

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #12: CORRESPONDENCE OF INTEREST

- A. Letter from Mr. Joel Dunn, Executive Director, Chesapeake Conservancy to Ms. Terrie Suit, Chair, Fort Monroe Authority and Mr. Fred Merrill, Sasaki Associates, Inc. October 31, 2012.**

Attached is a letter from Mr. Joel Dunn, Executive Director, Chesapeake Conservancy to Ms. Terrie Suit, Chair, Fort Monroe Authority and Mr. Fred Merrill, Sasaki Associates, Inc. regarding the current planning effort for state-managed lands at Fort Monroe.

Attachment 12-A

- B. Letter to Mr. Mark Christie, Chair, State Corporation, Mr. James Dimitri, Commissioner, State Corporation, & Ms. Judith Jagdmann, Commissioner, State Corporation from Mr. Mark Perreault, President, Citizens for Fort Monroe National Park, November 5, 2012.**

Attached is a letter to Mr. Mark Christie, Chair, State Corporation, Mr. James Dimitri, Commissioner, State Corporation, & Ms. Judith Jagdmann, Commissioner, State Corporation from Mr. Mark Perreault, President, Citizens for Fort Monroe National Park, opposing the proposed overhead 500KV power line crossing the James River and Captain John Smith Chesapeake National Historic Trail.

Attachment 12-B

- C. Letter to Mr. James Clary, Economist, HRPDC from Mr. Don Cronin, President, Risk Management Association-Hampton Roads Chapter, November 7, 2012.**

Attached is a letter to Mr. James Clary, Economist, HRPDC from Mr. Don Cronin, President, Risk Management Association-Hampton Roads Chapter, November 7, 2012 thanking him for his time and effort in presenting The State of Hampton Roads Economy at the Risk Management Association's Networking Luncheon.

Attachment 12-C

- D. Letter to Mr. Dwight Farmer, Executive Director, HRPDC from the Honorable John Miller, Senator, Senate of Virginia, November 26, 2012.**

Attached is a letter to Mr. Dwight Farmer, Executive Director, HRPDC from the Honorable John Miller, Senator, Senate of Virginia stating that Senator Miller's office has received a copy of the HRPDC's Legislative Agenda for the 2013 session of the Virginia General Assembly.

Attachment 12-D

E. Letter to Mr. Joel Dunn, Executive Director, Chesapeake Conservancy from Ms. Terrie Suit, Secretary of Veteran Affairs and Homeland Security, Commonwealth of Virginia, December 7, 2012.

Attached is a letter to Mr. Joel Dunn, Executive Director, Chesapeake Conservancy from Ms. Terrie Suit, Secretary of Veteran Affairs and Homeland Security, Commonwealth of Virginia thanking him for the letter expressing support of Fort Monroe.

Attachment 12-E

F. Letter to Mr. Mark Perreault, President, Citizens for Fort Monroe from Ms. Terrie Suit, Secretary of Veteran Affairs and Homeland Security, Commonwealth of Virginia, December 7, 2012.

Attached is a letter to Mr. Mark Perreault, President, Citizens for Fort Monroe from Ms. Terrie Suit, Secretary of Veteran Affairs and Homeland Security, Commonwealth of Virginia, Office of the Governor thanking him for the letter expressing support of Fort Monroe.

Attachment 12-F

G. Letter to Ms. Susan Williams, Local Government Policy Manager, Department Of Housing and Community Development from Ms. Brenda Garton, County Administrator, Gloucester County, December 10, 2012.

Attached is a letter to Ms. Susan Williams, Local Government Policy Manager, Department Of Housing and Community Development from Ms. Brenda Garton, County Administrator, Gloucester County regarding a resolution adopted by the Gloucester County Board of Supervisors regarding the boundaries of the HRPDC.

Attachment 12-G

H. Letter to Mr. Bill Shelton, Director, Virginia Department of Housing and Community Development, from Mr. Brannon Godfrey, Deputy City Manager, City of Portsmouth, December 12, 2012.

Attached is a letter to Mr. Bill Shelton, Director, Virginia Department of Housing and Community Development, from Mr. Brannon Godfrey, Deputy City Manager, City of Portsmouth regarding a resolution adopted by the Portsmouth City Council regarding the boundaries of the HRPDC.

Attachment 12-H

I. Letter to Ms. Melissa Porterfield, Department of Environmental Quality from Mr. Thomas Shepperd, Chairman, HRPDC, December 13, 2012.

Attached is a letter to Ms. Melissa Porterfield, Department of Environmental Quality from Mr. Thomas Shepperd, Chairman, HRPDC regarding the proposed groundwater withdrawal regulations.

Attachment 12-I

J. Letter to Mr. David Dowling, Policy and Planning Director Department of Conservation and Recreation from Mr. Thomas Shepperd, Chairman, HRPDC, December 19, 2012.

Attached is a letter to Mr. David Dowling, Policy and Planning Director Department of Conservation and Recreation from Mr. Thomas Shepperd, Chairman, regarding the general permit for discharges of stormwater from small MS4s.

Attachment 12-J

K. Isle of Wight County Resolution

Attached is a Resolution from Isle of Wight County regarding the HRPDC Boundaries.

Attachment 12-K

L. Email from Ms. Susan B. Williams, Local Government Policy Manager, DHCD to the PDC Executive Directors, January 7, 2013.

Attached is an email from Ms. Susan B. Williams, Local Government Policy Manager, DHCD to the PDC Executive Directors regarding an update on DHCD's planning district boundary review.

Attachment 12-L

M. Letter to Mr. Dwight Farmer, Executive Director, HRPDC from Ms. Carey Mills Storm, Clerk, Isle of Wight County Board of Supervisors, January 7, 2013

Attached is a letter from Ms. Carey Mills Storm, Clerk, Isle of Wight County Board of Supervisors to Mr. Dwight Farmer, Executive Director, HRPDC regarding the change in leadership of the County's Board of Supervisors.

Attachment 12-M

Chesapeake Conservancy

October 31, 2012

410 Severn Avenue
Suite 405
Annapolis, MD
21403
ph: 443-321-3610

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

Fred Merrill
Sasaki Associates, Inc.
64 Pleasant Street
Watertown, MA 02472

Re: Fort Monroe – Planning of State Managed Lands

Dear Ms. Suit and Mr. Merrill:

Please accept these comments on behalf of the Chesapeake Conservancy regarding the current planning effort for state-managed lands at Fort Monroe. The Chesapeake Conservancy's mission is to strengthen the connection between people and the watershed, conserve the landscapes and special places that sustain the Chesapeake's unique natural and cultural resources, and encourage the exploration and celebration of the Chesapeake as a national treasure.

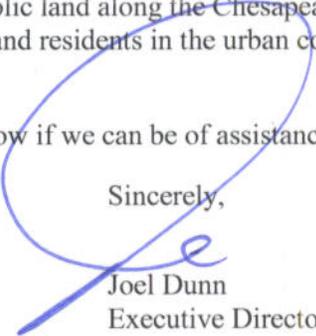
The fort and its beaches are a national treasure, a "pearl" on the string of the Captain John Smith Chesapeake National Historic Trail and a vital part of the Chesapeake's natural and cultural landscape. Our organization was instrumental in shaping the strategy to achieve monument status and in establishing the John Smith Trail. As part of the Fort Monroe National Monument, these lands will tell our nation's history to millions of visitors and provide much needed access to the Chesapeake Bay.

The Chesapeake Conservancy strongly supports slating the heart of the Wherry Quarter (50-55 acres between the fortress and the North Beach area of the National Monument), and Batteries Parrott and Irwin plus the land connecting them to the Wherry Quarter on the Bay side of Fenwick Road, for preservation and ultimate addition to the National Monument.

We believe such a plan would best serve to develop a beautiful, functional and high-performing Fort Monroe National Monument in conjunction with highly appealing and financially successful state managed lands at Fort Monroe. This once-in-a-lifetime opportunity would also provide immensely valuable public land along the Chesapeake Bay for education, public access and enjoyment for visitors and residents in the urban core of Hampton Roads.

Thank you for considering our comments and let me know if we can be of assistance.

Sincerely,


Joel Dunn
Executive Director

cc: Charlie Stek, Chairman, Chesapeake Conservancy
Glenn Oder, Executive Director, Fort Monroe Authority
Kirsten Talken-Spalding, Superintendent, Fort Monroe National Monument
John Maounis, Superintendent, Captain John Smith Chesapeake National Historic Trail

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Maryland, Retired

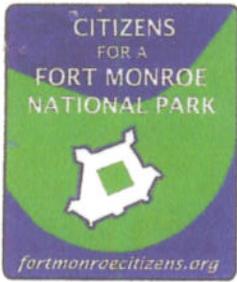
U.S. Senator John Warner
Virginia, Retired

EXECUTIVE DIRECTOR

Joel E. Dunn

www.chesapeakeconservancy.org

Attachment 12-A



Citizens for a Fort Monroe National Park

Preserving a Grand Public Place

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Norfolk, VA
Adrian Whitcomb
Newport News, VA
Ron Wilson
Norfolk, VA
Betty Harper Wyatt
Williamsburg, VA
Jane Yerkes
Williamsburg, VA

H.O. Malone
(1934-2008)
Dorothy 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.

P.O. Box 51097, Fort Monroe, Virginia 23651-0097

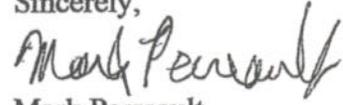
<http://fortmonroecitizens.org>



Citizens For A Fort Monroe National Park

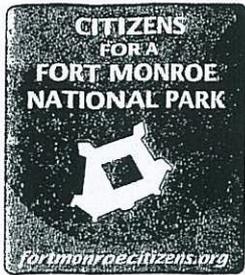
Attachment 12-A

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



Citizens for a Fort Monroe National Park

Preserving a Grand Public Place

November 5, 2012

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Norfolk, VA
Betty Harper Wyatt
Williamsburg, VA
Jane Yerkes
Williamsburg, VA
H.O. Malone
(1934-2008)
Dorothy Rouse-Bottom
(1927-2011)

Mark C. Christie, Chair
State Corporation Commission
P.O. Box 1197
Richmond, VA 23218

James C. Dimitri, Commissioner
State Corporation Commission
P.O. Box 1197
Richmond, VA 23218

Judith Williams Jagdmann, Commissioner
State Corporation Commission
P.O. Box 1197
Richmond, VA 23218

Re: Proposed James River 500 KV Overhead Power Line – Jamestown

Dear Sirs and Madam:

On behalf of Citizens for a Fort Monroe National Park (CFMNP), I wish to submit our comments strongly opposing the proposed overhead 500KV power line crossing the James River and Captain John Smith Chesapeake National Historic Trail within view of the Colonial Parkway, historic Carter's Grove Plantation and portions of Jamestown Island. CFMNP, a 501(c)(4) non-profit organization, is dedicated to Fort Monroe, a national historical and environmental treasure located at the southern end of the Virginia peninsula, becoming a grand public place for the American people with a significant National Park Service (NPS) presence. As such, it will join Colonial National Historical Park and the Historic Triangle to form a "Historic Quadrangle" and become a powerful economic engine for Hampton Roads and Southeast Virginia.

The proponents of the overhead power line apparently see minimizing their costs as the primary value in this matter. Prior to the passage of the Clean Water and Clean Air Acts in the 1960's and 1970's, it was common for businesses to minimize their costs by dumping pollutants into our rivers and bays and emitting toxins into our air. Businesses, and society as a whole, now routinely bear significant additional costs to avoid and clean up pollution. We now recognize what a mistake such pollution was and condemn it, not only as illegal but as shameful. So should we regard befouling a great national landscape, as is the James River near Jamestown.

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P.O. Box 51097, Fort Monroe, Virginia 23651-0097
<http://fortmonroecitizens.org>
Citizens For A Fort Monroe National Park

NOV 09 2012



HRPDC

Attachment 12-B

CFMNP will join with the coalition developing to fight this terrible proposal. We believe it not only threatens the Colonial National Historical Park and the Parkway, and the beauty and splendor (and economy) of the Historic Triangle, but also demeans the beauty and appeal of all of Hampton Roads and Southeastern Virginia, thereby reducing Fort Monroe National Monument's and the entire region's potential.

We have to wonder whether Dominion would ever have proposed such an ill-considered plan for the Potomac River near Mt. Vernon, or across the Hudson in the Hudson Highlands, or across the Charles River in Boston. Southeastern Virginia is too often regarded as a third rate area of apathetic, uninformed, and compliant citizens, where the cheapest and easiest option is good enough. We saw this attitude at Fort Monroe in 2006 when Fort Monroe was thought to be a good place to locate up to 2500 new homes and not worthy of a national park. Hampton Roads citizens refused to accept that view, and today we have a National Monument (although citizens still must cope with 2006 thinking, in that there are now proposals to develop the strategic waterfront property lying between the two sections of the National Monument).

We yet hope that Dominion Power will not attempt to industrialize the James River with this shocking and deleterious proposal. The SCC would do well to attempt to broker a solution (e.g., underwater lines) that will protect this nationally (and internationally) significant landscape. But if that does not work, this proposal should and must be rejected.

Sincerely,

CITIZENS FOR A FORT MONROE NATIONAL PARK



Mark Perreault
President

cc: Kenneth L. Salazar, Secretary of Interior
Governor Robert McDonnell
Senator Mark Warner
Senator-Elect Tim Kaine
Jonathan Jarvis, National Park Service
Kirsten Talken-Spalding, Superintendent,
Fort Monroe National Monument
Kathleen Kilpatrick, VDHR
Terrie Suit, Chair, FMA
Glenn Oder, Executive Director, FMA
Margaret Nelson Fowler,
Save the James Alliance
William M. Kelso
Thomas F. Farrell, II, Dominion Resources
William P. Barr
Dr. Peter W. Brown

Helen E. Dragas
John W. Harris
Robert S. Jepson, Jr.
Mark J. Kington
Dr. Frank S. Royal
Robert H. Spilman, Jr.
Michael E. Szymanczyk
David A. Wollard
W. Taylor Reveley, III,
College of William and Mary
Colin Campbell,
Colonial Williamsburg Foundation
Richard Tilghman
Afsaneh Beschloss
Randall Tobias
John Donnell, Jr.

Edmond Villani
Richard Parsons
Sharon Rockefeller
Norman Augustine
Joshua Darden, Jr.
Anthony Kennedy
Nannerl Keohane
Estelle Tanner
James Lehrer
Gordon Rainey, Jr.
Robert C. Middaugh, Administrator
 James City County
James G. Kennedy
James O. Icenhour, Jr.
Mary K. Jones
Wilford Kale, Jr.
John J. McGlennon
Clyde Haulman, Mayor
 City of Williamsburg
RADM Raynor A.K. Taylor (Ret'd),
 Future of Hampton Roads
Dwight Farmer, Executive Director,
 HRPDC
Fred Merrill, Sasaki Associates
Justin Fay, Sasaki Associates
Dan Smith, Superintendent,
 Colonial National Historical Park
Patrick Noonan, Conservation Fund
Thomas Kiernan, NPCA
Pam Goddard, NPCA

Joel Dunn, Chesapeake Conservancy
Joe Maroon, Chesapeake Conservancy
Will Baker, Chesapeake Bay Foundation
Ann Jennings,
 Chesapeake Bay Foundation
Chris Moore,
 Chesapeake Bay Foundation
Will Rogers, Trust for Public Land
Peter Harnik, Trust for Public Land
Linda Frost, Trust for Public Land
Tyla Matteson, Sierra Club
Stephanie Meeks,
 National Trust for Historic Preservation
David Brown,
 National Trust for Historic Preservation
Rob Nieweg,
 National Trust for Historic Preservation
John Reynolds,
 Student Conservation Association
Chris Miller, Piedmont Environmental Council
Lacy Ward, Jr., Preservation Virginia
Elizabeth Kostelny, Preservation Virginia
Louis Malon, Preservation Virginia
Bill Street, James River Association
Leighton Powell, Scenic Virginia
Nathan Lott, Virginia Conservation Network
Fort Monroe Authority Members
Barry Bishop, Greater Norfolk Council
CFMNP Advisory Board
CFMNP Board of Directors



November 7, 2012

James Asbhy Clary
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

James,

On behalf of The Risk Management Association-Hampton Roads Chapter, I would like to express our sincere appreciation for your time and effort in presenting *The State of the Hampton Roads Economy* at our November 1, 2012 Networking Luncheon in Virginia Beach, Virginia.

One of the primary benefits RMA-HR offers its members is educational and training opportunities and you played no small part in providing knowledge and information on a timely topic for the participants.

Early reviews of this event have been extremely positive. Thank you for helping us to provide quality programming, as well as valuable networking opportunities for members of RMA-HR.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Cronin".

Dan Cronin
President
Risk Management Association-Hampton Roads Chapter
Fulton Bank

RECEIVED

NOV 08 2012

HRPDC

Attachment 12-C

SENATE OF VIRGINIA

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



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

November 26, 2012

Dwight L. Farmer
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Dwight:

I received a copy of your Legislative Agenda for the 2013 session of the Virginia General Assembly. I appreciate you sending me this information.

Knowing your positions on the issues help me better represent you in the Senate of Virginia.

The upcoming session of the General Assembly could have a significant impact as we consider establishing health exchanges, expansion of Medicaid, whether to lift the ban on uranium mining and funding transportation.

I also received the resolution outlining the Legislative Agenda for the Hampton Roads Transportation Planning Organization. As you know, there will be at least two transportation funding proposals offered this session. I remain committed to finding a dedicated, realistic and sustainable source of funding for our transportation needs.

Please feel free to contact me as your issues make their way through the Assembly.

Sincerely,

A handwritten signature in black ink, appearing to read "John Miller".

Senator John Miller
1st District

Received

NOV 27 2012

HRPDC



COMMONWEALTH of VIRGINIA

Office of the Governor

Terrie L. Suit
Secretary of Veterans Affairs
and Homeland Security

December 7, 2012

Mr. Joel Dunn
Executive Director, Chesapeake Conservancy
410 Severn Avenue, Suite 405
Annapolis, MD 21403

Dear Mr. Dunn:

Thank you for your letter expressing your support of protecting Fort Monroe and the importance of creating a sustainable source of revenue in order to preserve this historic landmark for generations to come. The Fort Monroe Authority, through a structured public engagement process, is providing an opportunity for individuals to express their concerns during the development of its Master Plan. This established process allows for the Fort Monroe Authority Board to fully consider all of the issues it is presented.

Governor McDonnell has expressed intent to transfer key sites at the Fort to the National Park Service and, in partnership with the Fort Monroe Authority Board, has worked to ensure Fort Monroe will continue to be a place for public engagement and appreciation. In addition, the Authority has been diligent in developing a reuse plan and design standards that meet or exceed the standards necessary to preserve this historic place.

The development of a Master Plan will assist the Fort Monroe Authority and the Governor in our efforts to find the right balance of dedicated open space for future citizens to enjoy and an adaptive reuse of this historic landmark that generates revenue for the Commonwealth.

We greatly appreciate your understanding of the need for Fort Monroe to be both financially sustaining and responsive to the conservation communities' desire for public open space. Please contribute to the public input on the Fort Monroe Master Plan by visiting: <http://ideas.fmauthority.com>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terrie L. Suit".

Terrie L. Suit

cc: Charlie Stek, Chairman, Chesapeake Conservancy
Glenn Oder, Executive Director, Fort Monroe Authority
Kathleen Kilpatrick, Department of Historic Resources
Kirsten Talken-Spalding, Superintendent, Fort Monroe National Monument
John Maounis, Superintendent, Captain John Smith Chesapeake National Historic Trail



COMMONWEALTH of VIRGINIA

Office of the Governor

Terrie L. Suit
Secretary of Veterans Affairs
and Homeland Security

December 7, 2012

Mr. Mark Perreault
President, Citizens for a Fort Monroe National Park
P.O. Box 51097
Fort Monroe, VA 23651-0097

Dear Mr. Perreault:

Thank you for your letter expressing your support of protecting Fort Monroe and the importance of creating a sustainable source of revenue in order to preserve this historic landmark for generations to come. The Fort Monroe Authority, through a structured public engagement process, is providing an opportunity for individuals to express their concerns during the development of its Master Plan. This established process allows for the Fort Monroe Authority Board to fully consider all of the issues it is presented.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Terrie L. Suit".

Terrie L. Suit

cc: Glenn Oder, Executive Director, Fort Monroe Authority
Kathleen Kilpatrick, Department of Historic Resources
Kirsten Talken-Spalding, Superintendent, Fort Monroe National Monument
Dwight Farmer, Executive Director, Hampton Roads Planning District Commission
Fred Merrill, Sasaki Associates, Inc.



**Gloucester County
Administrator's Office**

Telephone 804-693-4042

P. O. Box 329, Gloucester, Virginia 23061

Fax 804-693-6004

December 10, 2012

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

Dear Ms. Williams,

Enclosed please find a copy of the resolution adopted by the Gloucester County Board of Supervisors at its December 4, 2012 meeting regarding the boundaries of the Hampton Roads Planning District Commission (HRPDC). You will note that the Board requests that the Department of Housing and Community Development reaffirm the existing boundaries of the HRPDC. Further, Gloucester County also desires to remain a member of the HRPDC.

If you should have any further questions, please do not hesitate to contact my office at 804-693-4042.

Respectfully Yours,

Brenda G. Garton
County Administrator

BGG:tc
Enclosure

cc: Dwight L. Farmer, Executive Director, HRPDC
Lewis L. Lawrence, Executive Director, MPPDC

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DEC 11 2012

HRPDC

Attachment 12-G

AT A MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON WEDNESDAY, DECEMBER 4, 2012, AT 7:00 P.M., IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET GLOUCESTER, VIRGINIA: ON A MOTION MADE BY MR. CHRISCOE AND SECONDED BY MR. NORTHSTEIN THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Carter M. Borden, yes;
Ashley C. Chriscoe, yes;
Christopher A. Hutson, yes;
Andrew James, Jr., yes;
John H. Northstein, yes;
Robert J. Orth, yes;
Louise D. Theberge, yes;

RESOLUTION OF GLOUCESTER COUNTY REQUESTING THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 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

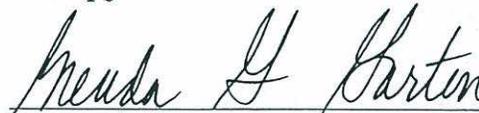
WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of Gloucester County or one or more other members; and,

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 that the Gloucester County Board of Supervisors 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 Gloucester County Board of Supervisors that Gloucester County desires to remain a member of the Hampton Roads Planning District Commission.

A Copy Teste:



Brenda G. Garton, County Administrator

THE CITY OF
PORTSMOUTH

December 12, 2012

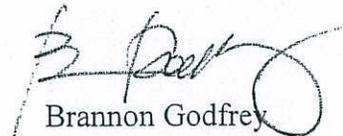
Mr. Bill Shelton, Director
Virginia Department of Housing
and Community Development
Main Street Centre
600 East Main Street, Suite 300
Richmond, VA 23219

Dear Mr. Shelton:

At its regular meeting on December 11, 2012, City Council adopted the attached resolution requesting that the Virginia Department of Housing and Community Development retain the current boundaries for the Hampton Roads Planning District Commission. We appreciate all of the structure and leadership for regional cooperation provided by HRPDC, and look forward to another successful year in partnership.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Brannon Godfrey
Deputy City Manager

JBG\rh

Attachment: Resolution

cc: The Honorable Kenneth I. Wright, Mayor and Members of Portsmouth City Council
John L. Rowe, City Manager
Dwight Farmer, Executive Director/Secretary of HRPDC

RECEIVED

DEC 14 2012

HRPE

Office of the City Manager
801 Crawford Street • Portsmouth, VA 23704-3822
(757) 393-8641 Office • (757) 393-5241 Fax

Attachment 12-H

ADOPTION OF A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT RETAIN THE CURRENT BOUNDARIES OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION.

WHEREAS, as required by Section 36-139.7 of the Code of Virginia, the Virginia Department of Housing and Community Development is conducting a periodic review of the boundaries of the planning district commissions; and

WHEREAS, as part of this process, the member governmental subdivisions of the Hampton Roads Planning District Commission (HRPDC) must express by resolution their approval of the current boundaries and their continued membership in the HRPDC; and

WHEREAS, the City of Portsmouth supports the current boundaries of the HRPDC and Portsmouth's continued membership in the organization.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Portsmouth, Virginia that it hereby expresses its support and approval of the current boundaries of HRPDC and of the City's continued membership in the Commission.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on December 11, 2012.

Teste:

City Clerk

THE CITY OF
PORTSMOUTH

December 12, 2012

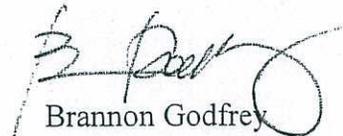
Mr. Bill Shelton, Director
Virginia Department of Housing
and Community Development
Main Street Centre
600 East Main Street, Suite 300
Richmond, VA 23219

Dear Mr. Shelton:

At its regular meeting on December 11, 2012, City Council adopted the attached resolution requesting that the Virginia Department of Housing and Community Development retain the current boundaries for the Hampton Roads Planning District Commission. We appreciate all of the structure and leadership for regional cooperation provided by HRPDC, and look forward to another successful year in partnership.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Brannon Godfrey
Deputy City Manager

JBG\rh

Attachment: Resolution

cc: The Honorable Kenneth I. Wright, Mayor and Members of Portsmouth City Council
John L. Rowe, City Manager
Dwight Farmer, Executive Director/Secretary of HRPDC

RECEIVED

DEC 14 2012

Office of the City Manager
801 Crawford Street • Portsmouth, VA 23704-3822
(757) 393-8641 Office • (757) 393-5241 Fax

HRPE

Attachment 12-H

ADOPTION OF A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT RETAIN THE CURRENT BOUNDARIES OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION.

WHEREAS, as required by Section 36-139.7 of the Code of Virginia, the Virginia Department of Housing and Community Development is conducting a periodic review of the boundaries of the planning district commissions; and

WHEREAS, as part of this process, the member governmental subdivisions of the Hampton Roads Planning District Commission (HRPDC) must express by resolution their approval of the current boundaries and their continued membership in the HRPDC; and

WHEREAS, the City of Portsmouth supports the current boundaries of the HRPDC and Portsmouth's continued membership in the organization.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Portsmouth, Virginia that it hereby expresses its support and approval of the current boundaries of HRPDC and of the City's continued membership in the Commission.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on December 11, 2012.

Teste:

City Clerk

MEMBER JURISDICTIONS

CHESAPEAKE

December 13, 2012

FRANKLIN

Ms. Melissa Porterfield
Department of Environmental Quality
PO Box 1105
Richmond, VA 23218

GLOUCESTER

HAMPTON

RE: Proposed Groundwater Withdrawal Regulations [9 VAC 25-610]
(WAS: State Water Control Board)

ISLE OF WIGHT

Dear Ms. Porterfield:

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

The Hampton Roads Planning District Commission (HRPDC) submits the following comments on the proposed Ground Water Withdrawal Regulations 9 VAC 25-610. The comments have been endorsed by the HRPDC Directors of Utilities Committee, which previously commented on the draft Ground Water Withdrawal Regulations in an October 15, 2010 letter to the Department of Environmental Quality. 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 HRPDC encourages the Department of Environmental Quality to consider the following recommended revisions to the proposed groundwater withdrawal regulations:

SUFFOLK

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.

SURRY

VIRGINIA BEACH

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:

WILLIAMSBURG

YORK

"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 current and future population, 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 the 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:

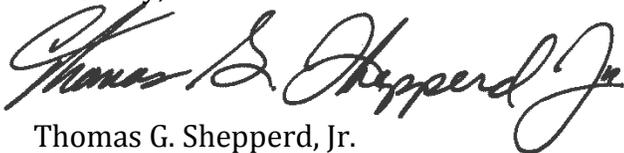
- a) Definition – "Aquifer Storage Recovery Well" injects drinking water into the aquifer system and stores more water in the system than it withdraws.

- 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 Cooperative Groundwater Program. The members of the HRPDC Directors of Utilities Committee 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 Hampton Roads region and the Commission would appreciate your careful consideration of its recommendations.

If you need additional information or have any questions, please contact Whitney Katchmark, HRPDC Principal Water Resources Engineer at (757) 420-8300.

Sincerely,



Thomas G. Shepperd, Jr.
Chairman

WSK/jc

Copy: Directors of Utilities Committee
Scott Kudlas, Department of Environmental Quality

MEMBER
JURISDICTIONS

December 19, 2012

CHESAPEAKE

Mr. David C. Dowling
Policy and Planning Director
Department of Conservation and Recreation
203 Governor Street
Suite 203
Richmond, VA 23219

FRANKLIN

GLOUCESTER

HAMPTON

RE: Amend and Reissue the General Permit for Discharges of Stormwater from Small MS4s

ISLE OF WIGHT

Dear Mr. Dowling:

JAMES CITY

NEWPORT NEWS

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

NORFOLK

POQUOSON

I. Introduction

PORTSMOUTH

Although the 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

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

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 in both the Permit and the draft Fact Sheet accompanying the Permit (the “Fact Sheet”).

WILLIAMSBURG

YORK

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.

II. The Baseline Loading Rates are Not Accurate and Their Use in Calculating Baseline Pollutant Loads Will 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.

Although not fully explained in the Fact Sheet, 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 not provided 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 the 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.

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.

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 portion of the Chesapeake Bay Watershed (including 16 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

Also, we were disappointed to find that the Fact Sheet does not provide a reasoned rationale and justification for using the baseline loading rates in Section I.C of the Permit. Instead, the Fact Sheet does little more than repeat much of what is in the Permit. Like the Permit, the Fact Sheet suggests that the rationale and justification for the baseline loading rates can be found in Virginia's Chesapeake Bay Watershed Implementation Plan (WIP).⁴ However, it is apparent from a review of both the Phase I and Phase II WIPs that they too fail to provide a rationale and justification for the baseline loading rates, and instead, like the Permit, offer only an abbreviated and inadequate explanation of the basis for the rates.

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 rationale and justification for its action.⁵ It is not enough for an agency to simply identify the basis for its action as DCR has done here. It must also provide a reasoned rationale and justification for its action by explaining why it selected these rates over other rates and why the rates it selected are preferred over those proposed by others such as HRPDC and the Localities. 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 rationale and justification for using basin-wide average baseline loading rates is arbitrary and capricious and must be corrected before the Permit is finalized.

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 Fact Sheet at 20.

⁵ 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).

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.

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 equivalences 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.⁶ We know of no reason why DCR cannot do the same.

Sincerely,



Thomas G. Shepperd
Chairman

JLT/jc

Attachment

Copy: David Johnson, DCR
Ginny Snead, DCR

⁶ 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).

MEMBER JURISDICTIONS

August 15, 2011

CHESAPEAKE

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

FRANKLIN

GLOUCESTER

Dear Ms. Salvati:

HAMPTON

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

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

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

Critical Information for Developing Phase II Strategies

SOUTHAMPTON

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

SUFFOLK

SURRY

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

VIRGINIA BEACH

WILLIAMSBURG

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

YORK

Ms. Joan Salvati
August 15, 2011
Page 2

Concerns about Target Loads

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

Issues on cataloging and documenting nutrient reductions

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink that reads "John M. Carlock". The signature is written in a cursive style with a large initial "J" and "M".

John M. Carlock
Deputy Executive Director

WSK/fh

From: Hill, Noah (DCR) <Noah.Hill@dcr.virginia.gov>
Sent: Wednesday, August 31, 2011 2:16 PM
To: Jennifer Tribo
Cc: Salvati, Joan (DCR)
Subject: FW: Task Completed: Develop Responses to HRPDC Concerns
Attachments: HRPDC Answers.doc; HRPDC_Salvati_Concerns.pdf

Attached are the responses to the question that HRPDC submitted. See you tomorrow.

Noah
Noah M. Hill, Regional Manager
Virginia Department of Conservation and Recreation
Suffolk Regional Office
1548 - A Holland Rd, Suffolk VA 23434
757-925-2392

From: Salvati, Joan (DCR)
Sent: Wednesday, August 31, 2011 8:02 AM
To: Smith, Shawn (DCR); Hill, Noah (DCR)
Subject: Fw: Task Completed: Develop Responses to HRPDC Concerns

From: Davis-Martin, James (DCR)
Sent: Tuesday, August 30, 2011 04:15 PM
To: Salvati, Joan (DCR)
Subject: Task Completed: Develop Responses to HRPDC Concerns

James Davis-Martin
Chesapeake Bay WIP II Project Manager
804-786-1795

Critical Information for Developing Phase II Strategies

1. The loading rates (pounds/acre) can be calculated by dividing the loads (pounds) by the land use (acres). These figures vary by land-river segment, the finest segmentation in the model, so there will be variability based on physiographic region, segmentshed and county.
2. In the revised data set for Phase 5.3.2. the urban loads and BMPs will allow differentiation between regulated and unregulated, pervious and impervious data.
3. The State is working through the Bay Program's Urban Workgroup and Water Quality Goal Implementation Team to resolve the differences. The timeline for completing this important task is not yet clear.

Concerns about Target Loads

1. EPA has dictated using the 2009 Progress model run as the baseline when accounting for new reductions toward meeting the TMDL. We recognize the BMP data in this scenario is imperfect and have asked localities to provide an improved accounting of the BMPs currently on the ground as part of the Phase II Process. The BMP implementation targets used in developing the Phase I WIP and the TMDL were based on consistent statewide treatment of the various landuses with BMPs. There was no distinction made for Bay Act areas in that process. Bay Act localities should actually be advantaged in this process because they have a much longer record of BMP implementation that can be accounted for through the Phase II process, thereby moving them closer to the TMDL implementation levels.
2. The local targets and reduction goals have been provided as edge of stream loads, so the delivery factors that the model uses to adjust loads for in-stream processes through delivery to tidal waters do not influence them.
3. The Phase I process applied a percent treatment for a BMP on the applicable landuse. So, variations in landuses between localities will produce a different mix of BMPs. Additionally, because the loading rates vary by land-river segment, the load reduction per unit of BMP will also vary at that scale.
4. The details of how the model will credit the fertilizer restriction have not been finalized. It is anticipated that it will be accounted for on a state wide basis and will produce a reduced loading rate in the urban pervious landuse that would be evident to localities in future progress runs of the model.
 - a. There will not be an input for this in the initial version of the VAST.
 - b. This is not related to Nutrient Management plan requirements, except that it is possible that a lawn with a nutrient management plan and soil tests that call for application of phosphorus could do so.
 - i. If there is a local program that promotes, tracks and verifies that fertilizer is not being applied to lawns, this should be documented as a Phase II strategy. We could then work with EPA to include a BMP in the model that would give credit similar to the loads from hay without nutrients (unmanaged grass).
5. The Phase I WIP was run on the 5.3.0. model that did not have a breakout of federal lands, so it was not possible to apply the different treatment levels. The Phase II WIP will use the 5.3.2. model which does include the federal landuse breakout, so the higher treatment level could be modeled.
6. The specifics of the Phase I actions identified for agriculture and information on current programs and funding are in the WIP I document, Section 5. <http://www.dcr.virginia.gov/vabaytmdl/documents/vatmdlwip.pdf>

Issues on cataloging and documenting nutrient reductions

1. Localities can provide information on pre-2006 BMPs at any time. The information needed are the specifics of the BMP type, the amount of the BMP (linear feet, acres, systems or acres treated as appropriate), the date the BMP was installed and the location of the BMP. The VAST will not work for estimating the effects of these BMPs as their effects are already accounted for in the Phase 5.3.2 model calibration process. A locality could use the VAST to estimate the loads, but the loads would not be representative of what would be produced through a recalibrated model in 2017.

2. The state reports all BMPs for which we have the necessary information. (What BMP, How Much, Where, and When). Generally, the agricultural BMP data collected through Federal and State cost-share programs is very reliable. New efforts to track voluntarily installed BMPs in agriculture are currently being assessed. The urban and septic BMP data are less reliable. Generally, we have tried to use information reported through existing regulatory programs and permits for these sectors. Unfortunately, this data often lacks one or more of the required elements which results in under reporting. The Phase II process will allow localities to report BMPs on the ground through the VAST. The VAST may also serve as a tool that localities may choose to use to report annual implementation progress in the future, until better tracking systems can be developed.
3. The state is working with EPA to address agricultural nutrient management, the ability to stack other BMPs with continuous no-till, septic denitrification practices with 25% and 75% efficiencies, and a capture/reuse BMP for nurseries. These will be available for Phase II planning using the VAST. Additionally, we are working on the efficiency of stream restoration and the urban BMP efficiency differences discussed earlier. If you have other priorities that you think are critical, please communicate those as part of the Phase II process.
4. Acres under E&S are reported to the state by DCR regional offices that compiled locality data. The E&S practice is an annual practice, so the 2025 acres treated are for that year only. The E&S BMP is applied to the construction landuse in the model. This landuse is changed based on the model's assumptions on growth rates, and may not be representative of current conditions. If the model's construction landuse area is significantly different than what is on the ground, a locality may benefit from reporting E&S as a % of the landuse treated. So if the locality's E&S program has a 95% compliance rate, they could apply the BMP to 95% of the available landuse.
5. Urban tree planting is planting trees on urban pervious areas at a rate that would produce a forest-like condition over time. The tree planting BMP includes any tree plantings on any site except those along rivers and streams. Plantings along rivers and streams are considered riparian buffers and are treated differently. The definition of tree planting does not include reforestation. Reforestation replaces trees removed during timber harvest and does not result in an additional nutrient reduction or an increase in the forest acreage. The intent of urban tree planting is to eventually convert the urban area to forest. If the trees are planted as part of the urban landscape, with no intention to convert the area to forest, then this would not count as urban tree planting.
6. Septic pumpouts are currently only tracked in Chesapeake Bay Act localities as part of the Bay Act Annual Reports from localities. The Department of Health is working to improve the accounting of septic pumpouts in non-Bay Act localities. Virginia is the only Bay state that currently reports biosolids applications into the Bay Model. Biosolids are applied in the model to the localities where the application is made based on the permits. The model treats biosolids similarly to other organic nutrient sources (manures and poultry litter).
7. The spreadsheet reports street sweeping as the acres of streets swept annually.
8. The acres under agricultural Nutrient management plans are reported based on the acres with a current nutrient management plan based on the effective dates in the plans. Urban nutrient management is tracked annually.
9. Yes. Local/State initiatives and programs that exceed the actions required by the national air standards can be reported to the bay program for credit.
10. Yes. Major storm events cause significant water quality impacts. BMPs to address these extreme storms are generally cost prohibitive, but if there are some effective and affordable solutions, they should be considered.

RESOLUTION OF THE COUNTY OF ISLE OF WIGHT 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,

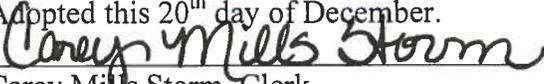
WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of the County of Isle of Wight or one or more other members; and,

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 that the County of Isle of Wight requests the Department of Housing and Community to reaffirm the existing boundaries of the Hampton Roads Planning District Commission; and,

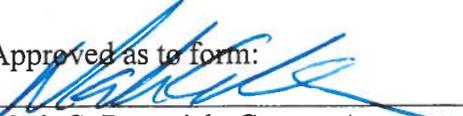
BE IT FURTHER RESOLVED by the County of Isle of Wight that it desires to remain a member of the Hampton Roads Planning District Commission.

Adopted this 20th day of December.


Carey Mills Storm, Clerk


Alan E. Casteen, Chairman

Approved as to form:


Mark C. Popovich, County Attorney

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

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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,

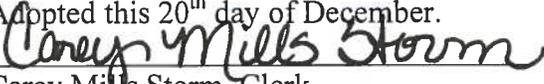
WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of the County of Isle of Wight or one or more other members; and,

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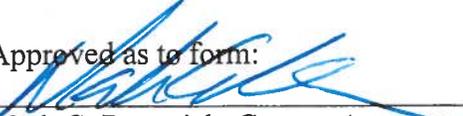
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Adopted this 20th day of December.


Carey Mills Storm, Clerk


Alan E. Casteen, Chairman

Approved as to form:


Mark C. Popovich, County Attorney

----- Original Message -----

Subject: Planning District Boundary Review Update

From: "Williams, Susan (DHCD)" <Susan.Williams@dhcd.virginia.gov>

To: "Skinner, Glenn" <gskinner@lenowisco.org>,"jimbaldwin@bvunet.net"

<jimbaldwin@bvunet.net>,"marmbrister@mrpdc.org" <marmbrister@mrpdc.org>,"Byrd, Kevin"

<kbyrd@nrpdc.org>,"wstrickland@rvarc.org" <wstrickland@rvarc.org>,"Riedesel, Bonnie S."

<bonnie@cspdc.org>,"Shickle, Martha (DHCD)" <mshickle@nsvregion.org>,"gmg@novaregion.org"

<gmg@novaregion.org>,"Walker, jeff p" <jpwalker@rrregion.org>,"Williams, Stephen"

<swilliams@tjpd.org>,"gchristie@region2000.org" <gchristie@region2000.org>,"Burdick, Aaron"

<aaronburdick@wppdc.org>,"gmoody@southsidepdc.org"

<gmoody@southsidepdc.org>,"MHickman@virginiashartland.org"

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<rcrum@richmondregional.org>,"ware@gwregion.org" <ware@gwregion.org>,"jdavis@nnpdc17.state.va.us"

<jdavis@nnpdc17.state.va.us>,"Lawrence, Lewis" <llawrence@mppdc.com>,"dmorris@craterpdc.org"

<dmorris@craterpdc.org>,"Meil, Elaine" <emeil@a-npdc.org>,"Dwight Farmer" <dfarmer@hrpdcva.gov> CC: "Shelton, Bill (DHCD)"

<Bill.Shelton@dhcd.virginia.gov>,"Williams, Al (DHCD)"

<Al.williams@dhcd.virginia.gov>,"Robbins, Zachary (DHCD)"

<Zachary.Robbins@dhcd.virginia.gov>,"Lanza, Edward (DHCD)"

<Edward.M.Lanza@dhcd.virginia.gov>,"Johnson, Barbara (DHCD)" <Barbara.Johnson@dhcd.virginia.gov>

Dear PDC Executive Directors:

Happy New Year! A couple of you have recently requested an update regarding DHCD's planning district boundary review so I thought I would share it with all of you.

The public comment period ended on December 19, 2012, and we did not receive any requests for boundary changes. It is my understanding that we will not hold input hearings since no changes were suggested during the public comment period.

Comments were received from a total of 13 PDCs and local governments – all in support of retaining the current planning district boundaries.

Comments were received from the following PDCs and local governments:

3 Planning District Commissions (PDCs)
Commonwealth Regional Council Mount
Rogers PDC
West Piedmont PDC

7 Counties
Clarke
Fauquier
Gloucester
Hanover
Isle of Wight
Mecklenburg
Orange
3 Cities Galax
Poquoson
Portsmouth

Please let me know if you have any questions or require additional information.

Susan

Susan B. Williams, Esq.
Local Government Policy Manager
Commission on Local Government
Department of Housing and Community Development
Main Street Centre - 600 East Main Street, Suite 300
Richmond, VA 23219
PH: 804.786.6508 - FAX: 804.371.7090
Email: susan.williams@dhcd.virginia.gov
Website: www.dhcd.virginia.gov/CommissiononLocalGovernment/default.htm



COUNTY of ISLE OF WIGHT

THE COURTHOUSE

January 4, 2013

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

Dear Mr. Farmer:

Please be advised that the Isle of Wight County Board of Supervisors, at its meeting of January 3, 2013 elected JoAnn W. Hall as Chairman of the Board for 2013. Chairman Hall's mailing address is 7432 Bartons Landing, Smithfield, Virginia 23430.

Supervisor Bailey was elected as Vice-Chairman of the Board for 2013.

Should you require any additional information in this regard, please give me a call.

Sincerely,

Carey Mills Storm
Clerk, Board of Supervisors

/cms

RECEIVED

JAN 07 2013

HRPDC