider revisions to the letter. The Committee will review the final comment letter at its December 5, 2012 meeting.

Ms. Whitney Katchmark, Principal Water Resources Engineer, will brief the Commission.

Attachment 6 - Proposed Groundwater Regulations Comment Letter

Note: Recommended actions are included in Consent Agenda Item #9J.



October 15, 2010

Mr. David Paylor
Department of Environmental Quality
629 East Main Street
P.O. Box 1105
Richmond, VA 23218

RE: Draft Ground Water Withdrawal Regulations
(WAS: SWCB)

Dear Mr. Paylor:

The Directors of Utilities Committee of the Hampton Roads Planning District Commission (HRPDC) has provided comments on the draft Ground Water Withdrawal Regulations 9 VAC 25-610. The Committee includes the Directors of water utilities from the following localities: Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, Gloucester County, Isle of Wight County, James City County, Southampton County, Surry County, York County and the Towns of Smithfield and Windsor. The Committee encourages the Department of Environmental Quality to consider the following suggestions during the review of the groundwater withdrawal regulations:

- 1) **Human consumptive use:** The definition of human consumption needs to be broader. In several sections of the regulations, "public water systems" should replace the term "human consumption" to support all of the customers that rely on public water systems.
 - a) In Section 610-10, the proposed definition for "Human Consumption" in the draft regulation is too narrow. It does not include toilet flushing, washing clothes, medical needs, etc. The regulation should continue to use the definition of "Human consumptive use" in the existing regulations:

"Human consumptive use" means the withdrawal of groundwater for private residential domestic use and that portion of ground water withdrawals in a public water supply system that support residential domestic uses and domestic uses at commercial and industrial establishments.
 - b) When the available supply of groundwater is not sufficient to meet all requests, meeting the demands of public water systems should be the highest priority. In the existing regulations, human consumptive use is the highest priority which leaves out a portion of the public water systems' customers and creates a burdensome task of

trying to estimate human consumptive use which is not tracked by public water systems. Section 610-110 paragraph E should be revised as follows:

When proposed uses of groundwater are in conflict or available supplies of groundwater are not sufficient to support all those who desire to use them, the board shall prioritize the evaluation of applications in the following manner:

1. Applications for public water systems shall be given the highest priority;
2. Should there be conflicts between applications for public water systems, applications will be evaluated in order based on the date that said applications were considered complete; and
3. Applications for all uses, other than public water systems, will be evaluated following the evaluation of proposed public water systems' uses.

- c) Section 610-110, paragraph F.2 should be revised to ensure that public water systems have enough water to serve existing customers and to protect the health and safety of those communities. The following language is suggested:

The board shall reissue a permit to any public water supply user for an annual amount no less than the portion of the permitted withdrawal that was used by said system during any consecutive 12 month period occurring in the previous term of the permit.

- 2) **Grandfathering of public water systems:** Municipal permit holders that operate public water systems have a unique responsibility unlike all other users. They are tasked with supplying safe drinking water to their communities which in turn, supports life itself, the protection of public health, and economic development. These responsibilities do not end when a permit term expires. Municipal permit holders must be able to plan for economic development and land use and know that the water resources to support those plans will continue to be available. If the criterion for evaluating permits is revised, public water systems should be grandfathered under the criterion used to approve the original permit. We are not making this point with respect to new or expanded applications, only those systems and withdrawals existing at the time this regulation is adopted.

- a) Existing public water systems should not be required to raise pumps because the Potomac aquifer has been redefined as one aquifer, instead of three aquifers. The new definition for this aquifer system is at least the third attempt by experts to characterize this resource in the last 30 years. As such, the regulated community cannot be expected to modify designs and infrastructure each time a new regional model is developed. Also, the pump setting requirements should be based on the depth and position of the well screen rather than on which aquifers are utilized as a

groundwater source. Section 610-110 paragraph D.3.c should be revised with the following language:

- i) The applicant demonstrates that no pumps or water intake devices are placed lower than the top of the uppermost confined aquifer with a well screen in order to prevent dewatering of a confined aquifer, loss of inelastic storage, or damage to the aquifer from compaction.
 - ii) Public water systems with wells screened in the Potomac Aquifer may continue to operate with pumps set below the top of the Potomac Aquifer if those operational settings were approved in their permits prior to the Potomac Aquifer classification as one aquifer instead of three aquifers (Upper Potomac, Middle Potomac, and Lower Potomac).
- b) If a public water system requests a renewal of a permit with the same conditions as its existing permit, the system should be guaranteed that the renewal will not be denied based on new evaluation of water level impacts. Section 610-110 F should be revised with this additional paragraph:

The board shall not conduct or consider technical evaluations of the 80% criteria for reapplications if the applicant is a public water system.

- c) Public water systems should be granted renewals of permits with the same conditions as its existing permit regardless of the availability of surface water for purchase. Section 610-102 "Evaluation of need for withdrawal and alternatives" should be revised with this additional paragraph:

F. The board shall not consider requiring public water systems to purchase surface water in lieu of renewing a groundwater withdrawal permit.

- 3) **Improve technical evaluations:** Technical evaluations of proposed withdrawals should be based on the limitations of the simulation model used in the analysis and based on the impacts of proposed withdrawals during the permit term. The permit term should be extended to match typical financing periods of water infrastructure investments and water supply planning horizons.

- a) The technical evaluation of proposed withdrawals should be based on predicted water levels at the end of the proposed permit term instead of evaluating the "stabilized effects" of proposed withdrawals. A transient model simulation should be used instead of a steady state simulation to estimate water level and head changes caused by a proposed withdrawal. A steady state simulation could represent impacts that are expected to occur 50 years or longer after the permit

would expire. Section 610-110 paragraph D.3.h should be revised with the following language:

The board's technical evaluation demonstrates that the effects from the proposed withdrawal in combination with the effects of all existing lawful withdrawals at the end of the permit term will not lower water levels, in any confined aquifer that the withdrawal impacts, below a point that represents 80% of the distance between the historical prepumping water levels in the aquifer and the top of the aquifer.

- b) The point of compliance with the 80% drawdown criteria should be based on the generally recognized calibration limit of the model used for the analysis. Permit renewals should not have to meet a more stringent criterion than the permit's initial technical evaluation.
 - i) Compliance with the 80% drawdown criteria should be based on the calibration limit of a technically sound groundwater model. Section 610-110 paragraph D.3.h should be revised by adding the following paragraphs:
 - (1) Compliance with the 80% drawdown criterion for new applications will be determined at the model's minimum drawdown contour based on the predicted effects of the proposed withdrawal. The model's minimum drawdown contour is defined as the calibration limit of the specific groundwater model or assessment methodology used for the technical evaluation.
 - (2) Compliance with the 80% drawdown criterion for permit renewals will be determined at the points that are halfway between the proposed withdrawal site and the model's minimum drawdown contour based on the predicted effects of the proposed withdrawal. The model's minimum drawdown contour is defined as the calibration limit of the groundwater model used for the technical evaluation.
 - ii) The "area of impact" should be defined according to the calibration of the model used for the analysis. Section 610-10 should include the following definition:

"Area of impact" means the model's minimum drawdown contour based on the predicted effects of the proposed withdrawal. The model's minimum drawdown contour is defined as the calibration limit of the groundwater model used for the technical evaluation.

- c) Permit terms should be extended to 30 years to match the financing periods for water infrastructure investments. However, withdrawal amounts should be limited to projected demands for 15 years.

- i) Permits should be extended from the current 10 year period to a 30 year period. Many of the permit holders must finance significant investments in the infrastructure required to withdraw, treat and convey water. These investments are often financed over 30 year periods. Section 610-106 paragraph D.13 and 610-40 paragraph A.10 in the draft regulations should be modified with the following language:

Groundwater withdrawal permits shall be effective for a fixed term not to exceed 30 years.

- ii) If the permit term is extended beyond 10 years, the permitted withdrawal amounts should be limited to the projected water demands in the next 15 years. Groundwater should not be obligated to a permittee fifteen to thirty years before it is needed. Paragraph A.1 should be created in Section 610-102 Evaluation of need for withdrawal and alternatives. The following language is suggested:

Groundwater withdrawal permits shall be based on projected water demands for no more than 15 years from the date of the permit issuance, even if the permit term exceeds 15 years.

- d) The Virginia Coastal Plain groundwater model should be used to manage the Coastal Plain Aquifer System instead of the RASA model currently in use. The Virginia Coastal Plain (VCP) groundwater model, authored by Charles Heywood and Jason Pope from the USGS Virginia Water Science Center, incorporates the findings of the Virginia Coastal Plain Hydrologic Framework report funded by DEQ and HRPDC. The VCP model should be adopted because it produces more accurate predictions of groundwater elevations. The VCP model includes information that was not available when the RASA model was developed such as the groundwater density distribution along the saltwater interface near the Atlantic Ocean, domestic self-supplied withdrawals below the reporting threshold, the Chesapeake Bay Impact Crater, and recognition of a single Potomac aquifer.
- 4) **Drought relief permits:** Drought relief permits have been better defined in the draft regulations; however, several suggestions are offered to further define how these permits will be issued and evaluated.
 - a) The HRPDC Directors of Utilities Committee originally supported the creation of Conjunctive Use Permits as a new permit category. However, 610-104 "Surface

water and groundwater conjunctive use systems” in the draft regulations does not accomplish the goal of giving water providers the flexibility to maximize the available water resources with fewer restrictions than Drought Relief Permits. The Committee suggests that the Conjunctive Use Permit category be eliminated. Permits should be issued as either a Production Well Permit or a Drought Relief Permit.

- b) Drought Relief Permits for public water systems should not be limited to permitted withdrawals that only support human consumptive use. The definition of “Supplemental drought relief well” in Section 610-10 should be revised with the following language:

“Supplemental drought relief well” means a well permitted to withdraw a specified amount of groundwater to meet human consumptive use needs during declared drought conditions, or other declared water supply emergency, after mandatory water use restrictions have been implemented. Permits for public water systems should be permitted to withdraw groundwater to meet the needs of all consumers after mandatory water use restrictions have been implemented.

- c) The impacts of drought relief wells should be evaluated under conditions that more closely match the past operations of drought relief wells in Virginia. The impacts should be evaluated with a transient model assuming the proposed maximum rate and withdrawal amount for two years, followed by eight years at the minimum maintenance withdrawals, and repeated if the permit term is extended beyond 10 years. This approach is based on the historical use of emergency wells in the Virginia Coastal Plain.

- i) The draft regulations states that the 80% criterion will be evaluated based on the stabilized effects of the proposed withdrawal. Drought wells are rarely pumped for more than a year and almost never pumped continuously. The aquifer system is sluggish to respond to pumping stresses so using a transient model instead of a steady state model is a more accurate way to simulate the impacts of drought relief withdrawals. Section 610-106 paragraph G.6 should be revised with the following language:

The board's technical evaluation demonstrates that the effects from the proposed withdrawal amounts pumped at the maximum rate for two years followed by the withdrawal of any minimum amounts required for maintenance for eight years in combination with the effects of all existing lawful withdrawals will not lower water levels, in any confined aquifer that the withdrawal impacts, below a point that

represents 80% of the distance between the historical prepumping water levels in the aquifer and the top of the aquifer.

- ii) The “area of impact” should be based on the same assumptions used in the technical evaluation of the proposed withdrawal. Section 610-108 paragraph D should be revised as follows:

Mitigation plans for supplemental drought relief permits shall address the area of impact associated with the maximum groundwater withdrawal allowed by such permits assuming the proposed maximum rate and withdrawal amount for two years followed by eight years at the minimum maintenance withdrawals.

- 5) **Aquifer Storage Recovery wells:** The regulation should address Aquifer Storage Recovery (ASR) wells. The regulations should encourage groundwater users to recharge the aquifer system by establishing guidelines for how DEQ will treat ASR wells in the Groundwater Withdrawal Permitting Program. The following suggestions are recommended:

- a) Definition – “Aquifer Storage Recovery well” injects drinking water into the aquifer system and stores more water in the system than it withdraws.
- b) ASR wells do not require a Groundwater Withdrawal Permit but must comply with DEQ reporting requirements for withdrawals. The EPA Underground Injection Control Program regulates injection of water at ASR wells.
- c) ASR well owners can withdraw a maximum of 70% of the volume of water that has been injected into the aquifer system or up to 95% of the injected water, as long as the utility can effectively demonstrate that the withdrawn water above the 70% point is predominantly injected water (by water quality analysis) and not native water.
- d) ASR well owners can withdraw water up to a maximum rate of four times the average daily injection rate based on the previous 12 months.
- e) Aquifer Storage Recovery wells should not be required to have a mitigation plan because by definition more water has been injected than withdrawn from the aquifer system. Any and all impacts experienced during a withdrawal cycle are temporary by definition and by operational constraints.

For the past twenty years, the region’s local governments have provided financial and technical support to the USGS and DEQ through the on-going Cooperative Groundwater Study Program. The Committee members bring considerable technical and policy experience and perspective to the Groundwater Withdrawal Permitting process. The proposed regulatory changes are important to the operations of the water utilities in the

Draft Ground Water Withdrawal Regulations
October 15, 2010
Page 8

Hampton Roads region and the Committee would appreciate your careful consideration of its recommendations.

If you need additional information or have any questions, please contact Whitney Katchmark, HRPDC, or me.

Sincerely,

A handwritten signature in dark ink, appearing to read "John M. Carlock", with a long horizontal flourish extending to the right.

John Carlock
HRPDC Deputy Executive Director
Chair, Directors of Utilities Committee

WSK/fh

Copy: Directors of Utilities Committee

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: 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 #8: 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 #9: APPROVAL OF REGULAR AGENDA ITEMS

A MINUTES

The Minutes of the HRPDC Annual Commission meeting of October 18, 2012 are attached.

Attachment 9-A - Minutes

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the minutes.

B: TREASURER'S REPORT

SUBJECT:

Monthly financial activity for the HRPDC.

BACKGROUND:

The Balance Sheet and Statement of Revenue and Expenditure for October 2012 activities are attached. These statements reflect the financial status of the HRPDC as a whole.

Attachment 9-B – October Treasurer's Report

RECOMMENDED ACTION:

The HRPDC staff recommends the Treasurer's Report be accepted.

C: REGIONAL REVIEWS – MONTHLY STATUS REPORT

1. 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. No projects were received for review during the past month.

2. 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. There were no outstanding comments as of November 2, 2012 on these projects.

Attachment 9-C2 – Environmental Impact Reviews

RECOMMENDED ACTION:

None required.

**Hampton Roads Planning District Commission
Annual Commission Meeting
Minutes of October 18, 2012**

The Annual Meeting of the Hampton Roads Planning District Commission was called to order at 9:37 a.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

COMMISSIONERS

Thomas Shepperd, Chairman (YK)
Kenneth Wright, Vice Chairman (PO)
Amar Dwarkanath (CH)
Eric Martin (CH)
Ella P. Ward (CH)
Barry Cheatham (FR)
Randy Martin (FR)
Ashley Chriscoe (GL)
Mary Bunting (HA)
Douglas Caskey (IW)
Mary Jones (JC)
McKinley Price (NN)

Thomas Smigiel (NO)
Marcus Jones (NO)*
Kenneth L. Chandler (PO)
J. Randall Wheeler (PQ)*
Selena Cuffee-Glenn (SU)
Tyrone Franklin (SY)
John Seward (SY)
Barbara Henley (VB)
Louis R. Jones (VB)
James Spore (VB)
Jackson C. Tuttle, II (WM)

EXECUTIVE DIRECTOR:

Dwight L. Farmer

COMMISSIONERS (ABSENT)

Scott Matheson (CH)
Debbie Ritter (CH)
Brenda Garton (GL)
Christopher G. Stuart (HA)
Will J. Moffett (HA)
Dee Dee Darden (IW)
Robert Middaugh (JC)
Neil Morgan (NN)
Sharon Scott (NN)
Anthony Burfoot (NO)
Paul Fraim (NO)

Angelia Williams (NO)
W. Eugene Hunt (PQ)
Michael Johnson (SH)
Ronald W. West (SH)
Linda T. Johnson (SU)
Robert Dyer (VB)
John Moss (VB)
John Uhrin (VB)
Harry Diezel (VB)
James O. McReynolds (YK)
Clyde Haulman (WM)

*Late arrival or early departure

OTHERS RECORDED ATTENDING:

Anna D'Antonio (CH); Brian DeProfio, Molly Ward (HA); Beverly Walkup (IW) Jeff Raliski, Ron Williams (NO); Michael King, Jerri Wilson (NN); Eric Nielsen (SU); J. Scott Weldon, Congressman Scott Rigell/Delegate David Yancey; Leslie Roberts, Dixon Hughes Goodman LLP; Wendy James, LeClair Ryan; John Gergely, Newport News Citizen; Ellis James, Sierra Club Observer; Mark Geduldig-Yatrofsky, Portsmouth City Watch Org; Peter Huber, Willcox & Savage; Cathy Aiello, Aiello Enterprises, Inc.; Staff: John Carlock, Camelia Ravanbakht, Shernita Bethea, Curtis Brown, Rick Case, Jennifer Coleman, Nancy Collins, Natalie Easterday, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Robert Lawrence, Mike Long, Jai McBride, Ben McFarlane, Kelli Peterson, Joe Turner, Chris Vaigneur.

Chairman Shepperd called the meeting to order as an Executive Committee because of an insufficient quorum for a full Commission meeting.

Commissioners Caskey and Wheeler Arrived

CLOSED SESSION

Chairman Shepperd stated the HRPDC would go into closed session at 9:42 a.m. and read the following statement:

The next item of business before the HRPDC is to advise all members of the COMMISSION present that is in my judgment appropriate to enter into a closed meeting as authorized by the Virginia Freedom of Information Act. This closed meeting will be restricted to only those matters specifically exempted from disclosure pursuant to §2.2-3711(A). The closed meeting is to be held for the purpose of:

- *Personnel matters under §2.2-3711.A.1, to discuss the Executive Director's performance and salary.*

The COMMISSION deems it necessary, as specified by the Virginia Freedom of Information Act, that the following non-members be present during closed meeting:

- *Mayor Molly Ward, chairman of the HRTPO*

It should be noted for the record that a motion to enter into closed meeting for the aforesaid purpose has been made by Commissioner Cheatham and seconded by Commissioner Ward and unanimously approved by an affirmative vote by all voting members present.

The closed session concluded at 9:50 a.m. and the Chairman asked for a motion to certify:

- only public business matters, lawfully exempted from open meeting requirements under this chapter, and

- only such business matters as were proposed under the motion under which the closed meeting was convened were heard, discussed, or considered on the topic of Personnel Matters.

Commissioner Smigiel Moved to terminate the closed session; seconded by Commissioner Chriscoe. A roll call vote was taken:

Mr. Shepperd: Yes
Mr. Smigiel: Aye
Mr. Spore: Aye
Mr. Jones: Aye
Mr. Chandler: Yes
Ms. Cuffee-Glenn: Aye
Mr. Chriscoe: Aye
Ms. Bunting: Aye
Mr. Wheeler: Aye
Mr. Cheatham: Aye
Mr. Martin: Aye
Mr. Seward: Aye
Mr. Franklin: Aye
Mr. Martin: Aye
Mr. Dwarkanath: Aye
Dr. Ward: Aye
Dr. Price: Aye
Mr. Caskey: Aye
Ms. Jones: Aye
Mr. Tuttle: Aye
Mayor Wright: Aye

The Motion Carried

Mayor Molly J. Ward, Chair of the Hampton Roads Transportation Planning Organization, endorsed Mr. Farmer's merit increase because of his service to the community, exemplary work ethic and management abilities of both complex institutions, The Hampton Roads Planning District Commission and The Hampton Roads Transportation Planning Organization.

Chairman Shepperd asked for a motion to approve the Executive Director's 1.5 percent merit increase.

Commissioner Chriscoe Moved to approve the merit increase; seconded by Commissioner Ward. The Motion Carried, with Commissioner Mary Jones voting in opposition.

APPROVAL/MODIFICATION OF AGENDA

Chairman Shepperd asked if there were any modifications or additions/deletions to the agenda. Hearing none, he asked for a motion to approve the agenda.

Commissioner Cuffee-Glenn Moved to approve the agenda; seconded by Commissioner Seward. The Motion Carried.

WORKSHOP AGENDA

LEGISLATIVE AGENDA

Mr. Carlock indicated this was the second year the HRPDC had a draft legislative agenda and included items of continuing concern from the previous year and additional input from member localities and state associations.

Several legislative items include requests for funding such as:

- Water Quality – support full funding for the Water Quality Improvement Fund
- BRAC-Related Acquisition – support BRAC-related land acquisition
- Restoration of PDC Funding – support restoration of funding to FY 2001 level of \$0.24 per capita
- Housing Trust Fund – support continued funding in order to sustain the Trust Fund
- Emergency Management Funding – support effort to establish a dedicated funding stream and support use of state resources to sustain and replace readily deployable regional assets

Other facets of the Legislative Agenda include:

- Emergency Management
- Sea Level Rise and Coastal Flooding
- Environmental Initiatives
- State Government Administration
- General Principles

In order to address the issues of sea level rise and coastal flooding, the HRPDC supports new legislation requiring State natural resource and emergency management agencies to cooperate with the eight coastal PDC's to secure long term funding to assist localities in addressing and developing viable solutions to flooding.

The HRPDC also endorses legislation for the Virginia Department of Transportation (VDOT) to accept maintenance responsibilities for drainage on state secondary roads.

Mr. Carlock noted additional items can be determined based on discussion results from the Commission.

Commissioner Smigiel commented on the need for a stronger emphasis in relation to public school funding in education budgets.

Chairman Shepperd reiterated the localities need to submit individual legislative agendas to assist staff in crafting a tailored document to send the General Assembly.

Commissioner Ward agreed with Commissioner Smigiel on the highlighting of education and public school funding.

Commissioner Seward stated education funding was an inappropriate topic to be included in the Legislative Agenda because it is an area not usually addressed by the HRPDC.

Chairman Shepperd reiterated discussion was encouraged to assist in drafting a sound document in order to secure funds.

Chairman Shepperd indicated VDOT had repealed their stance on drainage easements.

Commissioner Mary Jones paralleled Commissioner Seward's comments on education funding being more suited for localities legislative agendas than the HRPDC's.

READY HAMPTONROADS.ORG PROGRAM

Ms. Easterday explained the purpose of ReadyHamptonRoads is to provide a comprehensive online tool for citizens and emergency managers in the area. Originally funded by the Urban Area Security Initiative (UASI), HRPDC will be assuming responsibility for the program from the Hampton Roads Citizen Corps and ensuring the sustainability of the program.

Commissioner Marcus Jones arrives

The website has two parts, the first being a citizen preparedness guide which includes a calendar of events, local emergency management information that aligns with the Ready Virginia and National Ready Programs. The second is a secure, authorized area for emergency managers, which includes information such as a detailed file library, meeting minutes, after action reports and a training/meeting calendar.

Ms. Easterday noted the HRPDC is applying for a \$35,000 FEMA grant based on the characteristics of innovation, collaboration, sustainability, replication and overall benefits and felt ReadyHamptonRoads.org meets these requirements.

Ms. Easterday emphasized all activities will continue to be organized through local emergency management offices. This website is an additional available resource.

FY 2012 AUDIT REPORT

Ms. Collins informed the Commission the FY 2012 audit resulted in an unqualified opinion with no material weaknesses, significant deficiencies, material non-compliance, material findings, questionable costs or deficiencies in internal controls.

Funded board approved line items, such as the telephone system and the roof have been updated. After accounting for the reserves, the HRPDC has approximately \$400,000 dollars for new initiatives.

Ms. Collins explained the indirect cost rate calculation for overhead expenses for awarded federal and state contracts was 21.17%, the lowest rate by the HRPDC thus far.

REGULAR AGENDA

EMPLOYEE RECOGNITION

Chairman Shepperd acknowledged and thanked Mr. Richard Case, Facilities Superintendent and Mr. Joseph Turner, Communications Manager for their 10 years of service and Mr. Michael Long, General Services Manager, for 25 years of dedication to the HRPDC.

PUBLIC COMMENT

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

Ellis W. James

Thank you, Mr. Chairman, members of the Commission. My name is Ellis W. James. I reside at 2021 Kenlake Place in the city of Norfolk. There are all kinds of abuses that our citizens are subjected to, but I want to focus on something that is becoming almost epidemic right now. Because I move around all of Hampton Roads and much of Virginia, I am now aware of the fact that there are landlords and not all of them are bad. There are agencies, both national and local, who are attempting to intimidate our residents on the question of voting. Although I understand that this Commission is focused on many other issues across a broad spectrum, I would hope and urge each of the towns, counties and cities, to pay close attention to what's happening. Let me give you a couple of examples. Right now as we speak in the city of Chesapeake, there is harassment of one of the political offices underway. I hope that Chesapeake will be able to take a close look at the situation and determine what, if anything, should be done. In my own city, in Norfolk, I have residents who have been told that they cannot exercise their free speech rights by both absentee landlords as well as others. Currently there is an effort under way by the real estate industry to put out false information that we have in the sales tax fees, money going to Obamacare. That is blatantly false, but it is having an impact as I go door to door and talk to people, it is having an impact on people because they're not sure. These kinds of harassments are not what should be happening in the United States of America, and I would hope that at some point, each of the localities will be able to assess what might or might not be happening in their own communities and see if they can't get someone's attention to change the playing field so that all of our citizens, no matter who they support, are welcome to the voting booth. Thank you, Mr. Chairman.

SUBMITTED PUBLIC COMMENTS

Chairman Shepperd noted there were not any submitted public comments.

APPROVAL OF CONSENT ITEMS

- A. Minutes of September 20, 2012 Meeting
- B. Treasurer's Report
- C. Regional Reviews – Monthly Status Report
 - a. PNRS Reviews
 - b. Environmental Impact Assessment/Statement Review
- D. Regional Stormwater Cooperation Report
- E. Environmental Education Report
- F. FY 2012 Audit Report
- G. Urban Areas Security Initiative Grant Acceptance for FY 2011 Regional Training and Exercise Project
- H. FEMA 2012 Community Resilience Innovation Challenge
- I. Regional Catastrophic Planning Grant Task Order
- J. Virginia Preparedness Plan

Commissioner L. Jones Moved to approve the consent items; seconded by Commissioner Cheatham. The Motion Carried.

NOMINATING COMMITTEE REPORT

Commissioner Tuttle stated the Nominating Committee recommends Mr. Shepperd and Mr. Wright retain the positions of Chairman and Vice Chairman respectively.

Commissioner Tuttle Moved to approve the recommendations of the Nominating Committee; seconded by Commissioner Cheatham. The Motion Carried.

HRPDC THREE MONTH TENTATIVE SCHEDULE

Chairman Shepperd underlined the three month agenda schedule. The Regional Bacteria Study and Chesapeake Bay TMDL was emphasized

CORRESPONDENCE OF INTEREST

Chairman Shepperd noted the correspondence of interest section of the agenda

PROJECT STATUS REPORTS

Chairman Shepperd discussed the Project Status Reports and highlighted the Hampton Roads Home Loan Fund Partnership and pet trailers.

FOR YOUR INFORMATION

Chairman Shepperd noted the For Your Information section of the agenda.

OLD/NEW BUSINESS

Commissioner Seward informed the Commission through recent talks with State Delegates, PDC actions are not regarded as high priority. In an effort to repair that opinion of the PDCs, Commissioner Seward suggested the action of “reintroducing” the Commission to the State Legislature.

Chairman Shepperd replied the legislative agenda, the Cities and other organizations such as, VACO and VML assist in that effort.

Commissioner Seward suggested State Legislators be invited to a meeting.

ADJOURNMENT

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:32 a.m.

Thomas G. Shepperd, Jr.
Chairman

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2013
10/31/2012
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	324,152	Current Liabilities	1,293,188
Accounts Receivables	1,581,700	Net Assets	4,936,564
Investments	3,038,623		
Other Current Assets	664		
Net Capital Assets	<u>1,284,613</u>		
Total Assets	<u><u>6,229,752</u></u>	Total Liabilities & Equity	<u><u>6,229,752</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>YTD</u>
Grant and Contract Revenue	6,583,611	861,667	1,629,630
VDHCD State Allocation	151,943	37,986	75,971
Interest Income	18,000	575	4,769
Local Jurisdiction Contributions	1,329,440	332,360	664,719
Other Local Assessment	1,661,727	338,457	684,414
Sales and Miscellaneous Revenue	18,150	5,934	16,039
Special Contracts/Pass thru	1,476,185	-	-
Total Revenue	<u><u>11,239,056</u></u>	<u><u>1,576,979</u></u>	<u><u>3,075,542</u></u>
EXPENDITURES			
Personnel	4,532,387	364,584	1,435,302
Standard Contracts	205,405	21,350	74,413
Special Contracts / Pass-Through	5,892,155	293,053	1,078,578
Office Services	609,109	53,084	171,008
Capital Assets	-	-	-
Total Expenses	<u><u>11,239,056</u></u>	<u><u>732,071</u></u>	<u><u>2,759,302</u></u>
Agency Balance	<u><u>-</u></u>	<u><u>844,907</u></u>	<u><u>316,240</u></u>

Environmental Impact Reviews

Received 10/12/2012

Number 12-183F

Name Witchduck Road and Mac Street Roadway Improvements

Sponsor USDOT/Federal Highway Administration

Description

Kerr Environmental Services on behalf of the City of Virginia Beach has submitted a federal consistency certification (FCC) for a roadway improvement project located in the City of Virginia Beach. The project involves the expansion of Witchduck Road from four to six lanes starting at the west bound exist ramp at Interstate 264 and ending at the Virginia Beach Boulevard intersection. The project includes the reconstruction of perpendicular cross streets (Cleveland Street, Southern Boulevard and Mac Street) and will involve acquisition of the right-of-way along the existing road corridor. The area is developed with roads, commercial buildings and associated infrastructure. There is one jurisdictional drainage feature on the project site. According to the FCC, the project will be conducted in a manner consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 10/15/2012

Number 12-182F

Name Lesner Bridge Replacement Project

Sponsor USDOT/Federal Highway Administration

Description

The City of Virginia Beach (Virginia Beach) proposes to replace the existing John A Lesner Bridge over the Lynnhaven River in Virginia Beach. The replacement bridge will be designed to handling six lanes of traffic, if necessary, in the future. The project includes upgrades to the intersection of Shore Drive with East Stratford Road and the intersection of Shore Drive with Vista Circle and aesthetic improvements within the project limits. Each 53'8" bridge section includes two 12-foot wide travel lanes, 10-foot outside and 6-foot inside shoulders, and a 10-foot multi-use path. A seawall will be constructed along the eastern shoreline of the Lynnhaven River, between Point Chesapeake and the Virginia Pilots facility. A temporary bulkhead will be constructed to facilitate construction of the bridge and stabilize the shoreline and adjoining city disposal area, which will also serve as the contractor's lay-down area for the bridge construction. The proposed bulkhead will be removed after construction and the area will be restored to its previous condition naturally over time. The project requires approval by the Federal Highway Administration, and U.S. Army Corps of Engineers permitting. 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 10/16/2012

Number 12-185F

Name Fendering System Upgrade at USCG Station Little Creek

Sponsor DHS/U.S. Coast Guard

Description

The U.S. Coast Guard (USCG) proposes to upgrade the fendering system at USCG Station Little Creek in the City of Virginia Beach. Project activities will consist of the following elements: 1. Removal of eight timber fendering piles and associated hardware. Installation of eight new treated timber fender piles and all necessary wales, chocks, and hardware in-kind. Removal and disposal of four floating fenders and all associated hardware. 2. Construction of twelve new treated timber backer board assemblies consisting of 12-inch x 12-inch walers and 6-inch x 10-inch backer boards and associated stainless steel hardware. 3. Installation of four additional 2-foot diameter by 6-foot long marine fenders and accessories. USCG has submitted a Federal Consistency Determination that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 10/18/2012

Number 12-186F

Name Installation & Operation of the Z-312 Cogeneration-Retrofit Facility, Naval Station Norfolk

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy) proposes to construct a Z-312 cogeneration Heat Recovery Steam Generating (HRSG) facility at Naval Station Norfolk in the City of Norfolk. The project consists of the installation of three 5-megawatt (MW) multi-fuel (natural gas/biofuel/fuel oil) capable combustion electrical-generating turbines to provide heat recovery steam-generating capacity (i.e. cogeneration). The steam generated would be piped from the HRSG facility to the adjacent plant steam header and distributed from the existing plant to NAVSTA Norfolk. Four natural gas compressors would be installed in a new structure on a site adjacent to the new HRSG facility. Upgrades would be provided to the electrical distribution system to include new transformers and associated switchgear to transform the electrical output to the primary underground high-voltage distribution system. Transformers would be installed adjacent to the existing steam plant building and routed to an existing electrical distribution switch by way of a new underground duct bank. A high bay building would be constructed with a 38-foot ridge height. The total proposed footprint would be approximately 7,000 square feet. The Navy has submitted a Federal Consistency Determination that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Norfolk

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9D: FY 2013 BUDGET AMENDMENT

SUBJECT:

The FY 2013 November Budget Amendment has been completed.

BACKGROUND:

Every year the HRPDC has to amend its operating budget, usually in November and May, to record changes that have occurred subsequent to the budget's original approval by the Commission.

The FY 2013 Budget was approved on April 19, 2012. Subsequent to that approval, the year-end carry over figures were released, grants have expired, and new grants have been received. As changes occurred, especially as new grant awards were received, the Commission was kept informed. This amendment formalizes the changes that have occurred since April.

REVENUES:

Of the \$1.6 million amendment shown for Water & Environmental Programs on the attached table, almost \$1 million was for a new grant for the Regional Sewer Consolidation Study, and another \$100,000 in new DEQ funding. The remaining \$500,000 was carry-over funding for existing projects in deferred revenue. These funds were anticipated to be expended during last fiscal year, but due to timing, were subsequently carried-over into the current fiscal year.

The \$600,000 amendment shown on the UASI line is for new funding received as a result of efficiencies in existing projects, and will be used for the Medical Special Needs and WebEOC programs.

The \$120,000 under Transportation consists of a formula change by FHWA for over \$50,000 and unanticipated carry-over funding from FTA projects for \$70,000.

EXPENSES:

The \$2 million additional pass-through activity is a result of the aforementioned new projects in Water & Environmental Programs and UASI, as well as the carry-over amounts in Water & Environmental.

The additional \$297,000 in Operations will be used for additional web design work, internet charges, increased audit fees due to new federal mandates, and additional funding for contingency reserves.

Attachment: 9-D1 – FY 2013 Amended Budget

RECOMMENDED ACTION:

Approve the FY 2013 Amended Budget.

HAMPTON ROADS PLANNING DISTRICT COMMISSION
FY2013 AMENDED BUDGET
November 15, 2012

	ORIGINAL BUDGET			AMENDMENT	AMENDED BUDGET		
	2013	2013	2013		2013	2013	2013
	TOTAL	PASS-THRU	OPER BUDGET	TOTAL CHANGES	TOTAL	PASS-THRU	OPER BUDGET
REVENUE							
Mbr Contributions (PDC & TPO)	1,329,440	35,500	1,293,940	0	1,329,440	70,500	1,258,940
DHCD State Grant	151,943	0	151,943	0	151,943		151,943
Water & Environmental Programs	2,214,330	1,371,921	842,409	1,656,016	3,870,346	2,894,786	975,560
MMRS Federal & Local	1,602,938	1,529,612	73,326	0	1,602,938	1,529,612	73,326
Construction Standards	80,795	80,795	0	0	80,795	80,795	0
VDHCD HR Loan Fund Partnership	116,500	104,500	12,000	(4,625)	111,875	96,875	15,000
UASI	2,004,376	1,695,376	309,000	614,548	2,618,924	2,209,924	409,000
EM Projects	10,025	10,025	0	0	10,025	10,025	0
Homeland Security (FRAC, ACAMS)	0	0	0	0	0	0	0
Transportation	3,647,559	992,500	2,655,059	120,984	3,768,543	1,029,755	2,738,788
Gen'l Svcs & Miscellaneous	81,150	0	81,150	27,000	108,150	0	108,150
TOTAL REVENUE	11,239,056	5,820,229	5,418,827	2,413,923	13,652,979	7,922,272	5,730,707
EXPENDITURES							
Personnel	4,532,387	0	4,532,387	0	4,532,387	0	4,532,387
Standard Contracts	205,405	0	205,405	4,464	209,869	0	209,869
Special Contracts	71,926	0	71,926	9,775	81,701	0	81,701
Pass-Through Activity	5,820,229	5,820,229	0	2,102,043	7,922,272	7,922,272	0
Operations	609,109	0	609,109	297,641	906,750	0	906,750
TOTAL EXPENDITURES	11,239,056	5,820,229	5,418,827	2,413,923	13,652,979	7,922,272	5,730,707
CHANGE IN FUND BALANCE	0	0	0	0	0	0	0

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9E: LEGISLATIVE AGENDA

SUBJECT:

Develop a Legislative Agenda for the Hampton Roads Planning District Commission for the 2013 Session of the Virginia General Assembly.

BACKGROUND:

In preparation for the 2013 Session of the Virginia General Assembly, the HRPDC staff recommends the HRPDC consider developing a Legislative Agenda.

After discussion at the October 18, 2012 HRPDC Annual Meeting, the HRPDC staff revised the draft Legislative Agenda. The revisions were highlighted during the presentation and discussion under Workshop Agenda Item 3.

RECOMMENDED ACTION:

The HRPDC staff recommends the Commission adopt the Legislative Agenda.

Note: This item was covered under Workshop Agenda Item 3.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM#9F: ANALYSIS OF ENERGY DEVELOPMENT STRATEGIES IN HAMPTON ROADS - PART II

SUBJECT:

Overview of the region's energy portfolio, with particular focus on the economic potential to develop energy assets within Hampton Roads.

BACKGROUND:

There has been a sustained effort to reduce national dependence on foreign energy sources and meet the continuous demand with homegrown energy solutions. This issue is of significant importance to Hampton Roads as the region is currently home to numerous and varied efforts to expand energy development. Staff has prepared an analysis of various energy strategies in Hampton Roads, and their potential to impact the region's economy. Analysis of energy development strategies was approved as part of the FY 2012 HRPDC Unified Planning Work Program (UPWP).

RECOMMENDED ACTION:

Approve the Report, Hampton Roads Energy Options, for Distribution

NOTE: This item was covered under Workshop Agenda Item #4.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9G: PLANNING DISTRICT BOUNDARIES

SUBJECT:

The Regional Cooperation requires that the Virginia Department of Housing and Community Development conduct a periodic review of the boundaries of planning districts.

BACKGROUND:

Planning District boundaries are established by the Virginia Department of Housing and Community Development (DHCD), pursuant to the Virginia Area Development Act of 1968, as amended by the Regional Cooperation Act of 1995. This legislation requires that DHCD conduct a periodic review of the planning district boundaries. Attached is the DHCD Request for Public Comment, distributed to all PDC Executive Directors on October 25, 2012. It was previously distributed by DHCD to local government Mayors and Chairs and by the HRPDC staff to Commission members and the local government Planning Directors in September.

The HRPDC staff has developed the attached briefing paper/presentation and sample resolution for consideration by the localities in developing comments to DHCD on this very important topic.

Attachments 9-G1 – DHCD PDC Public Comment
9-G2 – Sample Resolution
9-G3 – Briefing Papers/Presentation

RECOMMENDED ACTION:

Authorize the Executive Director to transmit the briefing paper/presentation and sample resolution on the HRPDC boundary matter to the member localities for their consideration.

REQUEST FOR PUBLIC COMMENT

The Regional Cooperation Act, passed by the General Assembly in 1995, places great emphasis on the planning district commissions serving as a forum for discussion of regional issues and identification of ways to promote regional cooperation. The Code of Virginia, Section 36-139.7, requires that the Virginia Department of Housing and Community Development (DHCD) conduct a periodic review of the boundaries of planning districts. It requires that DHCD consider, at a minimum, the following criteria:

- recognition of communities of interest among the governmental subdivisions;
- recognition of common economic and market interests;
- ease of communications and commissioner travel time;
- federal metropolitan statistical area boundaries;
- a population base adequate to ensure financial viability;
- geographic factors and natural boundaries; and
- the wishes of the governmental subdivisions within or surrounding the planning district, as expressed by resolution of the governing body.

DHCD will conduct its review in two phases: a period of written public comment and, if warranted, public hearings.

WRITTEN PUBLIC COMMENT: This notice begins the period for written public comment. Letters should concisely address the need for retaining or modifying the current boundaries of a given planning district using the criteria outlined above or other factors that affect the viability or effectiveness of the planning district commission in carrying out its duties. The deadline for written public comment is **December 19, 2012**. Comments should either be emailed to susan.williams@dhcd.virginia.gov or addressed to:

Susan B. Williams
Local Government Policy Manager
Department of Housing and Community Development
Main Street Centre
600 East Main Street, Suite 300
Richmond, Virginia 23219

In the event that there are sufficient and compelling requests for boundary adjustments, DHCD will conduct public hearings within the affected planning districts. DHCD staff will consider all comments received through written responses and public hearings and, subject to the provisions of the Administrative Process Act, make adjustments to the boundaries of planning districts as it deems advisable.

Any such hearings will be advertised in local newspapers and notices will be sent to local government and planning district offices. The purpose of such hearings will be to gather information from local officials, organizations and residents as to why a boundary adjustment is warranted and the advantages such an adjustment would provide to each affected planning district in order to ensure that all affected parties have had adequate opportunity to share their views and perspectives on any proposed adjustment.

For additional information, please contact Susan Williams by regular mail at the address provided above; by email at susan.williams@dhcd.virginia.gov; or by telephone at (804) 786-6508.

SAMPLE RESOLUTION

RESOLUTION OF THE CITY/COUNTY OF _____ REQUESTING THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO RETAIN THE CURRENT BOUNDARIES OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION

WHEREAS, in 1969, six localities on the Virginia Peninsula and nine localities in Southeastern Virginia established the Peninsula Planning District Commission and the Southeastern Virginia Planning District Commission, respectively; and,

WHEREAS, in 1990, the Peninsula and Southeastern Virginia Planning District Commissions merged to create the Hampton Roads Planning District Commission (HRPDC); and,

WHEREAS, in 1993 and in 1996, Gloucester County and Surry County, respectively, elected to join the Hampton Roads Planning District Commission; and

WHEREAS, the Hampton Roads localities, working through the HRPDC, have developed institutional structures involving the region's elected officials, chief administrative officers and technical staff, that allow them to address a variety of issues cooperatively and effectively; and,

WHEREAS, these issues include emergency management, economic analysis and development, environmental and regulatory issues, housing, and transportation; and,

WHEREAS, cooperative consideration of these issues through this structure has facilitated the creation and operation of other regional authorities and political subdivisions implementing programs in solid waste disposal, emergency management, regional jails, public transportation, sanitary sewer system, water supply, housing and human services; and,

WHEREAS, state and federal agencies recognize that the Hampton Roads localities are working on these issues together and that it is advantageous to those federal and state agencies and their programs to work collectively with the Hampton Roads region; and

WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of the City/County of _____ or one or more other members; and,

WHEREAS, the cooperative programs operated through and supported by the HRPDC are a cost-effective approach to addressing threats and opportunities facing the Hampton Roads localities.

NOW THEREFORE BE IT RESOLVED by the City/County >>>>>>>> requests the Department of Housing and Community to reaffirm the existing boundaries of the Hampton Roads Planning District Commission; and,

BE IT FURTHER RESOLVED by the City/County of _____ that it desires to remain a member of the Hampton Roads Planning District Commission.

Review of Planning District Commission Boundaries



The Department of Housing and Community Development (DHCD) is currently reviewing planning district commission boundaries and has sent out a request for public comment. There are 7 criteria used by the DHCD when considering PDC boundaries. These criteria are as follows:

1. Recognition of communities of interest among the governmental subdivisions
2. Recognition of common economic and market interests
3. Ease of communications and commissioner travel time
4. Federal metropolitan statistical area boundaries
5. A population base adequate to ensure financial viability
6. Geographic factors and natural boundaries; and
7. The wishes of the governmental subdivisions within or surrounding the planning district, as expressed by resolution of the governing body.

The following slides are provided for your information.

I. Recognition of communities of interest among the governmental subdivisions

Representative Regional Organizations

- Hampton Roads Sanitation District
- Western Tidewater Regional Jail
- Hampton Roads Regional Jail
- Peninsula Regional Jail
- Virginia Peninsulas Public Service Authority
- Southeastern Public Service Authority
- Hampton Roads Housing Consortium
- Senior Services of Southeastern Virginia
- Peninsula Area Agency on Agency
- Task Forces/Consortia to End Homelessness
- Hampton Roads H2O – Help To Others – Program
- Hampton Roads Economic Development Alliance
- Hampton Roads Partnership
- The Planning Council
- Hampton Roads Military and Federal Facilities Alliance
- Hampton Roads Transportation Planning Organization
- Hampton Roads Transit
- Williamsburg Area Transit Authority
- Hampton Roads Chamber of Commerce
- Virginia Peninsula Chamber of Commerce
- Work Force Development Organizations
- Disability Services Boards
- Future of Hampton Roads
- Hampton Roads Center for Civic Engagement
- Ready Hampton Roads.org
- askHRgreen.org
- “Regional Water Systems”
- Hampton Roads Community Foundation

I. Recognition of communities of interest among the governmental subdivisions (cont.)

REGIONAL PLANS

- Hampton Roads Regional Water Supply Plan
- Regional Sanitary Sewer System Consent Order and Consent Decree
- Comprehensive Economic Development Strategy
- Long Range Transportation Plan
- Stormwater Permits
- Groundwater Management Area – Hampton Roads Groundwater Mitigation Program
- Regional Solid Waste Management Plan for Southeastern Virginia
- UASI Plans
- Metropolitan Medical Response System
- Chesapeake Bay TMDL Implementation Plan
- Hazard Mitigation Plans
- Regional Issue Studies, e.g. Sea Level Rise, Green Infrastructure, Benchmarking, Energy Options

HRPDC COMMITTEE STRUCTURE - representative

- Mayors and Chairs Caucus
- Chief Administrative Officers
- Directors of Utilities Committee
- Transportation Technical Committee
- Regional Stormwater Management Committee
- Regional Emergency Management Technical Advisory Committee
- Hampton Roads Housing Consortium
- Hampton Roads Chesapeake Bay Committee
- askHRgreen.org Committees
- Urban Area Working Group
- Hampton Roads Watershed Roundtable
- Solid Waste Technical Committee
- Chesapeake Bay TMDL Steering Committee

II. Recognition of common economic and market interests

The Hampton Roads region is a highly interconnected region. The employment benefits derived from the region's vast federal and military facilities, port and tourism assets, and rich agricultural lands are shared throughout the Hampton Roads community.

The region's vast network of waterways and roadways enable commerce and trade to flow throughout the region. Approximately 97% of the region's commuters live and work in Hampton Roads.

The region's waterways and other water resources enhance the quality of life for the region's citizens.

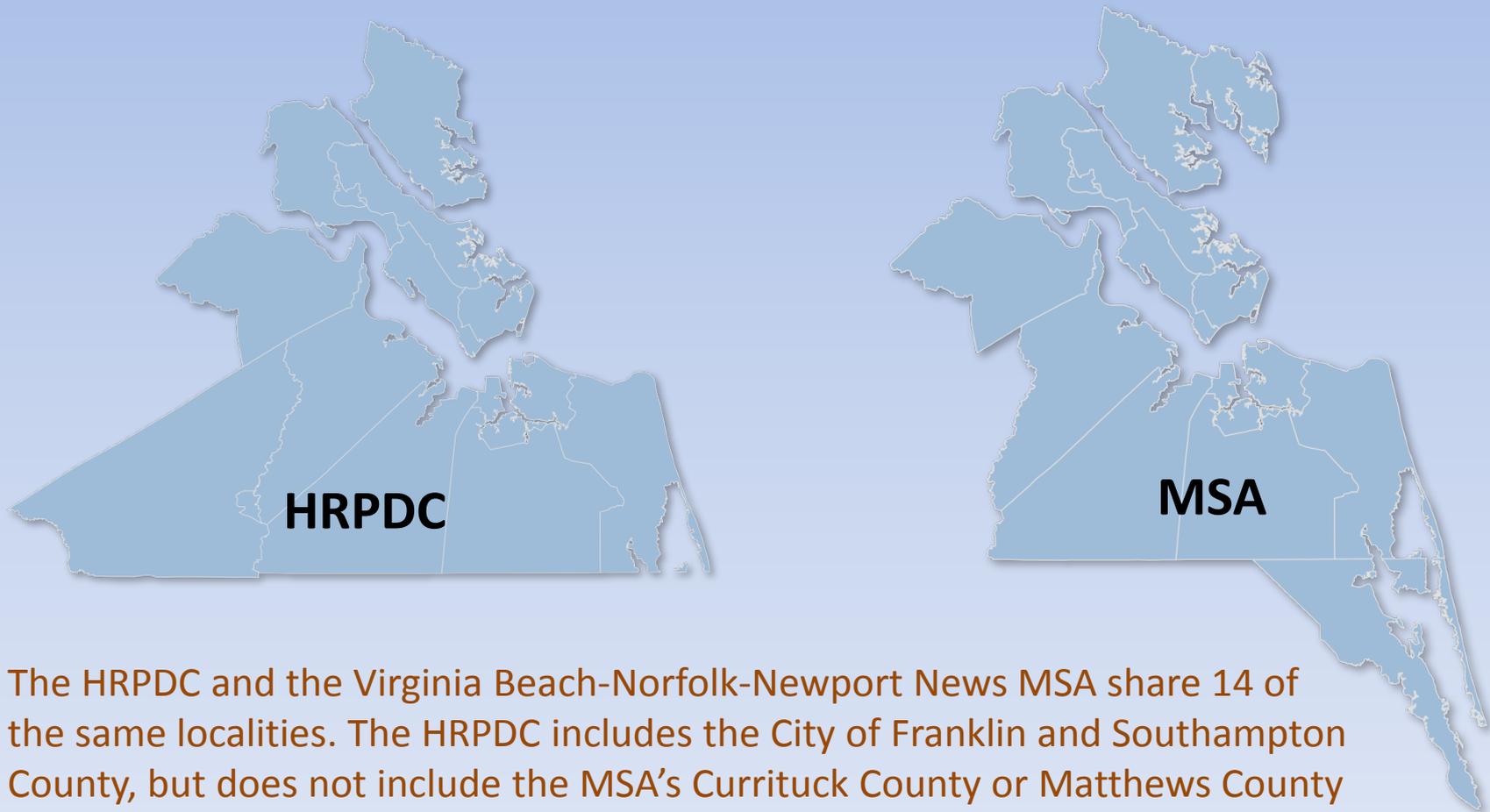
III. Ease of communications and commissioner travel time

The Hampton Roads Planning District serves an area of almost 3,000 square miles.

The average commute time from County & City administration buildings of member jurisdictions to the HRPDC Regional Building is 45 minutes, covering an average distance of 34 miles.

Established regional committee structure involving elected officials, chief administrative officers and technical staff, working under the umbrella of the HRPDC.

IV. Federal metropolitan statistical area boundaries



The HRPDC and the Virginia Beach-Norfolk-Newport News MSA share 14 of the same localities. The HRPDC includes the City of Franklin and Southampton County, but does not include the MSA's Currituck County or Matthews County

V. A population base adequate to ensure financial viability

**Hampton Roads
is home to
1,680,000 people
and employs
1,000,000
people**



VI. Geographic factors and natural boundaries

Hampton Roads is bordered by the Atlantic Ocean on the East, North Carolina on the South, the Meherrin River to the West of Southampton County, the Blackwater river to the West of Surry County, the Chickahominy River to the West of JCC, the Poropotank to the West of Gloucester County, and the Piankatank River and Chesapeake Bay to the North.



VII. Wishes of the governmental subdivisions expressed by resolution

- Attach resolution

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9H: APPOINTMENT TO HRMMRS OVERSIGHT COMMITTEE

SUBJECT:

Appoint a Peninsula representative to the Hampton Roads Metropolitan Medical Response System (HRMMRS) Oversight Committee.

BACKGROUND:

The Hampton Roads Metropolitan Medical Response System (HRMMRS) is a Department of Homeland Security Grant Program that provides funding to support the integration of emergency management, health, and medical systems into a coordinated response to mass casualty incidents caused by any hazard. The HRMMRS program reduces the consequences of a mass casualty incident during the initial period of a response by augmenting existing local operational response systems before the incident occurs. The HRMMRS was developed under the direction of the Hampton Roads Planning District Commission (HRPDC) in 1999, and the Oversight Committee provides expert advice and guidance to the HRMMRS Program Manager and subcommittees on all matters related to planning and operations.

Mr. James McReynolds and Ms. Barbara Henley currently serve on this Committee. Mr. McReynold's term expires on December 31, 2012. The HRPDC needs to appointment a new representative from a Peninsula locality to fill this position. Mr. Neil A. Morgan has agreed to serve on this Committee

RECOMMENDED ACTION:

Appoint Mr. Neil A. Morgan, as the HRPDC Peninsula representative, for a two-year term to the HRMMRS Oversight Committee.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9I: SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT COMMENTS

SUBJECT:

The Virginia Department of Conservation and Recreation has proposed revisions to the Virginia Stormwater Management Program (VSMP) Permit Regulations to reauthorize and amend the General Permit for stormwater discharges from small MS4s. The revisions, located at: (<http://www.townhall.virginia.gov/L/viewstage.cfm?stageid=6358&display=general>) are available for public comment until January 4, 2013. HRPDC staff and legal counsel, Dave Evans of McGuire Woods, have prepared a draft comment letter for the Commission's consideration based on input from the HRPDC Joint Environmental Committee.

BACKGROUND:

The significant changes in the proposed General Permit include measurable goals for six minimum control measures, requirements to address water quality impairments including the Chesapeake Bay TMDL, and incorporation of the new stormwater management technical criteria.

The draft comment letter focuses on the following issues:

- Baseline loading rates for Chesapeake Bay TMDL Action Plans are not accurate and do not account for greater BMP implementation in the localities subject to the Chesapeake Bay Preservation Act.
- DCR should use 2010 No Action model run for baseline loading rates.
- DCR should allow localities to take credit for BMPs installed between June 30, 2008 and July 1, 2013.
- DCR should develop guidance for calculating nutrient reductions and documenting new development and identify additional expectations for the Chesapeake Bay Action Plans.

A draft comment letter on the Small MS4 General Permit is included in the packet. Dave Evans will revise the letter based on DCR's regulatory factsheet, which was published after this agenda was developed. The Joint Environmental Committee will review the final comment letter at its December 6, 2012 meeting.

RECOMMENDED ACTION:

Approve draft comments and authorize the HRPDC Chairman to submit the final comments endorsed by the Joint Environmental Committee.

Note: This item was presented under Workshop Agenda Item 5.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9J: GROUNDWATER REGULATIONS COMMENTS

SUBJECT:

The Virginia Department of Water Quality (DEQ) has proposed revisions to the Eastern Virginia Groundwater Management Area Regulations (9VAC25-600) and the Groundwater Withdrawal Regulations (9VAC25-610). The revisions would expand the Eastern Virginia Groundwater Management Area to include the remaining portion of Virginia's coastal plain and amend the Groundwater Withdrawal regulations to manage groundwater resources more comprehensively. The public comment period ends on January 11, 2013. HRPDC staff has prepared a draft comment letter for the Commission's consideration based on input from the HRPDC Directors of Utilities Committee.

BACKGROUND:

These regulations govern groundwater withdrawals in designated Groundwater Management Areas which currently include all Hampton Roads localities except Gloucester County.

The groundwater regulations were reviewed by a Regulatory Advisory Panel in 2010. At the conclusion of the panel, the Directors of Utilities Committee submitted comments to Mr. David Paylor, Director of DEQ. The suggested revisions have not been incorporated into the proposed regulations. The Committee's major concerns are identified in Workshop Agenda Item 6.

The comment letter on the groundwater regulations that was submitted to DEQ in 2010 is included in the agenda. The Directors of Utilities Committee will meet on November 7th to consider revisions to the letter. The Committee will review the final comment letter at its December 5, 2012 meeting.

RECOMMENDED ACTION:

Approve draft comments and authorize the HRPDC Chairman to submit the final comments endorsed by the Directors of Utilities Committee.

Note: This item was presented under Workshop Agenda Item 6.

**ITEM 9K: AUTHORIZING RESOLUTIONS AND CERTIFICATIONS FOR FY 2012
STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) FUNDS**

SUBJECT:

Apply for and accept grants under the FY 2012 SHSGP program

BACKGROUND:

The Virginia Department of Emergency Management requires the HRPDC to formally authorize its Executive Director to apply for and accept FY 2012 SHGP grant funds for "Ready Hampton Roads Website Maintenance and Sustainment" for the amount of \$10,000

The Chairman and Executive Director are requested to sign a "Governing Body Resolution for State Homeland Security grants funds".

The Executive Director is requested to sign the following certificates:

- FY 2012 State Homeland Security Grant Application
- Grant Assurances
- Certification Regarding Lobbying
- Non-Supplanting Certification

These funds will be used to enhance and sustain the Ready Hampton Roads website. This website serves as an educational tool for emergency preparedness to the general public (including the special needs population), in addition to serving as a regional collaboration tool for the emergency management/homeland security community here in Hampton Roads.

RECOMMENDED ACTION:

Authorize the HRPDC Chairman and Executive Director to execute the above resolutions and to apply for and accept FY 2012 SHSGP grant funds for the project listed above.

ITEM 9L: REALLOCATION OF URBAN AREAS SECURITY INITIATIVE (UASI) GRANT FUNDING

SUBJECT:

Reallocation of UASI grant funding.

BACKGROUND:

The HRPDC, as project manager of the UASI grant program, will be facilitating a process to reallocate \$950,080.55 from previously funded projects in fiscal years 2008 and 2009. The funds result from stakeholders failing to obligate the funds within the specified time allotted by the Virginia Department of Emergency Management. In order to prevent these funds from being returned to the federal government, the HRPDC has solicited projects that can be completed prior to January 31, 2013 and/or February 28, 2013 (the end of the federal performance periods). Submitted projects must tie back to previously existing projects approved by FEMA. A subcommittee of the Hampton Roads Urban Area Working Group (UAWG) will make an initial division of the available funds, including those identified below, for official approval during the next meeting. In this process, the HRPDC staff has identified the following projects that will be submitted for consideration to the Hampton Roads Urban Area Working Group for approval the week of November 12, 2012:

Test Server for the Regional Instance of WebEOC	\$20,197
Creation of "Ready Hampton Roads" Mobile Application	\$10,000
Ready Hampton Roads Outreach Materials	\$20,000
Regional Jail Evacuation Exercise	\$30,322.78
Shelter Training	\$2,500
Increased Effectiveness of Regional Stakeholders Study	\$15,500
Total	\$98,519.78

RECOMMENDED ACTION:

Authorize the Executive Director, in concert with the Urban Area Working Group, to implement the necessary reallocation of FY 2008 and FY 2009 UASI funds.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9M: NATIONAL FISH AND WILDLIFE (NFWF) GRANT FOR CHESAPEAKE BAY TMDL WATERSHED IMPLEMENTATION PLAN (WIP) DEVELOPMENT IN HAMPTON ROADS

SUBJECT:

In 2011, HRPDC received a NFWF Grant to assist Hampton Road localities in developing supporting materials for Virginia's Phase II Watershed Implementation Plan for the Chesapeake Bay TMDL.

BACKGROUND:

To provide support, the HRPDC formed a Regional Steering Committee, which met monthly to achieve three objectives: Divide nutrient loads based on land use and ownership; coordinate with EPA and DCR to expand the types of BMPs that can be credited in the model; and provide regional feedback on what authorities, regulations, and funding localities need from the State.

In addition to the Steering Committee, the HRPDC completed 5 other activities to fulfill the Grant requirements:

1. Encouraged localities to form local government workgroups. Nine of the fourteen localities formed multi department workgroups to identify management actions to best meet targeted nutrient load reductions.
2. Supported local work group meetings. HRPDC provided research and tools to local stormwater staff to help them prepare for their local workgroup meetings.
3. Submitted Regional Plan to DCR. The Regional Plan included information gathered through the Steering Committee on implementation strategies, data gaps, funding needs, and legislative priorities in Hampton Roads. It also included a Regional Scenario that reflected BMPs implemented since January 1, 2006 and the types of BMPs most appropriate for coastal Virginia. Localities submitted the Regional Plan an appendix to their individual Phase II WIP submittals to Virginia.
4. Conducted public outreach on the TMDL and WIP development process. HRPDC created a Chesapeake Bay TMDL factsheet, developed a new TMDL webpage, and provided updates on the WIP development process via an e-newsletter.
5. Created a BMP Decision Support Matrix. HRPDC developed a spreadsheet tool to assist localities in selecting the most appropriate BMPs for their jurisdiction. The matrix includes BMPs approved by the Bay Program as well as alternative BMPs that are expected to be incorporated prior to 2017. The matrix will be updated periodically to reflect Bay Program products. The matrix also includes metrics to represent the physical constraints of each BMP type and ancillary benefits.

At its Quarterly Commission meeting on January 19, 2012, the HRPDC approved the Regional Plan, referenced in #3 above.

RECOMMENDED ACTION:

Authorize the Executive Director to submit the final grant package prior to November 30, 2012.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM 9N: HAMPTON ROADS ADAPTATION FORUM - SEA GRANT APPLICATION –

SUBJECT:

Authorize the execution of a grant application along with Virginia Sea Grant, Old Dominion University, and The College of William and Mary to continue and expand the Hampton Roads Adaptation Forum.

BACKGROUND:

As part of efforts to promote discussion of and adaptation to the impacts of climate change on Hampton Roads localities, Virginia Sea Grant has invited the HRPDC to participate with Old Dominion University and the College of William and Mary in a joint application for national Sea Grant Funding to continue and enhance the Regional Adaptation Forum. The Hampton Roads Adaptation Forum is a local community-university partnership, originally funded in 2011, and proposed through this grant to build on and add to existing local adaptation capacity over the next two years.

Specific actions will include: (1) Maintain and enhance the existing Hampton Roads Adaptation Forum and guide related projects and initiatives; (2) study the legal structure and liability associated with coastal land use and development policies, climate adaptation actions and options for reducing liability risk from climate change impacts; (3) administer studio projects in #2, disseminate information nationally and assess economic development potential of adaptation technologies, strategies and options.

The Principal Investigator for the grant proposal is Dr. Troy Hartley, Director of Virginia Sea Grant. Co-Principal Investigators include Dr. Larry Atkinson, Director of the ODU Climate Change and Sea Level Rise Initiative, Ms. Shana Jones, Director of the Virginia Coastal Policy Clinic at W&M Law School. HRPDC Regional Planner Benjamin McFarlane has also been invited to participate as a Co-Principal Investigator.

Total Funding Request: \$270,000

HRPDC Funding Request: \$40,000

HRPDC Match: \$0

Period of Performance: January 31, 2014 – January 2016

RECOMMENDED ACTION:

Authorize the Executive Director to participate in the grant application along with Virginia Sea Grant and others to continue and expand the Hampton Roads Adaptation Forum and to execute an agreement with them if the grant is awarded.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10: HRPDC 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.

December 2012

Tentatively Canceled

January 2013

Land Use and Water Quality Study
Coastal Resiliency Study
CZM Technical Assistance Program - Report
Annual Economic Forecast
Regional Benchmarking Study
2040 Socioeconomic Forecast
Regional Bacteria Study

February 2013 – Retreat

Under Development

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The Directors of Utilities Committee will meet on November 7, 2012. The summary of that meeting will be included in the Agenda for the January 17, 2013 Quarterly Commission Meeting.

B. HAMPTON ROADS CHESAPEAKE BAY COMMITTEE AND REGIONAL STORMWATER MANAGEMENT COMMITTEE MEETING SUMMARY

The summary of the November 1, 2012 Hampton Roads Chesapeake Bay Committee and Regional Stormwater Management Committee Meeting is attached.

Attachment 11-B – Meeting Summary

C. PROJECT STATUS REPORT

Attached are status reports on other HRPDC programs.

Attachment 11-C – Project Status Reports

MEETING SUMMARY
CHESAPEAKE BAY AND REGIONAL STORMWATER MANAGEMENT COMMITTEES

The Chesapeake Bay and Regional Stormwater Management Committees met on November 1, 2012. The following items were discussed.

- Mr. Brian Batten and Mr. Randy Darden, Dewberry, gave a presentation to the Committee on methods that can be used to analyze and plan for the impacts of sea level rise and flooding.
- Mr. Clay Bernick, Virginia Beach, gave a presentation to the Committee on the current status of the City of Virginia Beach's Sustainability Plan.
- Ms. Jenny Tribo, HRPDC, briefed the Committee on the findings of the Regional Bacteria Study.
- Ms. Tribo briefed the Committee on the development of the Best Management Practice (BMP) Decision Matrix, which was completed by HRPDC staff under a grant from the National Fish and Wildlife Foundation.
- Ms. Whitney Katchmark, HRPDC, briefed the Committee on draft comments developed by HRPDC staff and the Stormwater Subcommittee for the MS4 Phase II General Permit.

PROJECT STATUS REPORTS

1. Regional Housing Program

Housing & Human Services Technical Assistance

HRPDC staff continues to assist the Hampton Roads Housing Consortium and is representing the region at the Governor's Housing Conference on November 14-16, 2012 in Roanoke, Virginia. The Governor's Housing Conference is the largest and most comprehensive housing-related event in Virginia. Each year, the Housing and Human Services staff oversees the development of the regional exhibit that showcases affordable housing opportunities and activities in Hampton Roads. Also, staff member Shernita Bethea will be recognized as one of the "Top 40 Under 40 in Housing" at the opening reception at the conference.

Staff members also continue to work with the Hampton Roads Housing Consortium which was awarded a grant from Housing Virginia to create an initiative to strengthen efforts to further access to affordable and decent housing. This effort will include both workshops and panel discussions related to the latest programs, resources, trends and advocacy outreach as it relates to first-time homebuyer financing, loan modification, short-sales options, rental or multi-family units for disabled, seniors, veterans, homeless and other displaced non-homeowners. Planning efforts have begun with the first program targeted for Spring 2013.

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 provide easy access to a great deal of regional information. Staff also provides special reports on topics of timely significance, most recently on the Bureau of Labor Statistics jobs report. Over the past month, staff has delivered presentations to various community organizations and has responded to information requests from individuals, member localities, regional organizations, and the media.

HRPDC Socio - Economic Forecast

Every four years the Federal Highway Administration requires that the Hampton Roads Transportation Planning Organization (HRTPO) complete a long-range transportation plan. One of the first steps in putting the plan together is to conduct a regional socio-economic forecast.

HRPDC economics staff is in the process of developing the 2040 forecast for the region that will include information on the region's population, households, employment, workers and passenger vehicles. Staff has met with the planning staffs

from all of the localities to discuss comprehensive planning activities and growth management assumptions and has presented the draft totals to the Transportation Technical Advisory Committee (TTAC) and the Long-Range Transportation Planning Subcommittee. Draft totals have undergone public review and will be submitted to TTAC for approval in November. This work product is conducted in concert with the HRTPO and member jurisdictions and complies with the regulations of the FHWA. Staff also worked to include the needs of other local and regional organizations that rely on the socio-economic forecast for their planning efforts.

3. Emergency Management Project Update

Ready Hampton Roads

Staff continues to support the Ready Hampton Roads program. Current efforts include the development of a mobile app, regional website integration, and regional outreach.

Pet Shelter Supply Trailers

Staff has a contract for the purchase of the final three pet shelter supply trailers. The trailers, purchased with FY09 UASI funds, will be delivered by the end of November.

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. The REMTAC last met on October 23, 2012. Recent activities included:

- Presentation and review of the Regional Information Sharing Project being conducted by G&H International on behalf of Secretary of Veterans Affairs & Homeland Security.
- Review of Northern Virginia's online "Joint Information Center" that utilizes automated newsfeeds that populate a public information website spearheaded by Fairfax County.
- There was an in-depth discussion of 2013 priorities that emphasized the need to increase meeting efficiency by leveraging technology and increase meeting effectiveness by perhaps combining similar meetings on the same days.

Hampton Roads Medical Special Needs

The Special Needs Subcommittee met October 16, 2012, regarding the following major items:

- The Subcommittee Charter changes were presented and were subsequently approved by e-vote.
- The HRPDC is re-verifying all registrants in the region whose records are older than one year on behalf of the localities. This is scheduled to be completed in mid-November.

- The updated Special Needs quad-fold self-mailing brochure is at the printer and is slated to be ready for distribution by Thanksgiving. The Display Board and PowerPoint templates have been updated to reflect the ReadyHamptonRoads initiative “look and feel” in order to be more inclusive.
- The Special Needs Committee is requesting the WebEOC Subcommittee oversee an ad hoc working group responsible for developing Special Needs Registry standardized reports as that subcommittee has a better perspective on all the work that is being carried out regarding WebEOC.
- Shelter training by VDEM to focus on liability/legal issues and staffing planning is underway.
- Subcommittee strategic focus was discussed for the next two years, to include transportation, registry robustness, sheltering and inclusive planning.
- Ms. Mary Donny, Regional Special Needs Planner, while having left the Hampton Roads region, has returned on a temporary basis until the end of the year to help keep efforts moving along while a new full time replacement is found.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

HRPDC and VDEM staff have obtained an extension to the FY 2008 UASI grant from FEMA. The extension extends the FY08 performance period until February 28, 2013. Communications stakeholders have indicated that the new timeframe allows for sufficient time to complete the augmentation of the HRTacRAN system. Since the extension has been received, communications stakeholders have published a request for proposals to complete the associated work.

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). In February 2012, the HRPDC received official notice that Hampton Roads has been eliminated from the UASI program in fiscal year 2012. As such, the HRPDC and UAWG leadership have been primarily focusing on the sustainment of UASI funded initiatives after September 2014 (end of fiscal year 2011 performance period). This involves:

a) Presidential Policy Directive 8

The federal government has adopted Presidential Policy 8 (PPD-8) which is designed to facilitate an integrated, all-of-nation/whole community, capabilities-based approach to preparedness. Involving federal partners, state, local and tribal leaders, the private sector, non-governmental organizations, faith based and community organizations – and most importantly the general public – is vital to keeping people and communities safe and preventing the loss of life and property when disasters strike. The HRPDC will work with stakeholders to transition regional preparedness efforts into the PPD-8 framework. This involves working with the state to draft an all encompassing Virginia Preparedness

Plan and Regional Threat and Hazard Identification and Risk Assessment (THIRA). HRPDC staff contracted to have a vendor currently working with the Governor's office coordinate with Hampton Roads emergency managers, Virginia Department of Emergency Management (VDEM), and the Office of Homeland Security and Veterans Affairs to complete a regional THIRA for the Hampton Roads UASI region, as there is overlap in the data that feeds both products. Currently, the contractor completing this work is compiling and incorporating preexisting regional data.

b) UASI Effectiveness Study

Since the inception of the Hampton Roads region into the UASI program, over \$35 million has been invested to assist in building and sustaining capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism. A kickoff meeting was held with UASI project managers and relevant data is being collected by the HRPDC. The contractor will brief the UAWG and provide a draft report at the November meeting.

4. Regional Consolidation of Sewer System Assets Study

HRPDC has contracted with HDR Engineering, Inc. to conduct a study to evaluate sewer system asset consolidation. The study will look at alternatives, costs, and benefits of combining local wastewater collection system infrastructure with HRSD's regional infrastructure. Earlier this year, the 14 localities served by HRSD adopted resolutions expressing support for the study, which is being funded by HRSD and managed by HRPDC. The project began in August 2012 and must be completed by July 2013.

Project Progress up to this date:

- 1- Workshop No. 1 was held with the project stakeholders on September 7, 2012. Various aspects of the project activities and approaches were discussed and were agreed upon by the attendees, including
 - a. Project Communications Plan (both internal and external)
 - b. Asset Valuation methodologies were discussed and the various options were presented to the attendees. There was consensus that the transfer of assets would be based on a Contributed basis. There was much discussion about various valuation methods, and after considerable discussion, a simpler approach was selected. A book value approach (original cost less depreciation) will be utilized.
 - c. Data Requests - It was agreed that the cutoff date for new assets is June 30, 2012. HDR provided a data request form to the localities on September 18, 2012 with a second follow up Financial/Rate data request on October 1, 2012. The deadline for the data submittal was set for Nov 1, 2012. The data request

included information on asset inventory, operational, physical facilities, and financial data.

- 2- At the request of localities, the data types were prioritized to assist in data collection, the updated list was sent to the localities on October 18, 2012. The data types were categorized as must have, high, medium, or low priority.
- 3- The submitted data is being evaluated as it is uploaded but due to the large volume of upload during the week of October 29, detailed review of the submitted data for completeness is continuing.
- 4- The submitted data will be evaluated and results presented during Workshop No. 2 scheduled for December 7, 2012.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: CORRESPONDENCE OF INTEREST

- A. Letter from Ms. Joy Mautz, Deputy Clerk, City of Hampton, Office of the City Council, to Ms. Kelli Peterson, Hampton Roads Planning District Commission, October 12, 2012.**

Attached is a letter from Ms. Joy Mautz, Deputy Clerk, City of Hampton, Office of the City Council, to Ms. Kelli Peterson, Hampton Roads Planning District Commission informing her that the Hampton City Council appointed Councilman Chris Stuart, Councilman Will Moffett, and City Manager Mary Bunting to the Hampton Road Planning District Commission.

Attachment 12-A – City of Hampton Letter

- B. Letter to Ms. Lisa Hardy, Physical and Environmental Planner, Hampton Roads Planning District Commission, ASKHRGREEN.ORG from Mr. Clay Bernick, Executive Committee, Hampton Roads Sustainable Living Expo, City of Virginia Beach, October 9, 2012.**

Attached is a letter to Ms. Lisa Hardy, Physical and Environmental Planner, Hampton Roads Planning District Commission, ASKHRGREEN.ORG from Mr. Clay Bernick, Executive Committee, Hampton Roads Sustainable Living Expo, City of Virginia Beach thanking her for participating in the first Hampton Roads Sustainable Living Expo.

Attachment 12-B – Letter to Ms. Lisa Hardy

- C. Letter to Ms. Terrie Suit, Chair, Fort Monroe Authority from Mr. Mark Perreault, President, Citizens for Fort Monroe National Park, October 26, 2012.**

Attached is a letter to Ms. Terrie Suit, Chair, Fort Monroe Authority from Mr. Mark Perreault, regarding the submission of the Fort Monroe Wherry Quarter Concepts Opinion Survey completed by the Citizens for a Fort Monroe National Park.

Attachment 12-C – Ft. Monroe Letter



Office of the City Council

October 12, 2012

Mr. Kelli Peterson
Executive Assistant
Hampton Roads Planning District Commission
The Regional Building
723 Woodlake Drive
Hampton, Virginia 23320

Dear Kelli:

On July 11, 2012, the Hampton City Council appointed Councilman Chris Stuart, Councilman Will Moffett and City Manager, Mary Bunting, to the Hampton Roads Planning District Commission with Councilman Stuart serving on the Executive Committee to expire on June 30, 2014.

At the same meeting, Mayor Molly Ward was appointed to the Hampton Roads Transportation Planning Organization (HRTPO) and the Air Quality Control Committee with Councilman Will Moffett serving as alternate to the HRTPO to expire on June 30, 2014.

Mary Bunting was appointed to the Air Quality Control Committee until June 30, 2014.

Sincerely,

Joy Mautz
Deputy Clerk

"Oldest Continuous English-Speaking Settlement in America – 1610"

22 Lincoln Street, Hampton, VA 23669-3591 (757) 727-6315

Attachment 12-A



City of Virginia Beach

ENVIRONMENT & SUSTAINABILITY OFFICE
(757)-385-4621
FAX (757) 385-5667

VBov.com
MUNICIPAL CENTER
BUILDING NUMBER 2
2405 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9001

October 9, 2012

ASKHRGREEN.ORG
Lisa Hardy, HRPDC
lhardy@hrpdcva.gov

Subject: Hampton Roads Sustainable Living Expo

Dear ASKHRGREEN.ORG Exhibitor, *Lisa*

On behalf of Virginia Beach City Public Schools and the City of Virginia Beach, the executive committee members of the Hampton Roads Sustainable Living Expo thank you for your generous support of the first expo of its kind, which was held at the Virginia Beach Convention Center September 29, 2012.

By all accounts, the Expo was an extremely successful event. As an exhibitor for the event, your contribution will have a resounding effect in Hampton Roads and beyond for many generations.

Thank you for your support.

Kindest regards,

HC Bernick, III
Executive Committee
Hampton Roads Sustainable Living Expo





Citizens for a Fort Monroe National Park

Preserving a Grand Public Place

Advisory Board

Colonel Perry Allmendinger
USA, Ret., Hampton, VA
Bertram Hayes-Davis
Dallas, TX
Thulani Davis
Bloomfield, NJ
Commander Paul Galanti
USN, Ret., Richmond, VA
Alec Gould
Williamsburg, VA
Betty Hoey
Newport News, VA
Robert E. Lee, IV
Bethesda, MD
Colonel Richard Mackin
USA, Ret., Hampton, VA
Wendy Nelson
Yorktown, VA
Cassandra Newby-Alexander
Chesapeake, VA
General Glenn Otis
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Norfolk, VA
Cathy Harper Wyatt
Williamsburg, VA
Joe Yerkes
Williamsburg, VA
J. Malone
(1934-2008)
Cathy Rouse-Bottom
(1927-2011)

October 26, 2012

Terrie Suit
Chair
Fort Monroe Authority
P.O. Box 1475
Richmond, VA 23218

Re: Fort Monroe Wherry Quarter Concepts Opinion Survey

Dear Ms. Suit:

On behalf of Citizens for a Fort Monroe National Park (CFMNP), I wish to submit a complete copy of the survey forms completed by 1356 citizens, the vast preponderance from Hampton Roads, expressing (i) their preferences for treatment of the Wherry Quarter in the master plan for state-managed lands, and (ii) their opinion upon whether the Wherry Quarter and South Waterfront (i.e., the latter consisting of Batteries Parrott and Irwin, and the land on the Bay side of Fenwick Road between Battery Parrott and the boundary of the Wherry Quarter) should be added to the National Monument.

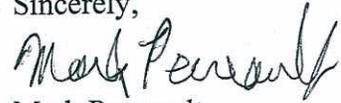
The summary sheet also attached shows the results: 1327 of the 1356 respondents, or 97.9%, preferred a 72 acre park in the Wherry Quarter, while 1293 of the respondents, or 95.4%, stated they wanted the Wherry Quarter and South Waterfront added to the National Monument in the future.

These results are stark but not surprising to CFMNP. Citizens have repeatedly and strongly indicated their preference for public open space and landscape preservation and restoration for all the lands north and east of the fortress at Fort Monroe, going back to the first public charettes in 2006. The first aspect of the stated FMA goals for Fort Monroe, "preserve the place", has unfortunately been thus far interpreted in a cramped fashion by FMA planners, limiting preservation to historic buildings while largely treating the potentially National Monument-uniting grand landscape on the Wherry as a development site. CFMNP urges a plan that indeed preserves the place, including its landscape, recognizing that a big preservation vision, as recognized by citizens, will both provide a more complete and appealing National Monument and a more financially successful and valuable Fort Monroe as a whole.

RECEIVED

OCT 30 2012

Sincerely,



Mark Perreault
President

cc: The Honorable Robert McDonnell, Governor of Virginia
Glenn Oder, Executive Director, FMA
Dwight Farmer, Executive Director, HRTPO
Fred Merrill, Sasaki
Kirsten Talken-Spalding, Superintendent, Fort Monroe National Monument
Fort Monroe Authority Members
CFMNP Board

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: FOR YOUR INFORMATION

A. NAVY ECONOMIC IMPACT REPORT FOR HAMPTON ROADS

Commander, Navy Region Mid-Atlantic has released the fiscal year 2011 (Oct. 1, 2010 through Sept. 30, 2011) Department of the Navy impact statistical data for the Hampton Roads area.

Attached for your information is the Navy's fiscal year 2011 Economic Impact Report for Hampton Roads.

Attachment 13 – U.S. Navy FY 2011 Economic Impact Report for Hampton Roads

B. ASKHRGREEN.ORG GREEN LEARNING GUIDE

The askHRgreen.org Education Committees and HRPDC staff have completed the Green Learning Guide. The guide and accompanying Teacher's Guide are keyed to the Virginia Standards of Learning (SOL) and are being distributed to all 6th grade classes in Hampton Roads

Enclosure – askHRgreen.org Green Learning Guide

DEPARTMENT OF THE NAVY

NAVY REGION MID-ATLANTIC PUBLIC AFFAIRS OFFICE



1510 GILBERT ST., STE. 207
NORFOLK, VA 23511
TEL: (757) 322-2853
FAX: (757) 445-1953

FOR IMMEDIATE RELEASE

12-23

October 18, 2012

NAVY RELEASES NEW ECONOMIC IMPACT REPORT FOR HAMPTON ROADS AREA

Norfolk, Va. – Commander, Navy Region Mid-Atlantic has released the fiscal year 2011 (Oct. 1, 2010 through Sept. 30, 2011) Department of the Navy impact statistical data for the Hampton Roads area.

Total direct economic impact to the region saw an increase of approximately \$1.5 billion, from \$13.4 billion in fiscal year 2010 to \$14.9 billion in fiscal year 2011. Total annual payroll (military and civilian) remained steady at \$8.5 billion. However, procurement expenditures increased \$1.1 billion from approximately \$5.2 billion in FY10 to \$6.3 billion in FY11.

Operationally, the number of ships home ported in Hampton Roads increased from 84 to 87, and the number of aircraft squadrons also increased by one from 36 to 37.

-USN-

MEDIA NOTE: Questions concerning these statistics may be directed to the Commander, Navy Region Mid-Atlantic Public Affairs Office at 322-2853.

“The Navy in Hampton Roads”

A Statistical Report for Fiscal Year 2011 (1 October 10 – 30 September 11)
Information compiled at Navy Region Mid-Atlantic, Norfolk, Virginia

EMPLOYED PERSONNEL

<u>Navy/USMC</u>	<u>2010</u>	<u>2011</u>
Active Duty:		
Officers	11,553	11,276
Enlisted	67,827	68,812
Students and Other Transients	3,083	3,007
Total Active Duty	82,463	83,095
Retired and Survivors (est.)	47,557	48,550
Military Family Members (est.)	105,615	104,381
Total Military and Family	235,635	236,026
<u>Civilian Employees</u>		
Civil Service	33,670	35,071
Non-appropriated Fund	4,143	4,285
Total Civilian Employees	37,813	39,763
Total Navy “Family”	273,448	275,789

HOMEPORTED OPERATING UNITS

Ships Homeported	84	87
Aircraft Squadrons Homeported	36	37

MILITARY FAMILY HOUSING

Occupy Government PPV Housing	4,379	4,383
Own Private Dwellings	20,012	20,012*
Rent Private Dwellings	28,097	28,097*
Total	52,488	52,488

* Numbers attributed to Navy’s Regional Housing FY10 survey and is conducted on a 3-year cycle.

“The Navy in Hampton Roads, cont’d”

PERSONNEL WORK LOCATIONS	<u>2010</u>	<u>2011</u>
Norfolk		
Military	51,547	49,328
Civilian	18,957	19,323
Virginia Beach		
Military	13,069	12,730
Civilian	2,109	2,467
Portsmouth		
Military	4,983	7,951
Civilian	12,432	13,199
Peninsula		
Military	1,313	1,393
Civilian	876	705
Chesapeake		
Military	687	889
Civilian	236	284
Little Creek		
Military	10,702	10,676
Civilian	2,800	3,378
Suffolk		
Military	162	128
Civilian	403	407
Total		
Military	82,463	83,095
Civilian	37,813	39,763

ECONOMIC IMPACT: ANNUAL PAYROLL (\$ MILLIONS)

Active Duty Military	\$4,773	\$4,916
Retired Military/Survivors (estimated)	\$1,228	\$1,233
Civil Service	\$2,058	\$2,291
Non-appropriated Funds	\$142	\$145
Total Annual Payroll	\$8,202	\$8,585

GOODS AND SERVICES (\$ MILLIONS)

Includes contract awards for ship construction, conversion and repair in private yards; military construction, maintenance, repair and alterations; utilities; materials, equipment, supplies, services and transportation (freight and passenger).

Total Procurement	\$5,270	\$6,392
TOTAL DIRECT ECONOMIC IMPACT	\$13,472	\$14,977

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #14: OLD/NEW BUSINESS