

Hampton Roads Planning District Commission
Annual Commission Meeting
Minutes of October 20, 2010

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

COMMISSIONERS:

Bruce Goodson, Chairman (JC)	Paul D. Fraim (NO)*
Stan D. Clark (IW), Vice Chairman	Thomas Smigiel (NO)
James O. McReynolds, Treasurer (YK)	J. Randall Wheeler (PQ)
Dr. Alan P. Krasnoff (CH)*	Gordon C. Helsel, (PQ)
William E. Harrell (CH)	Elizabeth Psimas (PO)
Clifton E. Hayes, Jr. (CH)	Selena Cuffee-Glenn (SU)
Greg McLemore (FR)	Tyrone W. Franklin (SY)
Gregory Woodard (GL)	John Seward (SY)
Ross A. Kearney (HA)	Louis R. Jones (VB)
Molly Joseph Ward (HA)	William D. Sessoms (VB)
W. Douglas Caskey (IW)	Harry E. Diezel (VB)
Robert Middaugh (JC)	Barbara M. Henley (VB)
Neil A. Morgan (NN)	Thomas G. Shepperd, Jr. (YK)
McKinley Price (NN)	

*Late arrival or early departure.

Absent: Amar Dwarkanath (CH), Ella Ward (CH), June Fleming (FR), Brenda Garton (GL), Mary Bunting (HA), Anthony Burfoot (NO), Regina V.K. Williams (NO), Theresa Whibley, MD (NO), Kenneth L. Chandler (PO), Michael W. Johnson (SH), Anita Felts (SH), Linda T. Johnson (SU), Robert M. Dyer (VB), James Spore (VB), John E. Uhrin, (VB) Jackson C. Tuttle II (WM), Clyde Haulman (WM).

OTHERS RECORDED ATTENDING:

John Gergely, Henry Ryto & Terri Boothe (Citizens); Paul Holt (PO), Sherri Neil (PO); Keith Cannady (HA); Bryan Pennington. Jeff Raliski, Stanley Stein & Tara Sunderland (NO); Eric Nielsen (SU), Michael King (NN), Robert Matthias (VB); Craig Quigley, HRMFFA; Ellis W. James & Eileen Levanodoski - Sierra Club Observer; Rowland Taylor - SPSA; Jim Oliver – HRCCE; Bob Burnley & Kayti Wingfield - Wise Energy of VA; Peter Huber – Wilcox & Savage; Kathy Fleet – Biggs & Fleet; Don Britt - Goodman & Company; David Hudgins – ODEC; Steve Romine – LeClair Ryan; Edmond Easter & Phibe Mitchell- Isle of Wight Citizens Association; Albert Burckard- Independent Green Party of VA; Deborah Stearns-Harvey, Lindsay Commercial Real Estate; Staff: Dwight Farmer, Shernita Bethea, John Carlock, Rick Case, James Clary, Nancy Collins, Natalie Easterday, Richard Flannery, Kathlene Grauberger, Greg Grootendorst, Lisa Hardy, Julia Hillegass, Jim Hummer, Rob Jacobs, Whitney Katchmark, Sara Kidd, Robert Lawrence, Ben McFarlane, Brian Miller, Kendall Miller, Keith Nichols, Kelli Peterson, Camelia Ravanbakht, Jenny Redick, Jennifer Tribo, Joe Turner and Chris Vaigneur.

PUBLIC C OMMENTS

Seven people requested to address the Hampton Road Planning District Commission.

Cale Jaffe

Thank you very much. My name is Cale Jaffe, I am a senior attorney with Southern Environmental Law Center in Charlottesville here to talk very briefly about the Old Dominion Electric Cooperative Proposal for a coal-fired power plant. It would be the single largest coal plant in Virginia and the proposed site is about 30 miles from the Chesapeake Bay. I believe you all have in our materials some maps that we have developed that should give you some sense of the scale of the project and proposal we are talking about. Now you might have heard that ODEC has withdrawn its clean air act permit applications that has been pending for the Department of Environmental Quality and that they are not intending to re-file those for another 18 months to two years. I do want to confirm that the project is, from what I understand, is far from canceled. I know Mr. Hudgins is here, and I have talked with folks from ODEC most recently at the Governor's Conference on Energy last week, and they were adamant That this is not a hiatus; they are going forward with this project, and in fact, I talked to the Army Corps of Engineers, the Norfolk District and they confirmed that they are actively processing ODEC submittals. Now the process that is currently pending before the Army Corps of Engineers is the development of an Environmental Impact Statement according to the Corps authorities under the National Environmental Policy Act. The Environmental Impact Statement or EIS generally can be divided into two pieces. On the one hand, the Corps takes a project and looks at the impact that the project would have on the community and on this community, and the second piece is to look at alternatives, alternatives that might include natural gas, investment in nuclear, no action if the demand isn't there, renewable energy, efficiency, a whole lot of alternatives. I just want to say, given where the project is today and with the Corps process ongoing right now that now is the ideal time for the PDC to weigh in and contact the Corps to just say, hey we understand that you are developing an Environmental Impact Statement, here are the concerns, the impacts on our community that we see, and we want to make sure you consider developing this Environmental Impact Statement. Former DEQ Director, Bob Burnley is also here. I believe he can give you a sense of what those impacts to this community might be.

Bob Burnley

Thank you, Mr. Chairman and members of the Commission. I appreciate this opportunity to be here this morning. My name is Bob Burnley. I'm an environmental advisor with nearly four decades of experience in the public and private sector in Virginia. I know time is short this morning so I want to get right to the issues. A 15,000 megawatt coal-fired power plant employing technology that is environmentally middle of the road has been proposed by ODEC for Surry County with a backup site in Sussex. If built and operated as proposed, this plant will have potentially devastating impacts on the citizens of Hampton Roads. It will negatively impact their health and the region's environment and economy. Hampton Roads already ranks as 45th on the Asthma and Allergy Foundation of America's list of the most challenging places to live with asthma. The increase in ozone concentrations and in particulate matter which will occur as a result of the operation of this plant will certainly result in more severe asthma attacks, more frequent attacks, more lost works days, more lost school days, and a less healthy environment for all. This plant is expected to omit 3,000 tons of nitrogen compounds every year for the next 50 to 60 years or perhaps longer. Much of that nitrogen will settle in the Chesapeake Bay or land in

the Chesapeake Bay Watershed and on bay tributaries, exacerbating the nitrogen over-enrichment problems we have been fighting for 25 years and that we spent hundreds and hundreds of millions of dollars to try to correct. In many of your communities, you will be responsible for cleaning up this nitrogen as part of your regulatory responsibilities to reduce non point sources even though your citizens did not create it or don't receive any benefits from this plant. The plant is expected to emit 40 pounds of mercury every year, as you all know mercury is a toxic that is especially dangerous to the very young and the unborn. Mercury is a water pollutant which has contaminated many rivers and streams in Southeastern Virginia causing condemnation of those fisheries already. Because of this increase in nitrogen and mercury the bay water quality will suffer and along with it the seafood industry, tourism and the whole culture of the Chesapeake Bay. The economic impacts not associated with the bay are just as bad. Hampton Roads is poised to fall into ozone nonattainment. Nonattainment is as big job killer as there is. My observation from this plant will make a nonattainment situation worse than it will be without it, probably much worse. Put it very simply, businesses just do not look toward nonattainment areas to establish new facilities. Existing businesses do not expand in nonattainment areas if expansion requires an air permit. New businesses come to areas which have a good quality of life, not areas which have air quality that does not meet the minimal standards. I would like for you to think about all of the downsides, the health, environmental and the economic downsides of this plant and compare them to the benefits that your region will enjoy. I really do think that you will find that the burdens far out weigh the benefits. Thank you very much.

John Gergely

My name is John Gergely, I am a resident of Newport News. This is sort of a TPO comment but I really wanted to say it in front to the Planning District Commission. Mayor Price I hope you enjoyed or I hope you were shocked by your introduction to regional cooperation in the last month's TPO meeting. I guess you realized now that the finance cooperation is what Norfolk wants, the Port Authority wants it, that regional cooperation. Anything else is probably subversion. It was your first meeting, I was extremely disappointed that the rest of the Peninsula Mayors and Chairs, no one spoke up when Delegate Oder was talking about the Hampton Roads Bridge Tunnel Study and he was hit from all sides from the southside people and no one from the Peninsula spoke up. We have got nothing out of this organization from the time we have been in it people. The Peninsula gets nothing from the Planning District Commission other than our taxes are taken. It is high time that the Peninsula Mayors and Chairs, start representing our constituents and speaking up at this meeting, that is why you are here, that is why you have been elected. Thank you very much.

Mayor Krasnoff arrives

Ellis W. James

Thank you Mr. Chairman, members of the Commission. The coal fired plant is a very bad idea, and I noted with interest in the Wall Street Journal, I believe it was yesterday or the day before, that Massey is actually considering possibly selling their interest in the coal fields. That was a shocker to me, but you already have heard about the environmental reasons that we should not move forward with this, I would like to address something that leaves me wondering. I have a great deal of respect for this group and staff, and I noted in the review of the TMDL issues that there was great concern about the modeling and so on. I have no problem with making sure that the modeling is correct. I want to be sure that the Hampton Roads Planning District

Commission does not in any way reach the point where you would consider not moving forward because you are upset with EPA. It is extremely important that we continue the progress to clean up the Bay. One last item, quick example, we have just had the glowing reports from Money Point and Paradise Creek. Perfect example of how we can solve some of the problems of pollution and pollution in the Chesapeake Bay and I think it is incumbent upon this organization because we live here, right in the heart of the problem area. We need to make sure that we move forward on cleaning up the Bay and not abandon it because of some other aspects of it politically. Thank You.

Eileen Levandoski

Thank you. My name is Eileen Levandoski I am the Virginia Conservation Program Manager for the Sierra Club. Later today you will hear a presentation on the Old Dominion Electric Cooperative Coal Plant and its potential implication on Hampton Roads nonattainment air quality. As you are waiting those implications, I want to quickly remind you of the tremendous opportunities we have ahead of us. The Commonwealth already operates at a competitive disadvantage to our east coast states, as we do not right now have a mandatory renewal portfolio standard. The last thing we want to do is further jeopardize our competitiveness by further imposing, by imposing further regulatory hoops due to our nonattainment air quality standards. Exciting times lay ahead, opportunity is definitely knocking. We have Terry McCauliffe expecting a decision about his green energy proposal for the Franklin Paper Mill due out this week. Green things are planned for the old Ford Plant. Google and Transelect are proposing an off-shore electric grid that will tie into Hampton Roads. Northrup Grumman is partnering to do research and development for offshore and onshore wind turbines in Hampton Roads. And as Virginia Beach Mayor Sessoms likes to often point out, over 10,000 direct and indirect jobs are ours for the taking with offshore wind energy development. These are the business and jobs opportunities awarded to Hampton Roads that are clean and sustainable. Let's keep it this way. Thank You.

Stephen R. Romine

Good Morning, Chairman Goodson and members of the HRPDC my name is Stephen Romine I am here on behalf of the Old Dominion Electric Cooperative. We appreciate the opportunity to be here. I have with me Dave Hudgins who is the Director of External Relations as well. Old Dominion Electric Cooperative is a not-for-profit power company with over one million customers throughout the Commonwealth. We have briefed the HRPDC staff on the Cypress Creek Power Station in Surry County. You have a handout in your package. Let me just state this plant will be a state-of-the-art, it will include state-of-the-art technology and will address in the cost of over \$1.3 billion on pollution controls. Reliable power supply is critical to the future prosperity of Virginia and economic development in general. Cypress Creek has been extended for two years and the permitting is on hold. It will likely come on line in 2022. Over 50 permits are going to be required for that plant to be operational and those permits will address the environmental issues, some of which you have heard about today. This forum does not provide an opportunity to debate those issues, but we are happy and glad to answer questions you might have and also meet individually with those that might have concerns about the plant. I also have David Hudgins here who would like to make comments as well. Thank you Chairman.

David Hudgins

Good morning sir, David Hudgins, Old Dominion Electric Cooperative. I only have three minutes and so what I am going to do is literally offer to answer any questions that you can come up in the next hour or two and address any direct concerns. At the end of day being pushed back to 2022 there will be plenty of opportunity, years of opportunities that you will have to with these issues. But at the end of the process after spending \$1.3 billion in pollution control, it will be the most state-of-the-art, advanced, super critical, polarized coal plant in the United States. No short cuts; we will meet all the requirements and we look forward to working with the Hampton Roads area to provide the power supply that the Department of Mines, Minerals and Energy just released last week that we are about 7,200 megawatts short in the Commonwealth of Virginia by 2020 and how do we intend to reach those. We believe you will need it all with off shore wind and on shore wind if we but landfills gases in our projects and portfolio we got three wind projects and we are looking for more, but at the end of the day we base load to run twenty-four, seven. Thank you.

Chairman Goodson stated this concludes our public comment session.

EMPLOYEE RECOGNITIONS

Mr. Farmer recognized the service and dedication of the staff who reached milestones in years of service with the HRPDC.

Five Years

Kathlene Grauberger, Administrative Assistant
Jennifer L. Tribo, Senior Water Resources Planner

Ten Years

Robert Lawrence, Senior Regional Emergency Management Planner
Brian Miller, Communication Designer

Chairman Goodson asked for a motion to accept the agenda. A motion was made to approve the agenda.

CONSENT AGENDA

The Consent Agenda contained the following items:

Minutes of September 15, 2010

Minutes of September 22, 2010 Special Meeting

Treasurer's Report

Regional Reviews

A. PNRS Items Review

Regional Approach to Increasing Food Waste Composting and C&D Debris Recovery in the Mid-Atlantic States

B. Environmental Impact Assessment/Statement Review

Patrick Henry Place Apartments; U.S. Department of Housing and Urban Development; Newport News

Regional Stormwater Cooperation Summary Report

FY 09-10 Annual Report to Department of Housing and Community Development

Legislation – FY 2011 Funding for Partnership for Sustainable Communities and Livable Communities Act

Commissioner Kearney Moved to approve the Consent Agenda; seconded by Commissioner Hayes. The Motion Carried.

HRPDC FY 2010 Audit

Chairman Goodson asked Mr. McReynolds to present the Audit Report.

Mr. McReynolds stated the Personnel and Budget Committee met earlier that morning. Mr. Donald Britt from Goodman and Company presented a report from the audit. The committee reviewed the annual financial statement in detail and recommended that the audit report be accepted. The report was found to be clean. Mr. McReynolds stated Mr. Britt was here along with Nancy Collins who handled the preparation of the financial statement. Mr. McReynolds indicated the staff should be commended for another excellent job.

Commissioner Sessoms Moved to approve the financial statements and audit report; seconded by Commissioner Psimas. The Motion Carried.

Commissioner Fraim arrives.

Chesapeake Bay TMDL and Virginia Watershed Implementation

Mr. Goodson introduced Ms. Whitney Katchmark to present the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

Ms. Katchmark stated that, at the September 15, 2010 meeting, the Commissioners recommended drafting comments on the Chesapeake Bay TMDL. The HRPDC has two sets of comments, one for EPA and one for the Virginia Watershed Implementation Plan. Ms. Katchmark indicated she would be focusing on two issues the cost and the impacts to the TMDL. Ms. Katchmark indicated the Bay cleanup would cost up to \$1,400 per household per year. The required stormwater treatment is challenging because the region has 15 years to plan and construct \$3 - \$9 billion dollars of stormwater infrastructure. The stormwater reductions are going to be enforced with the MS4 permits, and if the localities

do not meet the milestones, they will face fines and enforcement actions. HRPDC needs to figure out how do this cheaper.

Ms. Katchmark stated the two issues today are the additional nutrient reductions in the James River Watershed that EPA is proposing and the allocations for the agricultural stormwater and wastewater sectors that Virginia proposed. Ms. Katchmark indicated Virginia proposed to get the cost to about \$9 billion and we will meet water quality standard 96% of the time. EPA is asking Hampton Roads to meet water quality standards 99% of the time for \$11 billion more than double the cost. Ms. Katchmark indicated the concern today is the difference in the water quality standard is about one micrograms per liter. The test to check the water quality standards is only accurate to one to four micrograms per liter, so Hampton Roads could spend \$11 billion and not be able to confirm that it made a difference in water quality.

Ms. Katchmark stated Virginia included in its proposal a 74% reduction in the phosphorus loads in stormwater. That put most of the burden to do nutrient reductions on the localities because they have to treat a lot of stormwater, which is expensive, or find trading partners in the agricultural or wastewater sectors. EPA viewed Virginia's Plan and did not think it was viable. EPA proposed back stops which are implementation policies that EPA will put in place if Virginia's plan does not conform with what EPA think is workable.

Ms. Katchmark indicated the EPA back stop is the worst case scenario for stormwater because to make major nutrient reductions we do not have a trading program. The detailed cost estimate to meet EPA back stops requires treatment of 65% of the urban land, and local stormwater staff in Hampton Roads think it is feasible for 19% because the treatment processes are based on diverting the stormwater to soil slowly seeping through and removing the nutrients, but our water table is high and the types of soils we have are not going to be viable everywhere. Ms. Katchmark stated the 19% is BMP cost and the remaining is in nutrient reductions, collecting the stormwater, storing it and reusing it. The total cost to meet the back stop is about \$680 million a year. In order to do BMP treatment the cost is about a \$100 million a year. The storage and reuse is expensive so we would need to do as much BMP treatment, but it may not be possible to do 65%.

Ms. Katchmark stated the numbers look high, but they may be lower than actual for two reasons: 1) the localities will have to install BMPS on private property, and in order to install BMPs land must be condemned and easements negotiate to continue maintenance on BMPs; 2) locality owned land is encumbered with utilities like water and electric lines and more private property must be condemned because it is expensive to install treatment. If EPA and Virginia could reach a compromise, it is possible that we can meet the nutrient reduction for less money. The cost of removing a pound of phosphorus is \$100 - \$200 for a wastewater treatment plant in comparison to stormwater for about \$15,000 per pound. HRPDC wants to encourage the state to come up with a cost effective allocation, such as maximizing the agricultural reductions, limiting the stormwater to 19% of the land and wastewater could make up the remaining reductions. If this was implemented, we would save roughly \$7 billion in the James River Watershed. Virginia needs to create reasonable

sector allocations and come up with a nutrient trading program that the EPA will buy off on.

HRPDC staff recommends working toward the tributary strategies that Virginia proposed to make progress in cleaning up the Bay. Give EPA the time to validate its model and study its standards in order to have the best information to make these decisions. The comments to Virginia are to ask the state to divide the burden between the sectors and not make the stormwater program accountable for implementing reductions across the sectors. A well thought-out nutrient trading program is needed that allows for cost effective cleanup of the Bay, and Virginia needs to identify the policies and funding to convince EPA its proposal will work.

HRPDC staff recommends the Commission authorize these comments be submitted to EPA and Virginia on behalf of the localities. The region has 45 days to review the material. A letter will be sent to the Commissioners on October 29. If localities are developing their own letters they will have the necessary information a week before the final deadline.

Commissioner Shepperd point out the annual cost for York County for over 14 years with 65,000 people would be \$42 million a year to implement the plan, Virginia Beach, with about 435,000, people the cost is one-third of the total amount. Hampton is a little less than half. This is not realistic. Mr. Shepperd stated we did not get like this in 14 years. This happened over a century; it will take a while to correct. This would bankrupt York County.

Ms. Katchmark indicated the cost is based on the amount of impervious land in the Chesapeake Watershed. Most of Virginia Beach is not in the Chesapeake Watershed the water goes south instead of to the Bay. That is why Virginia Beach's numbers are lower. It is based on land area.

Commissioner Shepperd indicated 40% of York County is wooded because of state lands and parks. He recommended the localities pay attention to the numbers on the cost and the budget. The region needs to make a strong statement that it supports cleaning up the Bay, but to do it in a manner that does not bankrupt a region.

Chairman Goodson stated he would take that as motion to approve the recommended actions.

Commissioner Clark stated he had one concern. When crossing Interstate 81, the James River Watershed goes up west past Interstate 81 and it looks like the industrial and residential areas as opposed to all the nutrient loads, and the phosphorus that comes from the far western region through agricultural uses, how are they able to differentiate how much Hampton Roads is doing versus what flows east from points west.

Ms. Katchmark stated that the Chesapeake model tries to model all of that information and some of the comments are that the HRPDC does not think the model is accurate and that we have not had time to review the latest version. The model was updated within the last few months and the information is not easy to check.

Mr. Clark stated that he does not know anyone who goes and buys five pounds of phosphorus to put on their yard. Mr. Clark asked Ms. Katchmark to come back to the Commission on a future date with more information.

Chairman Goodson stated the Commissioners should have received an e-mail yesterday on this subject. Chairman Goodson stated he forwarded a copy to his board members and suggested the Commissioners should also do the same to bring awareness of this issue to as many people as possible.

Chairman Goodson stated the motion was to approve giving these comments and to writing a letter to the Commonwealth on the comments to the EPA

Commissioner Helsel seconded the motion. The motion carried.

Ms. Henley stated the comment period is before the next meeting and to please clarify what will be occurring between now and then with each of our localities so that we can get the right information to we know we are cleaning up the bay in a practical manner.

Ms. Katchmark indicated the HRPDC can provide additional information. It is working with local staff about gathering the cost estimates and checking actual impervious areas. HRPDC will provide a complete set of comments a week before the final due date to each of the localities.

Medical Special Needs Registry

Chairman Goodson stated the Mr. Flannery would present the Medical Special Need Registry.

Mr. Flannery stated in every report related to hurricane Katrina and hurricane Isabel one of the issues that always arose as a need for improvement was better planning for special needs populations. In 2007, the Regional Emergency Management Technical Advisory Committee applied for and received a UASI grant to develop a project to help identify special needs populations in Hampton Roads, and the development of this project is now completed.

Mr. Flannery indicated one of the things they are focusing on is the functional areas of special needs such as communication, transportation and medical care. Two different groups were identified, one is medical special needs, and the second group of special needs are those that have social needs at risk.

REMTAC created a Special Needs Subcommittee to help find out what needs to be done to identify and plan for the special needs population. There are other groups that work with the special Needs Subcommittee to ensure all initiatives are synergistic and the work is not duplicated. The subcommittee has been successful in working with different groups to ensure there is no duplication of efforts and it is done regionally in a combined effort.

Work continues on how to identify special needs populations in Hampton Roads. The first group we are focusing on is the medical special needs group; then we will work toward social need. A database website for a medical special needs registry was created. The registry will be provided to individuals with special needs or their caregivers that will go to HRPDC Special Needs Planner and be forwarded into a system call WebEOC, which is a Web Emergency Operations Center, and the Emergency Planer in each locality will have the ability to see who is in their communities and what their needs are.

Mr. Flannery indicated as part of this initiative, the staff are doing public outreach which included training in Hampton Roads, working with disability special events, seminars and conferences, as well as committees throughout Hampton Roads. There are products developed to help with public outreach.

Mr. Flannery stated there will be an open house for the special needs registry on October 28, 2010 and invitations were sent to stakeholders, providers, advocates for special needs, communities and medical special needs communities.

Mr. Flannery's recommendation is to accept the briefing and allow this initiative to continue to move forward to support emergency planning.

Chairman Goodson asked for questions.

Ms. Henley stated she was working with a group in southern Virginia Beach and they have been trying for over a year to prepare a disaster preparedness plan and have not found anyone that can help. Ms. Henley stated the word is not getting out; they have tried to work with everybody from emergency people and the Red Cross. If there is a major disaster and things are not done right, we will be highly criticized.

Chairman Goodson asked for a motion to accept the briefing and continue with the program.

Motion by Mayor Krasnoff Moved to accept the briefing; seconded by Commissioner Seward. The Motion carried.

Old Dominion Electric Cooperative Power Plant – Status Report

Chairman Goodson introduced Mr. John Carlock to present the Old Dominion Electric Cooperative Power Plant.

Mr. Seward stated he would like to make a couple of comments before Mr. Carlock's presentation.

Mr. Seward stated his comments are not whether the power plant is the right thing for the region. It is geared toward regionalism and how we are supposed to work together for things that are affecting our region. Surry County has been here for quite a few years. When you get an agenda and the City of Virginia Beach has requested the HRPDC staff to provide an update on a project that is big for Surry. This is a huge economic project for

Surry County and we did not receive a phone call from the City of Virginia Beach or HRPDC staff. It is demeaning and it does not speak well for regional cooperation. I have been a member of the Commission for three years, and a few minutes ago you did not recognize I was a member of the Commission. Mr. Seward stated during the outlying landing field project, he remembered sitting at the table with the former Mayor of Virginia Beach, and she was sending someone to talk to the people in the area about that project and he was sitting at the table and no one spoke. It is hard to feel a part of the organization without the courtesy of a phone call when this is big to Surry and it is treated like an outsider.

Chairman Goodson thanked Mr. Seward.

Mr. Carlock stated that he would like to talk about where the project stands at this point and staff recommendations on how to move forward as a region. The three localities immediately affected are Surry, the Town of Dendron, and Sussex County. All have approved the zoning, the conditional use permits for the project and can now move forward with the various permits. The application for both the maximum achievable control technology application and the prevention of significant deterioration air permit have been withdrawn at this point pending further work on the part of ODEC and improvement in the state of the economy. The air permits are on hold and the application will go forward at some point in the future.

Mr. Carlock indicated in reviewing DEQ, VMRC and the Corps websites and talking with staff of various agencies there are no water permits pending and this information is a reflection of the fact that the air permits are the lead item and the most critical piece of the ODEC effort. As for Solid waste a permit for a proposed landfill would be on site to manage the ash and other residuals from the plant and there is no active permit on that side. The Corps has started the Environmental Impact Statement process. There was a scoping meeting and a kick-off meeting in February.

Mr. Carlock indicated a critical piece of this will be to evaluate the impact. The latest design and information you have heard was based on the design that was part of the permit application that was submitted earlier and now have been withdrawn. As the process moves forward, and working with DEQ, there will be changes to the design and to the potential air quality impacts.

Mr. Carlock indicated the HRPDC staff is recommending it monitor activities related to the Cypress Creek Power Station and work with ODEC and various environmental organizations, the counties, Corps of Engineers and the state regulatory agencies. At an appropriate time HRPDC will have all the best information and will come back to the Commission with a status report and continue the dialogue.

Chairman Goodson stated in response to Mr. Seward's concerns, he had been approached on a number of occasions by advocacy groups on both sides of the issue asking to make a presentation before the Commission. Chairman Goodson stated he has been resistant because he did not feel that the Commission is the proper forum to have advocates. He suggested to those groups to talk to HRPDC staff and they could come before the

Commission and give an update on the information without a partisan type of discussion of the pros and cons of the project. Chairman Goodson indicated Surry was not notified in advance because it was in the package but he should have had more discussion with Surry

Mr. Clark stated regionalism is a two way street. Before we vote on this item Mr. Clark stated Surry did not ask for Isle of Wight input, it asked for Virginia Beach and Chesapeake input.

Mr. Seward stated in order for the process to get started the Board would have to take the Commission actions.

Chairman Goodson stated he will reach out to the Commission and ask is there a consensus and for the Commission to weigh in on the subject at this time.

Mr. Farmer stated the HRPDC staff has a standing request with Mr. Ballou of the Department of Environmental Quality that once they have sufficient information to render a technical opinion about the impact, he will come to the Commission with a presentation. Mr. Ballou has indicated he does not yet have sufficient information to render a technical opinion.

Mr. Goodson stated we will move forward with continuing to give information and monitoring the situation. If a member of the Commission wants to bring this up they are welcome at any of the meetings.

Mr. Kearney stated perhaps Mr. Farmer should sit down with Surry and find out their concerns and open the line of communication. Mr. Kearney indicated he understands Mr. Clark's position about how we are neighbors and how it is going to affect usable. Perhaps Surry should have a special meeting with HRPDC staff to make sure their position and concerns are included in any development.

The Regional Building – Evaluation of Options

Chairman Goodson stated for the benefit of those who are not familiar with the history of this building, it is owned jointly by the HRPDC and SPSA. HRPDC and SPSA own their offices and jointly they own the meeting room. SPSA has indicated to us that they have space they do not need, and by the terms of the agreement between the two bodies, either party can notify the other and give a right of first refusal to either buy them out or to offer a sublease. No official notice has taken place; SPSA has indicated they will need to do something in the near future. A group of Commissioners has been doing some initial discussions on how to proceed with this.

Mr. Farmer stated we are working directly with Mr. Taylor and Deborah Stearns in terms of evaluation and the HRPDC options. SPSA is pursuing doing something in the near term. As Mr. Goodson stated they have an obligation to notify HRPDC of their decision and we will come back with the options and what the costs would be and what HRPDC staff preferences are.

Chairman Goodson stated this was informational only.

Nominating Committee Report/Election of Officers

Chairman Goodson introduced Mr. Shepperd to report on the Nominating Committee recommendations.

Mr. Shepperd stated in accordance with the bylaws of the Commission, the Nominating Committee put forward the following names: Chairman, Stan D. Clark, Isle of Wight; Vice Chairman, Thomas G. Shepperd, York County; Treasurer, James O. McReynolds, York County; Secretary, Dwight L. Farmer, HRPDC.

Chairman Goodson asked for a Motion for the slate of officers.

Commissioner Shepperd Moved to accept the slate of officers; seconded by Mayor Fraim. The Motion carried.

Project Status Report

Chairman Goodson stated there are some informational items and an award and ask Mr. Farmer to explain.

Mr. Farmer stated Item A is a housing award for Ms. Bethea for her outstanding work for the region and the organization, and for her performance and commitment.

For Your Information

Chairman Goodson stated this agenda item does not require any action.

Chairman Goodson indicated that he wanted to thank the Commission for all the cooperation over the last couple of years. He indicated there were some challenges with the reorganization of the TPO and some other items and he appreciated the participation and the support.

Mayor Fraim thanked Mr. Goodson for his leadership and getting the Commission through some tough issues.

Adjournment

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:33 a.m.

Dwight L. Farmer
Executive Director/Secretary

Stan D. Clark
Chairman