

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: CORRESPONDENCE OF INTEREST

A. Reappointment Letter

Attached is a letter from Ms. Mary Ellen Simmons, Senior Legislative Assistant, stating York County Chairman Thomas Shepperd will represent the County on the Commission.

Attachment 12-A

B. Letter of Appreciation

Attached is a letter of appreciation to Mr. Greg Grootendorst, HRPDC Chief Economist, from Mr. John Haldeman of the Kiwanis club of Colonial Capital, in regards to his March 4, 2015 presentation.

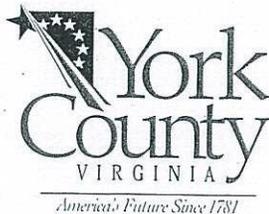
Attachment 12-B

C. Draft Nonpoint Source Nutrient Credit Regulation Comment Letter

Attached is a comment letter from the HRPDC Chair to Ms. Debra Harris, Department of Environmental Quality, outlining HRPDC concerns in regards to DEQ's Draft Nonpoint Source Nutrient Credit Regulations.

Attachment 12-C

COUNTY ADMINISTRATOR
J. Mark Carter, Interim



BOARD OF SUPERVISORS

Walter C. Zaremba
District 1
Sheila S. Noll
District 2
Donald E. Wiggins
District 3
George S. Hrichak
District 4
Thomas G. Shepperd, Jr.
District 5

March 3, 2015

Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear Sir:

This is to notify you that at its organizational meeting held January 6, 2015, the York County Board of Supervisors elected Thomas G. Shepperd, Jr., as its Chairman for 2015. Please forward any future Mayors & Chairs correspondence or information for Mr. Shepperd to his home address, 131 Chinquapin Orchard, Yorktown, Virginia 23693. For meeting and scheduling purposes, he can be contacted by telephone at 868-8591 (home); 890-3332 (cell); or by email at shepperd@yorkcounty.gov.

Mr. Shepperd will continue to serve as York County's appointed representative on the HRPDC and the Transportation Planning Organization, as well as the County's elected representative to the HRTAC through 2015.

If you have any questions concerning the above information, please do not hesitate to contact me at 890-3325.

Sincerely,

Mary Ellen Simmons, MMC
Senior Legislative Assistant

RECEIVED

MAR 06 2015

HRPDC

224 Ballard Street • P.O. Box 532 • Yorktown, Virginia 23690-0532 • (757) 890-3320
Fax: (757) 890-4002 • TDD (757) 890-3300 • Email: bos@yorkcounty.gov
A Hampton Roads Community

Attachment 12-A

KIWANIS CLUB OF COLONIAL CAPITAL



March 4, 2015

Mr. Greg Grootendorst, Chief Economist
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Greg:

Thank you once again for addressing our membership this morning. You did an excellent job of conveying the economic condition of our region and the challenges that lay ahead. I've received many appreciative comments from those in attendance. We eagerly anticipate your next trip.

Sincerely,


John Haldeman

RECEIVED

MAR 06 2015

HRPDC

Post Office Box 612 • Williamsburg, Virginia 23187-0612
Attachment 12-B

MAILED

E-MAILED

MAR 11 2015

MAR 11 2015

HRPDC

HRPDC

MEMBER JURISDICTIONS

March 11, 2015

CHESAPEAKE

Department of Environmental Quality

Attention: Debra Harris

629 East Main Street

FRANKLIN

P.O. Box 1105

Richmond, VA 23218

GLOUCESTER

RE: 9VAC25-900 Certification of Nonpoint Source Nutrient Credits

HAMPTON

Dear Ms. Harris:

ISLE OF WIGHT

The Hampton Roads Planning District Commission (HRPDC) appreciates the opportunity to provide comments on the draft Nonpoint Source Nutrient Credit regulations. The localities represented by the HRPDC support the concept of expanding nutrient credit trading. We applaud the state for creating a certification process that will allow localities more flexibility to meet stormwater quality objectives.

JAMES CITY

NEWPORT NEWS

The HRPDC would appreciate the DEQ's consideration of the following comments.

NORFOLK

1. **The definition of "Management area" in the draft regulation is appropriate for the urban sector and should not be revised.** The definition of "management area" is important to establish a fair baseline that must be met before credits can be certified for trading. Requiring all contiguous parcels to the same landowner to meet the baseline is a good balance between the more extreme options of requiring baseline only on the parcel with the nutrient-generating activity and requiring baseline for all of the properties that the landowner or locality owns.

POQUOSON

PORTSMOUTH

SMITHFIELD

SOUTHAMPTON

2. **The certification process should include a public hearing, instead of public notification. A public hearing is particularly important to address concerns if proposed credits are based on a new technology.** Without a public hearing, objections to new technologies could be pursued by challenging MS4 or Construction General Permit compliance. Resolving concerns about new technologies before the credits are put on the registry provides more certainty for credit market participants.

SUFFOLK

SURRY

VIRGINIA BEACH

3. **The draft regulation should state that entities holding MS4 permits will not be required to make up for nutrient load reductions in the MS4 service area that are met by purchasing credits.** Credits purchased by developers to meet the immediate requirements of the Construction General Permit could be discounted or eliminated by future policy decisions. The draft regulation creates an opportunity for nutrient-generating activities to be approved that are not included in the MS4 Chesapeake Bay TMDL Special Condition guidance

WILLIAMSBURG

YORK

Ms. Debra Harris

March 11, 2015

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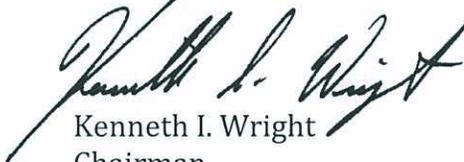
These activities are particularly vulnerable to future discounts tied to Chesapeake Bay Program decisions. Localities would like DEQ to ensure that localities will not be required to make up for those discounted or lost nutrient reductions in their future MS4 permits.

4. **The proposed regulations should be more protective of local water quality. Specifically, in Section 9VAC25-900-90C2c impaired waters with no approved local TMDL should limit the exchange of credits to the following hierarchy:**
 - a. **Upstream of where the discharge reaches impaired waters if credits are available;**
 - b. **Within the same 12-digit HUC, if credits are available**
 - c. **Within the same 10-digit HUC.**

The draft regulation allows exchange of credits within the same 8-digit HUC and adjacent 8-digit HUC. The 8-digit HUC scale is too large. Credits could be purchased hundreds of miles from impaired waters which would have no impact on improving local water quality. This proposed language still allows trading even when DEQ has determined that the local water body is impaired but limits trades to a more reasonable scale in order to promote improvements to water quality.

Thank you for your consideration.

Sincerely,



Kenneth I. Wright
Chairman

WSK/jc