

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING

September 19, 2013

1. Call to Order
2. Resolution of Appreciation
3. Approval/Modification of Agenda

WORKSHOP AGENDA

4. HRPDC External Communications Policy
5. FY 2012-2013 Annual Report to Department of Housing and Community Development
6. Water/Wastewater Utility Rate Structure Report
7. Regional Sewer Consolidation Study

REGULAR AGENDA

8. Submitted Public Comments
9. Public Comment
10. Approval of Consent Items
 - A. Minutes of July 18, 2013 Meeting
 - B. Treasurer's Report
 - C. Regional Reviews – Monthly Status Report
 1. PNRS Reviews
 2. Environmental Impact Assessment/Statement Review
 - D. askHRgreen.org Annual Report – Final Report
 - E. Water/Wastewater Utility Rate Structure Report
 - F. Comments on Building Code Revisions, Rainwater Non-Potable Water Systems
 - G. HRPDC External Communications Policy
 - H. FY 2012-2013 Annual Report to Department of Housing and Community Development
 - I. Stormwater Regional Cooperation Summary Report
 - J. Memorandum of Understanding with Hampton Roads Military and Federal Facilities Alliance (HRMFFA)
 - K. Resolution for Day of Service
11. HRPDC Three-Month Tentative Schedule
12. Project Status Reports and Advisory Committee Summaries
13. Correspondence of Interest
14. For Your Information
15. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #1: CALL TO ORDER

The meeting will be called to order by the Chair at 9:30 a.m.

ITEM#2: RESOLUTION OF APPRECIATION

The Chairman will present a resolution of appreciation to Commissioner W. Douglas Caskey for his contributions to the Hampton Roads Planning District Commission.

ITEM #3: APPROVAL/MODIFICATION OF AGENDA

Members are provided an opportunity to add or delete items from the agenda. Any item for which a member desires consideration from the Hampton Roads Planning District Commission should be submitted at this time, as opposed to under “Old/New Business.”

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #4: HRPDC EXTERNAL COMMUNICATIONS POLICY

SUBJECT:

Proposed policy for external communications for the HRPDC staff.

BACKGROUND:

The HRPDC staff has had a series of limited and informal policies on communications with the media, including internet usage, blogging and other types of social media. The Freedom of Information Act (FOIA) requirements were compiled in a separate document and in an effort to create a comprehensive document on all types of external communications, the attached policy was drafted to consolidate various written and unwritten policies. The new policy also expands on the personal use of media during and outside of working hours.

The proposed policy has been extensively reviewed internally and by Ms. Susan Blackman of Willcox and Savage PC. This policy is designed to serve as a stand-alone document for communications policies and as an attachment for the Personnel Manual.

Mr. Randy Keaton, HRPDC Deputy Executive Director will provide a brief overview to the Commission.

Attachment 4

Note: This item will be presented for action under Agenda Item #10-G.

HRPDC/HRTPO

External Communications Policy

September/2013

Policy outlining the guidelines for the use of HRPDC/HRTPO personnel in communicating with media outlets and with social networking.

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PURPOSE

The Hampton Roads Planning District Commission and Hampton Roads Transportation Planning Organization (HRPDC/HRTPO) seek to inform their localities, agencies, and residents by engaging in pro-active and interactive communications. HRPDC/HRTPO's External Communications Policy recognizes that the most effective and quickest methods to communicate agency policies and activities to the public is by working in partnership with the traditional news media, while also directly communicating with constituents through digital media platforms, such as the website and third party social media applications. HRPDC/HRTPO have an overriding interest and expectation in deciding what is "spoken" on their behalf to the media/general public and on social media sites, therefore, it is important that all agency communication tools be used in ways that provide clear communication, maximize transparency, maintain the security of the network, and are appropriately professional.

This policy establishes guidelines for the establishment and use by the agencies and their employees of communicating with media outlets/general public and for the use of social media sites as a means of conveying significant information to their localities.

1. The term "**media**" refers to all individuals and organizations who maintain print, broadcast, or digital communication vehicles for public consumption. This definition includes:
 - Newspapers
 - Magazines
 - Television
 - Digital news sites
 - Websites
 - Enewsletters
 - other vehicles

2. The term "**social media**" is understood to be content created by individuals, using accessible, expandable, and upgradeable publishing technologies, through and on the Internet. Examples of social media include:
 - Facebook
 - Blogs
 - MySpace
 - RSS
 - YouTube
 - Twitter
 - LinkedIn
 - Flickr
 - Pinterest
 - Other social networking sites

COMMUNICATING WITH MEDIA OUTLETS AND GENERAL PUBLIC

Routine Media/Public Request

A routine request for information from HRPDC/HRTPO is one that seeks basic facts. Calls or visits from the media/public should always be referred immediately to the appropriate Deputy Executive Director or appropriate Principal if the Deputy Executive Director is not available. The Deputy Executive Director or Principal will determine if the information requested is routine or non-routine and necessitates collaboration with the Executive Director. The Deputy Executive Director or Principal will notify the Executive Director of any media request even if it is a routine request. All staff may communicate basic and routine information that is readily available to the public and is in relation to their specific responsibilities.

Examples include:

- seeking general information about HRPDC/HRTPO programs or projects;
- seeking general information about services offered;
- or other requests seeking information that is readily available and non-controversial.

Non-routine Media/Public Request

A non-routine request may be of a sensitive or controversial nature and include responses that require the interpretation of policy, employee records, and public record requests for detailed records, legal action, or emergency situations. These types of issues often become headlines in the media and have the ability to become viral online. This provision provides the framework for the HRPDC/HRTPO's Executive Director to respond appropriately and as soon as possible to these issues. HRPDC/HRTPO staff shall notify the Executive Director or Deputy Executive Director if the Executive Director is not available immediately when a sensitive or controversial issue pertaining to operations of a department is identified, or when an emergency situation occurs (i.e. those that will have an impact on a large number of residents could potentially generate great media interest and those that involve high-profile individuals or departments). HRPDC/HRTPO staff should not wait until there is media interest before contacting the Executive Director. Immediate notification is critical in order for the Executive Director to prepare for, and to respond to, media inquiries.

Sensitive or Controversial Issues may include, but are not limited to:

- Issues that may affect the HRPDC/HRTPO's public image or citizen confidence.
- Personnel issue regarding any employee, such as performance evaluation, reasons for termination, reasons for not hiring, or harassment claims.
- Legal claims or lawsuits filed against HRPDC/HRTPO or any of its employees or agents.

Sensitive and controversial issues of interest to the media may be best assessed by asking the following:

- Is the issue a threat, existing or potential, to life, health or property?
- Could the issue likely be interpreted to negatively affect public confidence in/or opinion of HRPDC/HRTPO?
- Is the issue of particular interest to the general public?
- Are there legal ramifications, existing or potential, raised by the issue?
- Has more than one member of the media inquired about the same issue?
- Has someone threatened to go to the media about the issue?
- Is there unusual or inappropriate interest by a person or small group of people about a seemingly routine issue?

HRPDC/HRTPO Spokespersons

Inquiries from media outlets are given a high priority by HRPDC/HRTPO and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate. For commission wide inquiries, the spokesperson will most often be the Executive Director or Deputy Executive Directors. For department-related (routine) issues, the spokesperson will most often be the respective Principal. The Executive Director will be the spokesperson for all sensitive or controversial issues relating to the agencies and their respective departments.

Unless otherwise authorized, the HRPDC/HRTPO's spokespersons are:

- Executive Director
- Deputy Executive Director
- Principals (routine issues)
 - *Exceptions regarding departmental spokespersons may be made at the discretion of the Principal.*

HRPDC/HRTPO-Initiated Communications

Proactive media contact is sometimes initiated as a means of notifying the public of important information or upcoming events. This may be through news releases, media advisories, news briefings, news conferences, personal contacts with reporters, etc. Principals will work with the PICA Department or the Public Involvement & Title VI Administrator for scheduling media events and/or submission of media releases/advisories. All proposed communications shall be reviewed and approved by the appropriate Deputy Executive Director and Executive Director before release.

SOCIAL MEDIA

HRPDC/HRTPO Websites

- a. The authorized website of HRPDC is www.hrpdcva.gov. The authorized website of HRTPO is www.hrtpo.org. The websites are to be used as communications, awareness building, and image enhancement tools for the agencies, as well as an online portal for agencies' services. All departments should utilize the websites as an effective means to communicate with residents and targeted groups, including community leaders and organizations, local and potential businesses, current and potential residents, and employees. The websites should showcase HRPDC/HRTPO accomplishments, educate the community about the role of HRPDC/HRTPO as they relate to local jurisdictions and the community at large, and encourage the public's participation in the agencies' work, as well as serve as a resource for regional data.
- b. The websites are coordinated by the HRPDC/HRTPO Public Communications Departments. Requests for web design work for completely new web sections and related content for posting on the agencies' website will be routed through the Public Communications Departments.
- c. Departments are responsible for monitoring their respective areas on a monthly basis to ensure accurate and timely information. Each department will provide the Public Communications Departments with one contact, who will be responsible for the department's web content. Website submissions should meet the goals and expectations of the HRPDC/HRTPO as a whole.
- d. Content should fall within the parameters of agency policies and state and federal law, including copyright laws.
- e. Departments may not develop separate sites with separate web addresses (URLs) without written authorization from the Executive Director.
- f. Links to other websites are limited to government or public agencies; local organizations that receive HRPDC/HRTPO funding; or non-profit websites that have a formal, distinct and project-specific relationship with HRPDC or HRTPO.

Social Networking

- a. Official sites for HRPDC/HRTPO through social media and other digital applications carry the same weight as the agencies' official websites and must be treated with the same respect. Emerging online collaboration platforms are fundamentally changing the way local government is able to work and engage with citizens and community partners. Social networking can improve interactivity between government agencies and the public, and often reaches new and different populations from traditional media.
- b. Before a site is created a Department Principal shall contact the appropriate Deputy Executive Director to discuss the need for the creation of a site(s) such as Facebook, YouTube, Twitter, MySpace, Blogs, etc. The Principal must provide a business case for the need and for a social networking application. All sites must receive final approval from the Executive Director.
- c. Pages should be set up as the organization's page, not as an individual. The HRPDC/HRTPO Public Communications Departments will be notified of the creation of any HRPDC/HRPTO social networking site.
- d. One department employee should 'own' authority of the site. He/she should check it multiple times each day. No photos, video or documents will be posted to the site without approval of the Principal.
- e. When working in an official capacity while online, employees are still representing HRPDC/HRTPO and must abide by our standards of ethical conduct. Set forth below are several general areas of concern.
 - Do not say anything online that you would not say verbally in your official capacity.
 - Do not misuse your position for your own gain or to help others inappropriately.
 - Do not endorse any product, service, company, non-profit organization or any other enterprise
 - Do not divulge non-public information. This includes any information designated as confidential, privileged, or any other type of information that may not be disclosed, even if someone else asks you for it.
 - Do not engage in any partisan political activity.
 - Do not fundraise for any charitable organization.
- f. Where possible, social media pages shall clearly indicate they are maintained by the specific Commission department and shall have the department contact information prominently displayed.
- g. Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the relevant department or HRPDC/HRTPO.
- h. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to restrict or remove:
 - Profane, obscene or pornographic language or content or links to such language or content;
 - Solicitation of commerce, including but not limited to advertising of any business or product or sale;
 - Comments in support of, or in opposition to, any political campaigns or ballot measures;
 - Conduct or encouragement of illegal activity;
 - Defamatory or personal attacks;
 - Threats to any person or organization;
 - Conduct that violates any federal, state or local law;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, creed, sex, age national origin or ancestry, physical or mental disability, veteran

status, parentage, marital status, medical condition, sexual identity, sexual orientation as well as any other category protected by federal, state or local laws.

- Comments on topics or issues not within the jurisdictional purview of HRPDC/HRTPO.
- i. Contact generated from unknown bloggers or other editors of social media sites or digital news sites should be directed immediately to the department Principal who will evaluate the media outlet and determine an appropriate response. The best response is to ask what information they need, and then tell them you will gather the information and call them back.
- j. HRPDC/HRTPO reserve the right to restrict or remove any content that is deemed to be in violation of this communications policy or any applicable law.
- k. HRPDC/HRTPO reserve the right to deny access to any department social media site for any individual who violates the HRPDC/HRTPO External Communications Policy, at any time and, without prior notice.
- l. If comments are positive or negative and in the context to the topic at hand, the content should be allowed to remain, regardless of whether it is favorable or unfavorable to HRPDC/HRTPO and/or its' respective departments.
- m. Like e-mail, communication via agency-related social networking sites is a public record. This means that both the posts of the Principal and any feedback by other employees or non-employees, including citizens, will become part of the public record. Because others might not be aware of the public records law, agencies should include the following statement (or some version of it) somewhere on the social networking site: *"Representatives of Hampton Roads Planning District Commission/Hampton Roads Transportation Planning Organization communicate via this Web site. Consequently any communication via this site (whether by a Commission employee or the general public) may be subject to monitoring and disclosure to third parties, including law enforcement."*
- n. No confidential information shall be posted/transmitted. This includes the prohibiting of posting and/or transmitting of photographs or videos related to department training, activities, or work-related assignments without express written permission from the Department Principal.
- o. The Executive Director has the authority to terminate social media accounts and pages.

RECORDS MANAGEMENT AND PRESERVATION

1. In the spirit of transparency, account administrators who receive messages through the private message service offered by the social media site shall direct the user to contact them at a public e-mail address maintained by their department. Alternatively, account administrators could reply to the inquiry using their HRPDC/HRTPO e-mail account. Departments should set all privacy settings to moderate. Again, comments expressing an opposing view point must be allowed. Departments should only remove comments that are spam, comments that would not be acceptable in a public forum such as a public hearing, or comments which fall into the categories of removable content listed above.

2. All comments or posts made to HRPDC/HRTPO department account walls or pages are public, not private, and are considered a public record under Code of Virginia 2.2-3704 and will be managed as such.

3. HRPDC/HRTPO must assume responsibility for public records and comply with the retention period set forth in their approved retention and disposition schedule. HRPDC must assign their own schedule of collection and disposal for social networking sites according to the administrative value of the record and permanently retain records with historical value.

Freedom of Information Act

The Freedom of Information Act, also known as (FOIA), is a federal statute that provides the public with the right to request access to records in the possession of government agencies. FOIA establishes a presumption that records are accessible to the people, except for those records protected from disclosure by any of the nine [exemptions contained in the law](#) or by one of three special law enforcement record exclusions. FOIA does not grant an absolute right to examine documents; FOIA establishes the right to request records and to receive a response to the request. If a record cannot be released, the requestor is entitled to be told the reason for the denial. The requester also has a right to appeal the denial and, if necessary, to challenge it in court.

The Rights of Requesters and the Responsibilities of HRPDC/ HRTPO under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to [public records](#) held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

FOIA Rights

- Citizens have the right to request to inspect or receive copies of public records, or both.
- Citizens have the right to request that any charges for the requested records be estimated in advance.
- If citizens believe that their FOIA rights have been violated, they may file a petition in district or circuit court to compel compliance with FOIA.

Making a Request from HRPDC/HRTPO

- Citizens may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that their request be in writing, nor do they need to specifically state that they are requesting records under FOIA. From a practical perspective, it may be helpful to both them and the person receiving their request to put their request in writing. This allows them to create a record of their request. It also gives us a clear statement of what records they are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to their FOIA request if they elect to not put it in writing.
- Their request must identify the records they are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records they are requesting; instead, it requires that they be specific enough so we can identify and locate the records they are seeking.
- Their request must ask for existing records or documents. FOIA gives them a right to inspect or copy records; it does not [apply](#) to a situation where they are asking general questions about

the work of HRPDC/HRTPO, nor does it require HRPDC/HRTPO to create a record that does not exist.

- They may choose to receive [electronic records](#) in any format used by HRPDC/HRTPO in the regular course of business.
- For example, if they are requesting records maintained in an Excel database, they may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records
- If we have questions about their request, they should cooperate with staff's efforts to clarify the type of records they are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss their request with them to ensure that we understand what records they are seeking.

To request records from HRPDC/HRTPO, they may direct their request to the Executive Director. S/He can be reached at 723 Woodlake Drive, Chesapeake, VA 23320, 757-420-8300, 1-800-875-9788 (toll free), 1-800-390-2578 (TTY-toll free), 1-757-523-4881 (facsimile). They may also contact him/her with questions they have concerning requesting records from HRPDC/HRTPO. In addition, the Freedom of Information Advisory Council is available to answer any questions they may have about FOIA. The Council may be contacted by e-mail at foiacouncil@leg.state.va.us, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

HRPDC/HRTPO's Responsibilities in Responding to Requests

- HRPDC/HRTPO must respond to a request within five working days of receiving it. "Day One" is considered the day after a request is received. The five-day period does not include weekends or holidays.
- The reason behind a request for public records from HRPDC/HRTPO is irrelevant, and they do not have to state why they want the records before we respond to their request. FOIA does, however, allow HRPDC/HRTPO to ask them to provide their name and legal address.
- FOIA requires that HRPDC/HRTPO make one of the following responses to their request within the five-day time period:
 1. We provide them with the records that they have requested in their entirety.
 2. We withhold all of the records they have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send them a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
 3. We provide some of the records they have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide them with the remainder of the record. We must provide them with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
 4. We inform them in writing that the requested records cannot be found or do not exist (we do not have the records they want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to them.
 5. If it is practically impossible for HRPDC/HRTPO to respond to their request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to their request, giving us a total of **12** working days to respond to their request.

- If they make a request for a very large number of records, and we feel that we cannot provide the records to them within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to their request. However, FOIA requires that we make a reasonable effort to reach an agreement with them concerning the production of the records before we go to court to ask for more time.

Costs

- They may have to pay for the records they request from HRPDC/HRTPO. FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It cannot include general overhead costs.
- If we estimate that it will cost more than \$200 to respond to their request, we may require them to pay a deposit, not to exceed the amount of the estimate, before proceeding with their request. The five days that we have to respond to their request does not include the time between when we ask for a deposit and when we respond.
- They may request that we estimate in advance the charges for supplying the records that they have requested. This will allow them to know about any costs upfront, or give them the opportunity to modify their request in an attempt to lower the estimated costs.
- If they owe us money from a previous FOIA request that has remained unpaid for more than 30 days, HRPDC/HRTPO may require payment of the past-due bill before we will respond to their new FOIA request.

Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. HRPDC/HRTPO will withhold records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

PERSONAL USE OF MEDIA DURING WORKING HOURS

Broadcast/Print Media

- a. Letters to the Editor may not be prepared on agency time, printed on agency letterhead, mailed at agency expense or emailed from an agency email address.
- b. Responses or letters to the media shall not include the employee's official title or imply that comments are made on behalf of HRPDC/HRTPO. You should include a sentence stating that you are speaking as a private citizen. Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program unless the employee is officially representing HRPDC/HRTPO.

PERSONAL USE OF MEDIA OUTSIDE OF WORKING HOURS

Social Media

- a. As a citizen, as well as an employee, you can, of course, use social media in all the same ways as anyone else outside of work hours. It is important to recognize however, that what you publish on the Internet may reflect on your employer, HRPDC/HRTPO. Employees who use social media for personal purposes should be mindful of the HRPDC/HRTPO Personnel Manual: *"Any action by an employee that negatively reflects on or otherwise discredits HRPDC/HRTPO (through speech pursuant to official duties, or related to matters of personal interest), or which is a direct hindrance to effective performance of an employee or HRPDC/HRTPO, may result in disciplinary action"* Therefore, while HRPDC/HRTPO employees are free to express themselves as private citizens on social media sites; such communications should not impair working relationships, impede the performance of duties, impair discipline and harmony among coworkers, or unduly impede the performance and abilities of the HRPDC/HRTPO.
- b. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to HRPDC/HRTPO's prohibition on harassment and discrimination is strongly recommended in the personal use of social media. Employees who use social media for personal purposes should:
 - Use a disclaimer anywhere there may be uncertainty about the capacity in which they are acting. A disclaimer, such as: *"The postings on this site are my own and do not represent the views or opinions of my employer"* can help protect you;
 - Recognize that anything posted on the Internet is there for good. Even if you attempt to delete the post, photo, comment, etc., it is likely that it has been stored in any number of other places. Content posted to the Internet should be thought of as permanent;
 - Avoid sharing confidential or otherwise sensitive government material in a personal space. Try and keep your personal online presence and your work online presence separate;
 - Respect copyright and fair use;
 - Above all use common sense.
- c. For Individuals who hold senior positions, or who work in politically sensitive areas, a disclaimer does not by itself exempt them from special responsibility when posting online. By virtue of their position, these individuals should consider whether personal thoughts they publish may be misunderstood as expressing the positions or opinions of HRPDC/HRTPO. For individuals in positions like this, caution is especially advisable.

SECURITY GUIDELINES

1. From a security standpoint, social media users should be mindful of how to best prevent fraud or unauthorized access to either social media sites or the HRPDC/HRTPO network. In almost every case where an attacker accesses a system without authorization, they do so with the intent to cause harm. The harm intended may be mild, such as: making unofficial posts, tweets or messages—possibly of an embarrassing nature—that will be seen by the public as official messages, using the compromised site to spread malware, or encouraging users to either click links or download unwanted applications that the attacker has added to the site.
2. In general, users should show caution when interacting with external entities, those both known and unknown to the user. If at all in doubt of the legitimacy of any information sent to you, please avoid linking to external sites.
3. In order to prevent potential harm, users of social networking sites should minimize the amount of information an attacker is likely to gain from a successful attack. For example, individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized. For added security the following guidelines should be adhered to:
 - Follow agency password policy.
 - Refrain from adding, installing, attaching or linking to any additional external services or applications that may potentially grant or enable access to the content, information or posts within the Social Media account.
 - Use caution when accessing links received from External Entities.
 - Exercise caution when utilizing shortened links (links that have been shortened for ease of relaying the original link), as these may lead to a malicious site. Avoid clicking on shortened links. Consider requesting the link be re-sent in another form.
 - Be watchful for spoofed emails and/or website (seemingly official-looking communications that lead the user to a malicious website or attempt to solicit the user's personal or financial information). Consult the IT Manager regarding any security related matter.
 - If there is ever a breach of computer security that compromises personal information, you must contact the Executive Director immediately, as HRPDC/HRTPO may have a duty to notify the individuals whose information was compromised.

POLICY VIOLATIONS

Violation of the standards of this External Communications Policy may result in disciplinary action, up to and including dismissal, as determined by the Executive Director in accordance with the HRPDC/HRTPO Personnel Manual.

This Policy will not be applied in a manner that violates the legal rights of any party pursuant to applicable law.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #5: FY 2012-2013 ANNUAL REPORT TO DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SUBJECT:

The HRPDC staff has completed the FY 2012-2013 annual report as required by the Regional Cooperation Act.

BACKGROUND:

The Regional Cooperation Act requires that Planning District Commissions (PDC) report annually to the Department of Housing and Community Development (DHCD) and to the Commission on their activities. This report is a requirement of the annual contract between DHCD and the HRPDC and follows a format prescribed by DHCD. This report details the responsibilities of PDCs. A number of supporting materials – Budget, Work Program, Publications List and List of Commissioners – are included in the report.

Enclosed is the FY 2012-2013 Annual Report submitted on August 29, 2013. The HRPDC staff requests the Commission approve the report.

Randy Keaton, HRPDC Deputy Executive Director, will provide a brief overview of the report.

Enclosure

Note: This item will be presented for action under Agenda Item #10-H.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: WATER/WASTEWATER UTILITY RATE STRUCTURE REPORT

SUBJECT:

The HRPDC staff has completed a report on water and wastewater utility rate structures that addresses how declining water demands may impact utility finances.

BACKGROUND:

Water and wastewater utilities across the country are developing strategies to address:

- Uncertain or declining revenues
- Increasing costs
- Lack of public awareness of revenue gaps

The utilities in Hampton Roads are experiencing this trend and many are considering how their rate structures could be changed to become more financially stable. The study describes why water usage is decreasing, the impacts on utility revenues and costs, and potential solutions.

The Executive Summary of the “Designing the Rate Structure of the Future” is attached.

Ms. Whitney Katchmark, HRPDC Principal Water Resources Engineer, will provide a brief overview of the report.

Attachment 6

Enclosure

Note: This item will be presented for action under Agenda Item #10-E.

WATER & WASTEWATER UTILITIES

DESIGNING THE RATE STRUCTURE OF THE FUTURE

ISSUE PROFILE

1. Lang, A. et al. (2011). "Water Utility Challenges in Meeting Revenue Gaps," Drinking Water Research, Advancing the Science of Water. July-September 2011. <http://www.drinkingwaterresearch-digital.com/drinkingwaterresearch/20110709#pg18>
2. Coomes P. et al. (2010). North America Residential Water Usage Trends Since 1992. Water Research Foundation. <http://waterrf.org/PublicReportLibrary/4031.pdf>
3. American Water Works Association and Raftelis Financial Consultants, Inc. (2013). 2012 Water and Wastewater Rate Survey Highlights. American Water Works Association. <http://www.awwa.org/portals/0/files/publications/documents/samples/2012waterandwastewaterratesurvey.pdf>
4. American Water Works Association. (2012). Buried No Longer: Confronting America's Water Infrastructure Challenge. <http://www.awwa.org/Portals/0/files/legreg/documents/BuriedNoLonger.pdf>
5. American Society of Civil Engineers. (2013). 2013 Report Card for America's Infrastructure. <http://www.infrastructurereportcard.org/wastewater/>

Municipal water and wastewater utilities across the country are developing strategies to address the challenges of:

- Uncertain or declining revenues;
- Increasing costs; and
- Lack of public awareness of revenue gaps.¹

Residential water use per customer in the U.S. has been gradually decreasing with changes in water use patterns over the last 30 years.² There is a growing gap between the revenues collected by water and wastewater utilities and the cost to provide those services.

Many utilities are experiencing financial hardship due to shrinking revenues. A 2012 national rate survey shows that water and wastewater utilities have already implemented rate increases since 1996 that outpace inflation.³ Yet it is estimated that water system infrastructure needs will cost at least \$1 trillion over the next 25 years⁴ and wastewater capital needs will cost \$298 billion over the next 20 years⁵ because system maintenance, replacement, and upgrades have been underfunded.

How will water and wastewater utilities generate the funds to continue operations and build necessary capital projects while all indicators point to continued revenue declines? Simple increases to volume-based rates are not the solution. The rate structure itself needs to change.

Pricing must evolve to account for changing residential water use patterns. Rate structures should seek full cost recovery, and business planning should incorporate the declining demand trend to provide for long-term system viability and utility financial stability. Rate structures must also encourage water conservation and consider customer affordability.

In Hampton Roads, water and wastewater utilities are looking at rate design and pricing strategies to reduce revenue uncertainties and to provide for long-term infrastructure needs. The report, *Water and Wastewater Utilities, Designing the Rate Structure of the Future*, characterizes the revenue gap and describes adaptation strategies being explored by utilities at the local and national levels.



The “New Normal” of Declining Water Use

From 2002 to 2012, billed water consumption in Hampton Roads declined from 127 million gallons per day (mgd) to 115 mgd. This 10% decrease in consumption occurred while the region’s population grew by more than 105,000 people. Based on this data, per capita water use decreased by 15% over ten years.

The gradual decline in water use, or “demand decay,” is attributed to low flow fixtures and appliances, smaller households, and societal changes that have accompanied the general adoption of a conservation ethic. The recession, relocation of industry, and efficient industrial practices have also decreased water demands.

Uncertain Revenues

Water, sewer collection, and sewer treatment bills are all based on water consumption. As water use declines, municipal water and wastewater utilities are struggling with shrinking revenues and obsolete business models.

The traditional utility rate structure is based on long-term debt financing that is paid off with revenues from growing sales projections. **Most water and sewer rates have not been restructured to address the disappearance of federal subsidies, nor have rates been evaluated in light of revenue decreases that have resulted from lower per-capita demands.** The result: traditional rate structures are

driving utilities toward risky financial positions in 2013 and beyond. In adapting to the “new normal,” municipal utilities are interested in employing rate structures that provide predictable cash flow and reduce revenue uncertainty.

Increasing Costs

For water and wastewater utilities, costs are largely fixed, while revenues generated by the traditional rate structure are mostly variable. It is common for costs to be at least 80% or more fixed, while revenues are typically 80% or more variable. Utilities incur fixed costs regardless of the volume of service supplied to customers. **Several factors are pushing water and wastewater utility costs upward: aging infrastructure and replacement needs, increasing regulations and more expensive environmental compliance requirements, increasing energy and chemical costs, and resource limitations.**

Most municipal water and wastewater utilities in Hampton Roads are enterprise funds and must operate as self-supporting businesses. As costs continue to rise, utilities are interested in recovering a larger portion of fixed costs through rate structures and pricing mechanisms that provide more predictable revenue.

Lack of Public Awareness

The value of continuous, on-demand water and wastewater services is generally unrecognized by the public. There is a lack of awareness of personal water dependency, which makes it difficult for customers

to understand where utility costs come from and how rates are determined.

Water and wastewater utilities seek opportunities to encourage stakeholder understanding of utility financial requirements to facilitate transparent communication with customers and to help elected officials make tough financial decisions.

Adaptation Strategies

Utilities are exploring adaptation strategies to provide financial stability and resiliency. Rate structure adjustments, innovative pricing, and new business models are being assessed by small and large utilities alike. Most importantly, **water and wastewater utilities are reaching out to customers, City and County Councils and Boards, and other elected officials to prepare for the future.** This public dialogue encourages community participation in defining local goals and promotes a better understanding of the critical services provided by water and wastewater utilities to grow and sustain healthy, vibrant communities.

READ THE REPORT:

Water and Wastewater Utilities, Designing the Rate Structure of the Future

The full report, prepared for the HRPDC Directors of Utilities Committee, is available at www.hrpdcva.gov.

Contact:

Whitney Katchmark
HRPDC Principal Water Resources Engineer
wkatchmark@hrpdcva.gov
(757) 420-8300

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #7: REGIONAL SEWER CONSOLIDATION STUDY

SUBJECT:

The consulting firm, HDR Engineering, has completed the Regional Sewer Consolidation report that evaluated the benefits of consolidating the sanitary sewer assets in the region.

BACKGROUND:

In Hampton Roads, each locality owns and operates their own sanitary sewer collection system carrying sewage away from homes and businesses to facilities owned and operated by the Hampton Roads Sanitation District (HRSD), the regional entity that treats sewage for all of Hampton Roads. The Regional Sewer Consolidation Study evaluated whether there are benefits to consolidating all sanitary sewer assets under HRSD.

HRSD submitted the report to the EPA before the August 31, 2013 deadline. The report recommends consolidating the sewer systems. Consolidation would save approximately \$1 billion over 30 years and simplify implementing sewer upgrades by optimizing the rehabilitation plans to be more cost effective.

The schedule approved by DEQ and the EPA requires each governing body to make a decision by February 2014 on whether or not to pursue consolidation.

The Executive Summary of the Regional Sewer Consolidation Study is attached. The final report and supporting documents are available at the links below:

- Regionalization of Sewer Systems Assets Study, Final Report, August 2013:
<http://www.hrpdc.org/uploads/docs/Regionalization%20of%20Sewer%20Systems%20Assets%20Study%20-%20Final%20Report.pdf>
- Appendix A: Financial Analysis, Supporting Data and Results:
<http://www.hrpdc.org/uploads/docs/Regionalization%20Study%20Final%20Report%20-%20Appendix%20A%20Financial%20Analysis%20Supporting%20Data.pdf>
- Appendix B: Overview of Federal and State Funding Opportunities:
<http://www.hrpdc.org/uploads/docs/Regionalization%20Study%20Final%20Report%20-%20Appendix%20B%20Funding%20Opportunities.pdf>
- Comparative Analysis Report, Revised August 2013:
<http://www.hrpdc.org/uploads/docs/Comparative%20Analysis%20Report%20FINAL%20Revised%20Aug%202013.pdf>

Ms. Whitney Katchmark, HRPDC Principal Water Resources Engineer, will brief the Commission on the study recommendations.

Attachment 7

RECOMMENDED ACTION:

For information purposes only.



Regionalization of Sewer System Assets Study

Final Report
August 2013

prepared for



prepared by



Attachment 7

Executive Summary

This study evaluates the cost savings of consolidating all local sewer systems in Hampton Roads under a single regional wastewater service provider.

The Hampton Roads Sanitation District (HRSD), who owns and operates a regional system of interceptors and wastewater treatment plants, and fourteen municipal entities that own and operate local sewer systems are subject to state and federal Consent Orders to address unpermitted wastewater discharges from their respective sewer systems. This Regionalization of Sewer System Assets Study evaluates the potential cost savings for Consent Order compliance of consolidating all local sewer systems in Hampton Roads under a single regional wastewater service provider. Results of this study show that Regionalization would be expected to provide net present value savings over 30 years of approximately \$948 million, compared to the current structure of distributed ownership and responsibility, in meeting the terms of the state and federal Consent Orders. Based on this finding, Regionalization of all sewer and wastewater system assets under a single regional entity, HRSD, is recommended.

Project Background

Wastewater collection, conveyance and treatment in the Hampton Roads region in southeast Virginia are provided by multiple entities. Fourteen individual municipal entities, including the cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach and Williamsburg; the counties of Gloucester, Isle of Wight, and York; the town of Smithfield; and the James City Service Authority (the Localities), own and operate sanitary sewer systems that deliver flow to a regional system of interceptors, pump stations and wastewater treatment plants owned and operated by the Hampton Roads Sanitation District (HRSD).

HRSD and 13 Localities entered into a Special Order by Consent to reduce unpermitted wastewater discharges from Locality and HRSD sewer systems.

HRSD and the Localities have entered into Consent Special Orders with the Virginia State Water Control Board (SWCB) for the reduction of unpermitted discharges from Locality and HRSD sewer systems. These include a 2001 Order between the SWCB, the City of Norfolk and HRSD and a 2007 Regional Consent Order between HRSD, the 13 other Hampton Roads Localities, and the SWCB. HRSD and the 13 Localities party to the Regional Consent Order also entered into a

Regionalization of Sewer System Assets Study

Memorandum of Agreement (MOA) under which HRSD and the Localities agreed to work cooperatively in developing and implementing a Regional Wet Weather Management Plan (RWWMP) to reduce unpermitted discharges from sewer systems in the region. A separate 2010 Consent Order issued to HRSD by the U.S. Environmental Protection Agency (EPA) also requires HRSD, in consultation with the Localities, to develop and submit a RWWMP.

This study explores whether addressing wastewater system improvements on a regional basis might offer a more efficient and cost-effective approach to Consent Order compliance.

As work progressed on the RWWMP and other Consent Order provisions, HRSD and the Localities became interested in exploring if addressing wastewater system improvements on a regional rather than Locality-by-Locality basis might offer a more efficient and cost-effective approach to Consent Order compliance. HRSD, the 13 Localities party to

2007 Consent Order, and the City of Norfolk agreed to cooperate on a Regionalization Study to compare the cost of providing wastewater service, including implementation of sewer system rehabilitation and capacity enhancements and other requirements of the state and federal Consent Orders, under two approaches:

- a Non-Regionalized Scenario that maintains existing individual Locality and HRSD ownership and operational responsibilities;
- and a Regionalized Scenario with a single entity having sole responsibility for all wastewater systems in the region.

The SWCB and EPA were receptive to evaluating the potential benefits of regionalization, and have amended their respective Orders and milestones to

The Regionalization Study encompasses two parallel efforts: 1) a Comparative Analysis of capital improvements to the local sewer systems and HRSD's interceptor system and treatment plants to meet the Consent Orders; and 2) an evaluation and comparison of the overall costs of wastewater service and impacts to rate payers for the two scenarios, as well as the relevant legal, governance and local and regional coordination issues.

accommodate the Regionalization Study before the submittal of the RWWMP.

The Regionalization Study encompasses two parallel efforts comparing the Non-Regionalized and Regionalized Scenarios. A Comparative Analysis of capital improvements to the local sewer systems and HRSD's interceptor

system and treatment plants to meet the Consent Orders was led by Brown and Caldwell. In parallel, a team led by HDR Engineering, Inc. (HDR) evaluated and

compared the overall costs of wastewater service and impacts to rate payers for the two scenarios, as well as the legal, governance and local and regional coordination issues related to consolidating all wastewater systems under a single regional entity.

This Executive Summary and report document the HDR team's evaluation of the financial and non-monetary analyses performed for the Regionalization Study.

Project Objectives and Approach

The primary objective of the Regionalization Study is to compare the cost of providing wastewater service in 14 Hampton Roads Localities, in consideration of projected rehabilitation and capacity enhancement needs and other terms of the Consent Orders, for the following two scenarios:

- Non-Regionalized Scenario – the current structure in which each Locality continues to own, operate, and implement improvements to their own sewer systems and HRSD continues to own, operate and implement improvements to the regional interceptor and wastewater treatment plant system.
- Regionalized Scenario – replacing the current Locality/HRSD ownership structure with a single entity with full responsibility – own, operate and implement system improvements – for the regional wastewater collection, conveyance and treatment facilities serving the 14 Hampton Roads Localities.

Evaluations and analyses were supported by an extensive array of data provided by the HRSD and the Localities.

Evaluations and analyses were supported by an extensive array of data provided by the HRSD and the Localities. In many cases, data requests were supplemented by one-on-one conversations with HRSD and Locality staff to ensure that data were complete, specifically related to wastewater service, and understood by the HDR team. Key data used in the HDR team's analyses include the following.

- financial statements and schedules for outstanding debt;
- listing of wastewater assets including sewer system infrastructure (pipes, pump stations, treatment plants, etc.), equipment and rolling stock, including age and original cost of purchase or construction;
- annual wastewater operations and maintenance budgets, including annual revenues from rates, connection fees and other revenue sources and payments from wastewater utility funds to other Locality departments for services or payments in lieu of taxes;
- current wastewater rates;

Regionalization of Sewer System Assets Study

- organization charts, staffing statistics and job descriptions for wastewater utility, customer service and billing personnel; and
- descriptions of wastewater operations and maintenance facilities, including buildings, warehouses and storage yards.

Wastewater system improvements capital costs used in Regionalization Study analyses were provided by the Comparative Analysis Report prepared by Brown and Caldwell.

For the financial and legal analysis, HDR conducted a series of five workshops with a project Steering Committee, composed of representatives from the HRPDC, HRSD and each of the fourteen Localities.

The HDR team's approach included a series of five workshops with a project Steering Committee, composed of representatives from the HRPDC, HRSD and each of the fourteen Localities. Throughout the project, the Steering Committee members provided invaluable insight, guidance, and consensus

recommendations on handling key issues in cost of service analyses, transfer of assets and personnel, billing and customer service structures, and other important considerations in a potential transition to a Regionalized wastewater service provider.

Evaluation and Comparison of Regionalized and Non-Regionalized Scenarios

LEGAL REVIEW

A legal review was first performed to identify the existing legal basis and potential legal obstacles in creating a Regional Entity that will own and operate wastewater collection systems in the Hampton Roads Localities. Findings of the legal review are summarized as follows.

- HRSD's enabling legislation supports HRSD owning, operating and maintaining local collection systems.
- There are no apparent obstacles to HRSD assuming assets and debts from Localities.
- Modifications to HRSD's governing structure will require legislative action.

Based on results of the legal review and the consensus opinion of the steering committee members, it is logically assumed that HRSD would serve as the "Regional Entity".

Based on results of the legal review and the consensus opinion of the steering committee members for this Regionalization Study, it is logical for the

purposes of the Regionalization Study to assume that HRSD would serve as the “Regional Entity” envisioned under the Regionalization Scenario. Therefore, “HRSD” is used to refer to the Regional Entity in the following discussions.

COMPARING COSTS OF WASTEWATER SERVICE

The analyses of the cost of wastewater service for the Non-Regionalized and Regionalized Scenarios are based on the cash basis revenue requirement methodology. Annual revenue requirements in the cash basis methodology include operations and maintenance expenses, taxes and transfer payments to other departments, debt service and capital projects funded from rates. Capital projects funded from rates are typically “renewal and replacement” of infrastructure at the end of its service life.

How each revenue component of the cash basis methodology was handled in the financial analyses is summarized as follows.

Asset Valuation: Using data provided by HRSD and the Localities, total reported book value (original cost minus straight-line depreciation) of wastewater infrastructure assets in Hampton Roads is approximately \$2.6

All Locality sewer system infrastructure assets should be donated to HRSD under the Regionalization Scenario, so that ratepayers don't have to pay twice.

billion, including \$900 million in HRSD assets and \$1.7 billion in Locality sewer system assets. It is recommended and assumed in the financial analysis that all Locality sewer system infrastructure assets would be donated to HRSD under the Regionalization Scenario. This recommendation is consistent

with Steering Committee consensus that ratepayers have already paid for the majority of existing sewer system assets and shouldn't have to pay twice, as would be the case if existing Locality assets were sold to or leased by HRSD, under regionalization.

Debt: For the Regionalized Scenario, it is recommended and assumed in the financial analysis that existing Locality debt is conveyed to and refunded by

Existing Locality debt should be conveyed to and refunded by HRSD using a level debt service structure.

HRSD using a level debt service structure, amortized over 30 years at a 5% interest rate, as shown in Figure ES-1. The level debt service structure results in a higher total debt payment over 30 years but provides a uniform

Regionalization of Sewer System Assets Study

debt payment stream and lower initial annual debt payments, and more equally distributes debt between current and future rate payers, compared to the heavily front-loaded matched-maturity debt structure.

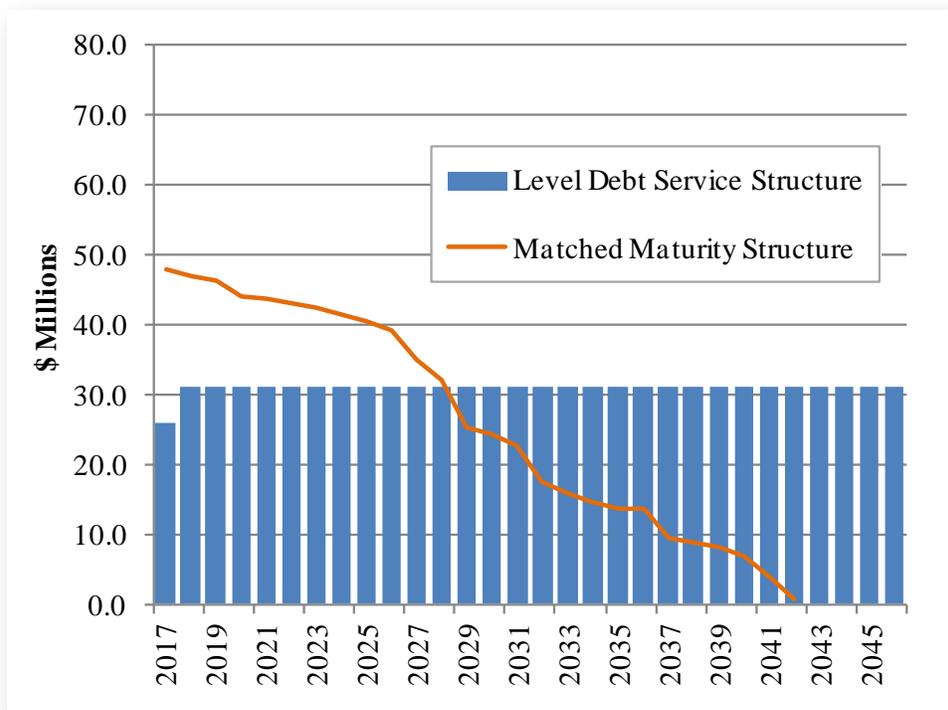


Figure ES-1 Debt Service for Existing Locality Sewer Debt, Regionalized Scenario

In the financial analysis for both scenarios, Consent Order capital improvements are assumed to be debt-funded, amortized over 30 years at 5% interest.

Costs Related to Operations and Maintenance: Costs for operation and maintenance of Locality sewer systems were evaluated as follows.

- Customer Service and Billing
 - Existing billing and customer service structures remain in place for the Non-Regionalized Scenario.
 - Existing billing structures remain in place, with all wastewater service charges incorporated into bills that HRSD already issues to customers in all Localities except Williamsburg, which charges customers in the City for all water and wastewater service.
 - All wastewater customer service responsibilities shift to HRSD under the Regionalized Scenario.

Costs for operations and maintenance of Locality sewer systems were evaluated based on several assumptions, as outlined in this section.

- Wastewater Utility Personnel
 - All Locality wastewater utility FTEs will transfer initially to HRSD under the Regionalization Scenario.
 - Duplicate positions totaling 102 full-time equivalents (FTEs) at the management and administration levels will be eliminated through attrition within the first five years of regionalization.
- Operations and Maintenance Facilities
 - Localities will not transfer operations and maintenance support facilities (office, warehouse, vehicle and repair shop space and equipment and storage yards) since they serve multiple utility and/or public works divisions.
 - Three new Operations Centers, at a total capital cost of \$30 million, are included in the Regionalized Scenario to supplement HRSD’s existing South Shore, North Shore and West Point Operations Centers to provide an approximate 30-minute drive time from Operations Centers to the extents of the regional sewer system.
- Operations and Maintenance (O&M) Costs for Local Sewer Systems
 - Each Locality’s annual sewer system O&M costs are adjusted upwards by 5% or 15% based on comparisons to QualServe metrics and expected demands for higher levels of O&M under the Consent Orders. Adjusted Locality O&M costs serve as the Non-Regionalized baseline cost.
 - Annual sewer system O&M costs for the Regionalized Scenario are calculated as the Non-Regionalized baseline cost minus labor costs associated with the reduction of 102 duplicate management and administrative FTEs.
 - Annual O&M costs for local sewer systems are summarized in Table ES-1.
 - Annual O&M costs for the regional interceptors and wastewater treatment plants are accounted for in the HRSD rate.

Table ES-1 Local Sewer System Annual Operations and Maintenance Cost Comparison

Current Locality Total	Adjusted Non-Regionalized Baseline	Regionalized
\$92 million	\$101 million	\$88 million

Taxes and Transfer Payments: Taxes, payments in lieu of taxes, payments for services provided by other departments and other transfer payments are not included in the financial analysis and comparison of the Non-Regionalized and Regionalized Scenarios since not all Localities employ these types of payments.

Rate-Funded Capital Improvements: Levels of rate-funded capital improvements for routine renewal and replacement of sewer system infrastructure vary

Regionalization of Sewer System Assets Study

widely from Locality to Locality, and in most cases are not explicitly identified in the annual operations and maintenance expenses provided by the Localities. To put all Localities on a common footing, rate funded capital improvements are included in the financial analysis as the annual sewer infrastructure depreciation reported by or in some cases estimated for each Locality. Use of the depreciation expense reflects generally accepted industry guidelines for funding renewal and replacement.

Consent Order Capital Improvements: Capital improvement costs, which include capacity enhancements and rehabilitation to the Locality sewer systems and HRSD’s interceptor and treatment plant system, are provided in the Comparative Analysis of Consent Order-driven improvements prepared by Brown and Caldwell.

- Total Consent Order-related capital improvements, including costs related to Norfolk’s separate Consent Order, total over \$3.2 billion in the Non-Regionalized Scenario, as shown in Table ES-2.
- Consent Order capital improvements costs for the Regionalized Scenario total almost \$2.2 billion, as summarized in Table ES-3. Total savings in Consent Order-related capital improvements under regionalization are estimated at over \$1 billion, mostly from reduced capital costs for local sewer system rehabilitation.

Total net present value savings in Consent Order-related capital improvements under regionalization are estimated at over \$1 billion over 30 years.

Table ES-2 Total Consent Order Capital Improvements, Non-Regionalized Scenario (\$000)

Locality	Non-Regionalized Capital Costs			
	Capacity Improvements	Rehabilitation	Private II Reduction	Total CIP Cost
Locality Total	\$336,582	\$1,783,163 ¹		\$2,119,745
HRSD	\$659,390	\$173,338	\$289,248	\$1,121,976
TOTAL	\$995,972	\$1,956,501	\$289,248	\$3,241,721

¹ Includes Norfolk’s estimated \$425 million for rehabilitation costs related to their individual Consent Order, which are not covered by the 2007 Regional Order and not included the Comparative Analysis capital improvements estimates.

Table ES-3 Consent Order Capital Improvements, Regionalized Scenario (\$000)

Locality	Locality Rehab	Private I&I	Regional Wet Weather Improvement	Upstream Capacity Improvements	Total CIP Cost
HRSD	\$1,005,256	\$210,495	\$635,138	\$324,179	\$2,175,068

Financial Analysis Results: The financial analysis model was used to calculate the total annual costs for wastewater service, including wastewater collection in local sewer systems, conveyance in the regional interceptor system and treatment at the regional wastewater treatment plants. Costs of service were calculated for each Locality and on a system-wide basis under the Non-Regionalized Scenario and compared to the costs of service calculated for the region as a whole under the Regionalized Scenarios. Costs are compared over a 30-year planning horizon.

- Costs of service comparisons under each scenario were developed for each Locality on a unit cost, \$/CCF basis. For reference, a system-wide average unit cost under the Non-Regionalized Scenario is compared to the unit cost for the Regionalized Scenario on Figure ES-2.

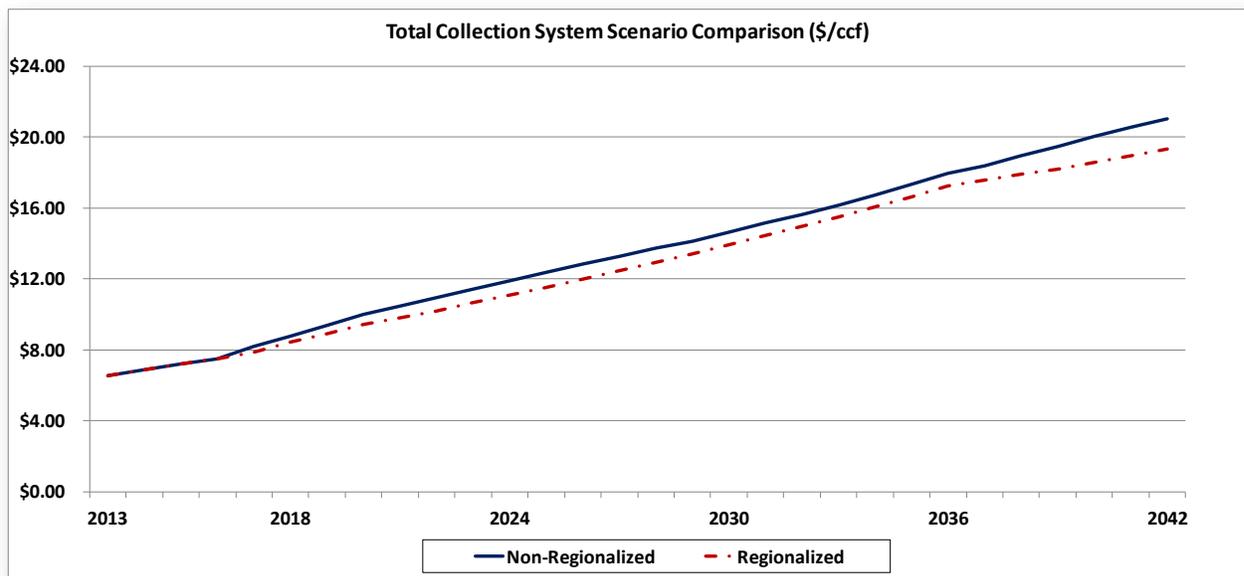


Figure ES-2 System-Wide Wastewater Service Costs

- Net present value (NPV) costs (30-year planning period at a 5 percent discount rate) were also calculated for each Locality and the entire region. Table ES-4 compares the total 30-year NPV for the Non-Regionalized and Regionalized Scenarios. The Regionalized Scenario provides a total NPV savings over 30 years of \$948 million. The 30-year NPV savings includes \$386 million in operations and maintenance cost savings and a savings of \$562 million for financing Consent Order capital improvements. Refinancing existing Locality debt using the level debt service structure, which produces lower initial annual payments but higher total payments, has approximately the same 30-year NPV as the matched maturity structure with its higher initial annual payments.

Table ES-4 Summary of the 30-Year Net Present Value (\$000,000)

	30-Year Net Present Value ^[1]			NPV Percent Difference
	Non-Regionalized	Regionalized	\$ NPV Difference	
TOTAL	\$11,919	\$10,971	\$948	8.6%

- While Regionalization provides a net economic benefit to the region as a whole, not all ratepayers see the same benefit. Ratepayers in most Localities, but not all, are projected to see an overall savings under the Regionalization Scenario.
 - Significant NPV Savings (25% or higher) – Gloucester, Isle of Wight, Suffolk, Poquoson and York County (11% of the region’s ratepayers)
 - Moderate NPV Savings (> 10%) – James City Service Authority, Smithfield, Norfolk, and Portsmouth (26% of the region’s ratepayers)
 - Small NPV Savings – Chesapeake, Hampton, and Virginia Beach (51% of the region’s ratepayers)
 - NPV Increase – Newport News and Williamsburg (12% of the region’s ratepayers)

Regionalization provides a net economic benefit to the region as a whole, but not all ratepayers would see the same benefit.

GOVERNANCE AND LOCAL COORDINATION UNDER REGIONALIZATION

Governance: The existing HRSD Commission comprises 8 members who are appointed by the Governor of Virginia to a four-year term. Steering Committee consensus is that changes to the current Commission structure are needed under the Regionalized Scenario. Recommended changes to the HRSD Commission structure include:

- Expand the Commission to 17 voting members, one from each municipal entity in the HRSD service area (the 14 Localities participating in the Regionalization Study plus 3 additional municipalities served by HRSD that are not party to the Consent Orders or part of the Regionalization Study). Members would be appointed by the Governor from a slate of 3 nominees submitted by elected officials of each municipal entity.
- Add a 17-member ex-officio advisory committee, one member appointed by each municipal entity, and each member an employee of his or her respective municipality.

The Steering Committee recommends that the Commission should be expanded to 17 voting members, one from each municipality in the HRSD service area.

Local Coordination: Recommendations to foster enhanced coordination between HRSD and local governments on issues such as sewer extensions and new connections, especially in support of growth and economic development efforts in the Localities, and public policy, outreach and communication, are as follows.

- Create a new position within HRSD for an Economic Development Coordinator to work with local government economic development officials and serve as the HRSD point-person for all needs for wastewater service to support economic development.
- Expand HRSD's Planning and Analysis staff to work directly with developers and in coordination with local planning departments on requests for new sewer connections and extensions.
- Create within HRSD two new Government Liaison positions, one for the North Shore and one for the South Shore, to work closely with and serve as the main point of contact for local utility, public works and emergency response departments and elected officials to enhance coordination on matters of mutual interest.

HRSD should create new staff positions to enhance coordination with local governments on economic development efforts, public policy, outreach and communication.

Recommendations for Regionalization

Regionalization of all wastewater systems in the Hampton Roads region, with HRSD assuming ownership and operation of Locality sewer systems, is recommended. Regionalization will provide considerable economic benefits to ratepayers across the region and consolidate and reduce the risks associated with compliance with state and federal Consent Orders related to unpermitted wastewater discharges.

Based on the results of this study, we recommend regionalization of all wastewater systems in the Hampton Roads region. Regionalization will provide considerable economic benefits and reduce the risks associated with unpermitted wastewater discharges.

This study has compared the costs of wastewater service under the Consent Order environment. It has demonstrated the economic benefits and a broad framework for how Locality sewer system infrastructure and obligations might be conveyed to HRSD. However, the Regionalization Study and this Study Report do not constitute an implementation plan for regionalization, and there are many details of how a regional wastewater utility ultimately would be structured, operate and interact with the Hampton Roads Localities. Should regionalization be pursued, a detailed implementation and transition plan, which is beyond the

Regionalization of Sewer System Assets Study

scope of this study, is needed to establish and document the myriad agreements and activities that will need to be in place and performed to convey all wastewater systems and responsibilities in the region to HRSD.

The amended Consent Orders require the submission of the Regionalization Study and Comparative Analysis Reports to the Virginia Department of Environmental Quality and the EPA by August 31, 2013. As shown on Figure ES-3, under the amended Consent Order the Localities and HRSD have until February 28, 2014 to make the final decision on regionalization, with subsequent milestones depending on the outcome of that decision.

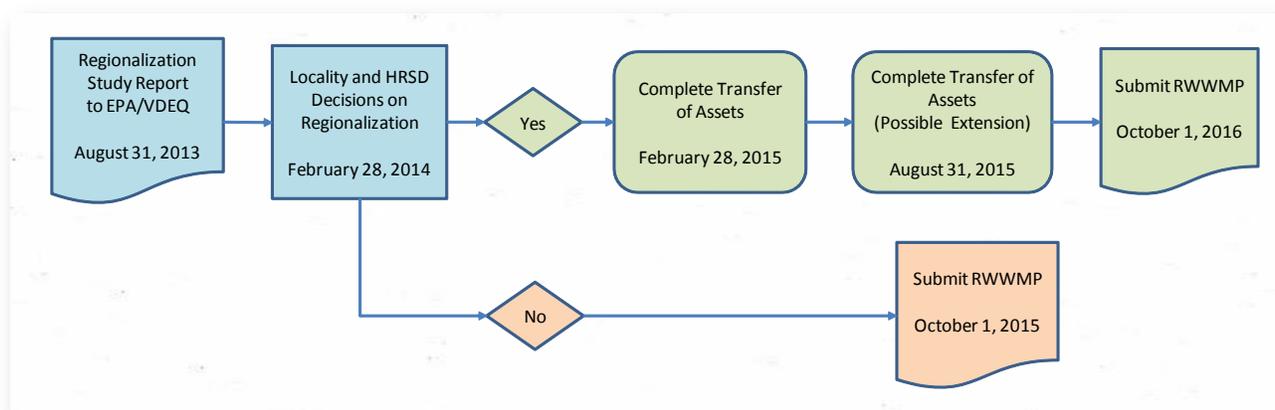


Figure ES-3 Consent Order Milestones

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8: SUBMITTED PUBLIC COMMENTS

There are no recently submitted written public comments. Any new written public comments will be distributed as a handout at the meeting.

ITEM #9: PUBLIC COMMENT PERIOD

Members of the public are invited to address the Hampton Roads Planning District Commission. Each speaker is limited to three minutes.

ITEM #10: APPROVAL OF REGULAR AGENDA ITEMS

A. MINUTES

The Minutes of the HRPDC Quarterly Commission meeting of July 18, 2013 are attached.

Attachment 10-A

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the minutes.

B. TREASURER'S REPORT

The Balance Sheet and Statement of Revenue and Expenditure for July 2013 are attached. This statement reflects the financial status of the HRPDC as a whole.

Attachment 10-B

RECOMMENDED ACTION:

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

C. REGIONAL REVIEWS

1. PNRS

The HRPDC staff is routinely involved in the review of applications for grants to support projects involving federal or state funding. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Review and comment by more than one locality is requested when a project may affect the entire region or a sub-regional area. There were no outstanding comments as of September 6, 2013 on these projects.

Attachment 10-C1

RECOMMENDED ACTION:

None required.

2. ENVIRONMENTAL IMPACT ASSESSMENT/STATEMENT REVIEW

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. There were no outstanding comments as of September 6, 2013 on these projects.

Attachment 10-C2

RECOMMENDED ACTION:

None required.

Hampton Roads Planning District Commission
Quarterly Commission Meeting
Minutes of July 18, 2013

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

COMMISSIONERS:

Thomas Shepperd, Chairman (YK)	Jim Bourey (NN)
Kenneth Wright, Vice Chairman (PO)	J. Randall Wheeler (PQ)
James Baker (CH)	Michael W. Johnson (SH)
Randy Martin (FR)	Barry Porter (SH)
Mary Bunting (HA)	Selena Cuffee-Glenn (SU)
Will J. Moffett (HA)	John Seward (SY)
Christopher Stuart (HA)*	Barbara Henley (VB)
W. Douglas Caskey (IW)	Amelia Ross-Hammond (VB)
Dee Dee Darden (IW)	James Spore (VB)
Mary Jones (JC)	Jackson C. Tuttle, II (WM)
Robert Middaugh (JC)	James O. McReynolds, Treasurer (YK)

Executive Director:

Dwight L. Farmer

ABSENT:

Amar Dwarkanath (CH)	Thomas Smigiel (NO)
Debbie Ritter (CH)	Angelia Williams (NO)
Scott Matheson (CH)	John Rowe (PO)
Dr. Ella P. Ward (CH)	W. Eugene Hunt (PQ)
Barry Cheatham (FR)	Linda T. Johnson (SU)
Carter Borden (GL)	Tyrone Franklin (SY)
Brenda Garton (GL)	Robert Dyer (VB)
McKinley Price (NN)	John Moss (VB)
Sharon Scott (NN)	John Uhrin (VB)
Anthony Burfoot (NO)	Louis R. Jones (VB)
Paul D. Fraim (NO)	Clyde Haulman (WM)
Marcus Jones (NO)	

*Late arrival or early departure

OTHERS RECORDED ATTENDING:

Earl Sorey (CH); Dale Castellow, Bryan Pennington (NO); Michael King, Ross McFarland, Jerri Wilson, (NN); Brannon Godfrey, Sherri Neil (PO); Sherry Hunt, Eric Nielsen (SU); Senator Tommy Normant, Virginia General Assembly; Cathy Aiello, Aiello Enterprises Inc.; W. Dewey Hurley, Richard I. Coggins, Branscome Inc.; Glen Elmers, Ten Henifin, HRSD; Ray Amoruso, HRT; Bruce McClure, JMT; Marly Williams, RCS LLC; Dennis Heuer, RK&K; Ellis James, Sierra Club Observer; L. Frank Mach, U.S. DOT; Stephen Rowan, Eric Stringfield, VDOT; David Eisenbraund, Virginia Beach PD & D; Peter Huber, Willcox & Savage; Staff: Randy Keaton, Camelia Ravanbakht, Sam Belfield, Shernita Bethea, Curtis Brown, Rick Case, Jennifer Coleman, Nancy Collins, Katie Cullipher, Rebekah Eastep, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Sara Kidd, Robert Lawrence, Mike Long, Jai McBride, Ben McFarlane, Kelli Peterson, Joe Turner, Chris Vaigneur.

Chairman Shepperd indicated the meeting was being called to order as an Executive Committee due to a lack of quorum for a full Commission Meeting.

APPROVAL/MODIFICATION OF AGENDA

Chairman Shepperd asked if there were any modifications or additions/deletions to the agenda.

Commissioner Kenneth Wright Moved to approve the agenda; seconded by Commissioner Amelia Ross-Hammond. The Motion Carried.

Chairman Shepperd welcomed Commissioner Ross-Hammond to the HRPDC.

WORKSHOP AGENDA

FY 2014 BUDGET – STAFF PERFORMANCE COMPENSATION

Chairman Shepperd reminded the Commission the two percent performance adjustment was originally included in the budget which was presented and passed at the April 18, 2013 meeting. He additionally explained members were provided with two charts. One, displaying the gap between locality salary adjustments and the increase in the Consumer Price Index for FY 2009-2014. The other detailed the raises and bonuses and displayed the weighted local government average for each locality, SPSA, HRSD and the HRPDC for FY 2009-2014.

Chairman Shepperd stated all HRPDC staff would receive varying amounts up to four percent depending on evaluations by Mr. Dwight Farmer and HRPDC Senior staff, but the average amount would be two percent.

Commissioner Mary Bunting asked if the Virginia Retirement System (VRS) conversion amounts were included in the calculations.

Mr. Dwight Farmer explained Cost of Living Adjustments (COLA), merits, step adjustments and bonuses were included.

Commissioner Christopher Stuart arrives

HOUSING PROGRAM UPDATE

Ms. Shernita Bethea, HRPDC Housing/Human Services Administrator briefed the Commission on the activities of the Housing and Human Services Department of the HRPDC.

The Hampton Roads Loan Fund Partnership (HRLF) is a regional down payment and closing cost assistance program funded by the Virginia Department of Housing and Community Development (DHCD) and other federal home funds. This program has assisted over 650 buyers, and with the recent increase of down payment assistance program suspensions by localities, there has been an increased necessity of the HRLF.

A regional web-based portal for consumers and case managers, the Hampton Roads Housing Resource can be used as a tool to find housing services in the region and as a “one stop shop” for adequate and reliable housing topics. This initiative is in the creation phase and all of the work is being performed in-house with collaboration of the Information Technology (IT), Communications and Emergency Management Departments.

The Hampton Roads Housing Consortium (HRHC) is a coalition of 16 cities and counties in the region and the main purpose is to act as a networking and resource organization for affordable housing. Originally created in 1996 as a State mandate, the HRPDC continues to support and maintain HRHC.

The Disability Service Board, formerly the South Hampton Roads Disability Services Board, remained active after the 2009 Code of Virginia mandate change. The Board expanded the focus to include all areas of disability and plans on increasing representation to encompass both Southside and Peninsula localities. Currently only the Cities of Portsmouth, Norfolk, Virginia Beach, Chesapeake and Suffolk participate.

Ms. Bethea detailed a housing symposium held in Charlottesville, Virginia in June. Keynote speakers included Department of Housing and Urban Development (HUD) Deputy Secretary Maurice Jones and Senator Mark Warner. The following projects were highlighted:

- Project rebuild
- 203K program
- Low income tax credit program
- Ladders of opportunity

Housing Virginia and the HRPDC have collaborated on the Housing 2020 project. This includes analytical data in four major categories: demographic characteristics, economic conditions, “green” housing and housing finance, and the effect on housing and housing planning in Hampton Roads.

REGIONAL SEWER CONSOLIDATION STUDY UPDATE

Mr. Glen Elmers with HDR reviewed the results of the Regional Sewer Consolidation Study with the Commission. Primary objectives of the study were comparing the costs of providing wastewater service in 14 Hampton Roads localities under a regionalized or non-regionalized scenario.

Regionalization offered significant cost savings to Hampton Roads wastewater payers and \$1 billion in savings in consent order capital improvements. Additional benefits include:

- More effective management of risk in program implementation and achieving wet weather flow reductions.
- Effective management of consent order negotiations and reduced risk of non-compliance.
- Less complex project logistics.

The study displayed cost savings due to the reduction of redundant management and administrative positions through natural attrition once the following assumptions were made:

- Locality sewer infrastructure and equipment would be donated to the regional entity.
- Taxes, payment in lieu of taxes and transfer payments were not included.
- All locality sewer personnel and rolling stock would transfer to the regional entity
- Localities keep operations and maintenance facilities.
- An increased cost for future consent order requirements.

Mr. Elmers stated existing locality debt of \$882 million would transfer to the regional entity and be refinanced over 30 years at five percent, which would allow for equal allocation between current and future rate payers.

The Commission was shown a table describing the 30-year net present values of both a regionalized and non-regionalized approach. Savings of \$890 million and a capital cost savings of an estimated \$1.1 billion were available in the regionalized scenario.

The new regional entity would be under Hampton Roads Sanitation District (HRSD) governance with expansion from the current eight member, Governor-appointed HRSD board to a Governor-appointed member from each jurisdiction. Appointees would be chosen from three candidates nominated by each locality with a maximum of two successive four year terms. Also recommended, a 17 member non-voting board with a locality appointed local government employee.

The study proposed HRSD expand planning and analysis staff to handle new connections and service extensions under the regionalized scenario and suggested the creation of the following positions: Economic Development Coordinator and Government Liaison for both North and South shores.

A graphic displaying the timeline with the final submittal of the study to Virginia Department of Quality (DEQ) and Environmental Protection Agency (EPA) on August 31, 2013.

Mr. Ted Henifin with HRSD informed the Commission there were three options to regionalization. First, not consolidating sewer assets at all; second, consolidation with conditions; and finally, consolidation per the full recommendations of the report.

The final decision is due to DEQ and EPA by February 2014. If the localities decide to regionalize, the process must be completed by August 2015. Additionally, depending on if most or all localities want to consolidate sewer assets or not, the region still needs to develop and submit a wet weather management plan. The submittal date for those plans would be October 2015 or 2016 dependent on the final decision.

Chairman Shepperd reiterated the briefing was for informational purposes only and urged HRSD to present future briefings to ensure information was being disseminated.

Commissioner Selena Cuffee-Glenn questioned the decision process of choosing between the localities of Suffolk and Isle of Wight representatives on the HRSD Board.

Mr. Henifin explained the current governance board is composed in that manner, and it is at the Governor's discretion which locality is appointed. He further detailed the report proposed one representative from each jurisdiction.

Commissioner Christopher Stuart asked the number of localities needed for regionalization and the consequences of a locality not wanting to participate in the regional entity.

Mr. Henifin confirmed Commissioner Stuart was asking if a locality decided not to participate after already agreeing to.

Commissioner Stuart inquired about the process of a locality withdrawing years ahead and the effect on the overall regional entity, if regionalization occurred.

Mr. Henifin responded not all scenarios have been worked out, but all locality assets would be under the regional entity's control.

NOMINATING COMMITTEE APPOINTMENTS

Chairman Shepperd stated a change of Chair and Vice Chair will occur in October. Additionally, Chairman Shepperd agreed to be Chair of the Nominating Committee and if any of the members on the Committee do not wish to participate, a replacement must be found and Chairman Shepperd notified.

REGULAR AGENDA

Chairman Shepperd welcomed the newly appointed Newport News City Manager, James M. Bourey to the Commission.

Public Comment

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

Ellis W. James

Thank you very much, Mr. Chairman, Members of the Commission. My name is Ellis W. James, I reside in the good city of Norfolk and have for a little while. The heat is upon us, and I would like to once again urge all of the communities in the family of the HRPDC to pay close attention right now to the plight of our elderly and our homeless which includes a number of too many veterans. I think we really need to pay close attention to the Tidewater heat. It can be devastating and it is upon us big time at this point. My other concern that I wanted to address the Board on was, I'm sure most of you saw the contained excitement, it's all about Craney Island and the impending changes that will take place in our area. There's several aspects of this that concern me a great deal. One is, and I think most of you know that I'm very much opposed to the offshore drilling proposals, but one of the problems that we may be confronted with is with the expansion to our south, of the Panama Canal, and the larger ships coming in. We need to be well prepared even if we are inland communities somewhat away from the coast. If we are not prepared for what we saw last year, that happened with the stackups and backups of the coal colliers, then we're asking for trouble. It could be a very significant

problem and the impact economically on the port would be great. I don't think, once again, that we need to mix oil rigs and increased container traffic and shipping. They just don't mix. I would hope that we pay close attention to this evolving situation, and that we make sure we have the plans in place to be able to accommodate those adjustments that we're going to need to have. Thank you Mr. Chairman.

Submitted Public Comments

Chairman Shepperd indicated there were no submitted public comments.

Approval of Consent Items

Commissioner Mary Jones commented James City County Emergency Management staff had not had ample time to review and provide any comments on Item F, *the Hampton Roads Hazard Mitigation Plan*.

Chairman Shepperd asked for approval of the following consent items:

- A. Minutes of June 20, 2013 Meeting
- B. Treasurer's Report of May 31, 2013
- C. Regional PNRS Reviews
- D. Regional Environmental Impact Assessment/Statement Review
- E. FY 2014 Budget – Staff Performance Compensation
- F. Hampton Roads Hazard Mitigation Plan
- G. Senior Services of Southeastern Virginia Board of Directors Appointment
- H. Industrial Stormwater General Permit Comments
- I. Coastal Zone Program – Coastal Resiliency Final Report

Commissioner Mary Jones requested to pull Item F, *Hampton Roads Hazard Mitigation Plan*. Commissioner James Spore Moved to approve the consent items, seconded by Commissioner James McReynolds. The Motion Carried.

HRPDC Three Month Tentative Schedule

Chairman Shepperd stated the August Commission Meeting was cancelled and the election of officers in October.

Mr. Farmer reported the Richmond Regional PDC Executive Director, Mr. Robert Crum, contacted him about the mega-region topic discussed at the HRPDC Retreat in February. Mr. Crum noted the Richmond PDC and Crater PDC Executive Director, Mr. Dennis Morris would suggest a small group consisting of the Executive Directors, Chairs and Vice Chairs, and City Managers from the localities to discuss the potential of a mega-region before having a joint meeting with the full boards from the Hampton Roads PDC, Richmond Regional PDC, and the Crater PDC.

Chairman Shepperd reinforced the meeting would only be for informational purposes, no action would be taken.

Project Status Reports

Chairman Shepperd highlighted the Project Status Reports section of the agenda.

Correspondence of Interest

Chairman Shepperd referenced the Correspondence of Interest section of the agenda.

For Your Information

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

Old/New Business

Chairman Shepperd noted the Old/New Business section of the agenda.

Adjournment

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:15 a.m.

Thomas G. Shepperd, Jr.
Chairman

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2013
7/31/2013
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	504,363	Current Liabilities	1,726,880
Accounts Receivables	1,458,456	Net Assets	4,157,132
Investments	2,536,340		
Other Current Assets	664		
Net Capital Assets	<u>1,384,188</u>		
Total Assets	<u><u>5,884,011</u></u>	Total Liabilities & Equity	<u><u>5,884,011</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	4,591,533	149,765	149,765
VDHCD State Allocation	151,943	-	-
Interest Income	18,000	235	235
Local Jurisdiction Contributions	1,340,182	-	-
Other Local Assessment	1,548,624	-	-
Sales and Miscellaneous Revenue	94,350	120	120
Special Contracts/Pass thru	1,889,236	-	-
Total Revenue	<u><u>9,633,868</u></u>	<u><u>150,120</u></u>	<u><u>150,120</u></u>
EXPENDITURES			
Personnel	4,499,834	332,119	332,119
Standard Contracts	202,945	12,623	12,623
Special Contracts / Pass-Through	4,199,391	5,881	5,881
Office Services	731,698	18,849	18,849
Capital Assets		-	-
Total Expenses	<u><u>9,633,868</u></u>	<u><u>369,472</u></u>	<u><u>369,472</u></u>
Agency Balance	<u><u>-</u></u>	<u><u>(219,352)</u></u>	<u><u>(219,352)</u></u>

Project Notification and Reviews

Date 8/22/2013 **CH #** POW:252

Title FY14-16 Leaking Underground Storage Tank Fund

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA - Leaking Underground Storage Tank Trust Fund Corrective Action Pro

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

The proposal will enable Virginia to continue to utilize federal trust funds in support of its training, enforcement, and cleanup management of leaking underground storage tanks. These funds complement the Virginia Petroleum Storage Tank Fund.

Federal	\$3,774,000.00	Local	\$0.00
Applicant	\$419,334.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL			\$4,193,334.00

Date 8/22/2013 **CH #** POW:254

Title FY14-16 LUST Prevention Program

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA - Underground Storage Tank Prevention, Detection and Compliance Pro

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

This proposal will provide Virginia with Federal funds to support Virginia's underground storage tank program. Major objectives include enhancement of leak detection and compliance, streamlining corrective action for leaking UST's, providing guidance to the regulated community for compliance with new tank upgrading requirements, and maintaining regulatory and statutory authorities for state program approval which was achieved in October 1998.

Federal	\$2,190,000.00	Local	\$0.00
Applicant	\$729,999.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL			\$2,919,999.00

Date 8/22/2013 **CH #** POW:252

Title FY14 VADEQ Water Quality Management Program

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA - Water Quality Management Planning

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

DEQ utilizes funds from this program to conduct water quality management projects and provide support for projects managed by the PDCs and interstate organizations throughout the state. This proposal provides funds to continue project oversight for both internal and external projects related to TMDL development.

Federal	\$552,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL			\$552,000.00

Environmental Impact Reviews

Received 7/9/2013

Number 13-129F

Name 87th Hampton Cup Regatta

Sponsor DHS/U.S. Coast Guard

Description

The Coast Guard intends to issue a CG-4424 Permit for Marine Event to the City of Hampton/Hampton Cup Regatta Racing Club, the event sponsors, for the 87th Hampton Cup Regatta. The event will take place on Mill Creek, adjacent to Fort Monroe, in Hampton. The boundaries of the event are: to the north: a line along latitude 37-01-11 N; to the east: a line along longitude 076-18-30W; to the south: a line parallel with the shoreline adjacent to Fort Monroe; and to the west: a line parallel with the Route 258 Mercury Boulevard Bridge. The event will take place on August 10 and 11, 2013, between 11:00 AM and 6:00 PM each day. There will be approximately 75 boats, hydroplane and jersey speed skiffs, participating in a hydroplane race. Since docks are already provided, the sponsors will not construct any type of structure. Bleachers will be placed on the Mercury Boulevard Bridge for spectators. The sponsors will place buoys to mark the race course, but they will be placed for a limited duration and will not be intended for general navigation. The Coast Guard has an established Special Local Regulation #8, in the table to 33 CFR section 100.501(c) to promote safety before, during, and after the event.

Affected Localities Hampton

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 7/30/2013

Final State Comments Received 8/5/2013

Received 7/11/2013

Number 13-132F

Name Atlantic Fleet Aerial Target Operations Consolidation

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy) proposes to construct the Atlantic Fleet Aerial Target Operations Facility (ATOF) at Naval Air Station Oceana, Dam Neck Annex in the City of Virginia Beach. The project consists of the construction of a 1,635 square meter (m2), two-story ATOF, and a 115 m2 stand-alone Center-of-Gravity (CG) Alignment and Range Operations Facility for Naval Air Warfare Center Aircraft Division/Atlantic Target Marine Operations (NAWCAD/ATMO). The Proposed Action would also include the demolition of four buildings at Dam Neck Annex. NAWCAD/ATMO provides an average of fifty-four BQM-74 aerial target launches per year in support of critical Fleet air-to-air and surface-to-air training in Operating Area 'W-72' (VACAPES). This project would provide for uninterrupted, critical mission essential surface/aviation operations systems, weapons and radar systems training. The Navy has submitted a Federal Consistency Determination that finds the proposed action consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 8/12/2013

Final State Comments Received 9/4/2013

Received 7/22/2013

Number 13-140F

Name Intracoastal Marine Dredging Project

Sponsor DOD/Dept. of the Army/Army Corps of Engineers

Description

Intracoastal Marine (ICM) (applicant) intends to submit a Joint Permit Application to the U.S. Army Corps of Engineers (Corps) for the issuance of an individual permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act to dredge an existing barge berth located on Scuffletown Creek in the City of Chesapeake. Scuffletown Creek is a tributary to the Southern Branch of the Elizabeth River. The area is adjacent to a bulkhead that is currently used to berth barges and vessels. ICM proposes to expand its capability to handle larger barges and vessels and is planning to dredge a 1,145-foot long by 80-foot wide berth/access channel to the Southern Branch channel which will impact 115,950 square feet (2.66 acres) of state-owned bottomland. The existing average depths along the bulkhead and in the creek range between -3 feet mean low water (MLW) and -8 feet MLW. ICM proposes to mechanically dredge the material and barge it to the Craney Island Dredged Material Management Area (CIDMMA) for disposal. Depending on sediment characteristics and the project economics, an alternative approved disposal location may be utilized. The applicant has submitted a Federal Consistency Certification that finds the proposed project consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Chesapeake

Finding

Comments Sent

Final State Comments Received

Received 7/22/2013

Number 13-139F

Name Shoreline Restoration & Protection Project at Joint Expeditionary Base Little Creek/Fort St

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy) proposes to construct a shoreline restoration and protection project at Joint Expeditionary Base (JEB) Little Creek/Fort Story in the City of Virginia Beach. The shoreline at JEB Fort Story, particularly the beaches and primary dunes, has experienced sporadic episodes of severe erosion during major storm events placing both rare terrestrial habitats and man-made structures, including aids to navigation, military training facilities, and historic resources, at risk of damage or destruction. Under the proposed action, sand on the beaches at JEB Fort Story would be replenished and a single stone breakwater would be constructed as follows: 1) sand would be replenished along approximately 2,500 linear feet of shoreline, and the toe of the existing dune would be replenished and reshaped at the Omaha Beach training area; 2) sand would be replenished along approximately 1,300 linear feet of shoreline across from the Department of Public Works (DPW) building; and 3) one stone breakwater would be constructed to provide storm protection and sand would be replenished along approximately 370 linear feet of shoreline north and east of Building 734 at the northern terminus of Leyte Road. Under the proposed action, a total of approximately 845,800 cubic yards of sand would be required for the beach and dune replenishment. Sand for the replenishment would be obtained and transported from one or a combination of two federal navigation channels: 1) the Thimble Shoals Channel; or 2) the Atlantic Ocean Channel and the Cape Henry Channel. The Navy has submitted a Federal Consistency Determination that finds the proposed action consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 8/23/2013

Final State Comments Received

Received 7/23/2013

Number 13-141F

Name Safety Zone for Naval Live Fire and Explosive Training Exercise

Sponsor DHS/U.S. Coast Guard

Description

The U.S. Coast Guard intends to promulgate a regulation to establish a safety zone in support of a live fire and explosive training exercise within the confines of the U.S. Navy's Motor Vessel SS Del Monte. The safety zone will be enforced by the Coast Guard in the waters of the James River in the vicinity of the James River Reserve Fleet at Newport News, specifically within a 1500-foot radius of the vessel. The vessel will be anchored in the approximate position 37-06-11 N/076-38-40 W. The safety zone will be enforced during the training period, from 8:00 AM on August 19, 2013 through 4:00 PM on August 22, 2013. The purpose of the safety zone is to mariners from the hazards associated with live fire and explosives. The Coast Guard intends to establish a temporary final rule in Table 33 CFR section 165.506 to enforce the safety zone. The Coast Guard states that the proposed activity is consistent, to the maximum extent practicable, with the enforceable policies of Virginia's Coastal Zone Management Program.

Affected Localities Newport News

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 8/12/2013

Final State Comments Received 8/14/2013

Received 7/26/2013

Number 13-142S

Name Renovate Bayside Building (Includes Construction), Tidewater Community College

Sponsor Virginia Community College System

Description

The Virginia Community College System (VCCS) submitted an environmental impact report for construction associated with the renovation of the Bayside Building on the Tidewater Community Campus in the City of Virginia Beach. New entrances will be added to the building. The project site is located within the footprint of the existing Bayside Building and adjacent landscaped lawn areas.

Affected Localities Virginia Beach

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 8/23/2013

Final State Comments Received

Received 8/2/2013

Number 13-146F

Name Hampton Bay Days Fireworks Event, September 7, 2013

Sponsor DHS/U.S. Coast Guard

Description

The Coast Guard has a Special Local Regulation (SLR) which promotes the safety of life on navigable waters before, during, and after a marine event. The marine event in question is a fireworks event over the waters of Sunset Creek and the Hampton River in Hampton scheduled for 9:20 PM to 10:00 PM on September 7, 2013. Because the LSR covers the second and third September weekends but not the first, the Coast Guard will publish a Temporary Final Rule to reflect the change in the date covered by the SLR.

The fireworks will be fired from several locations:

- 1) 37-01.33 N/76-20.11 W;
- 2) 37-01.37 N/76-20.11 W;
- 3) 37-01.35 N/76-20.11 W.

The Coast Guard finds that the proposed event is consistent, to the maximum extent practicable, with the enforceable policies of Virginia's Coastal Zone Management Program (VCP).

Affected Localities Hampton

Finding

The proposed project is consistent with local and regional plans and policies.

Comments Sent 8/20/2013

Final State Comments Received 8/22/2013

Received 8/5/2013

Number 13-147F

Name Research Lease on the Outer Continental Shelf Offshore Virginia

Sponsor DOI/Bureau of Ocean Energy Management

Description

The Department of the Interior (DOI) Bureau of Ocean Energy Management has issued a public notice of an unsolicited request for an Outer Continental Shelf (OCS) Research Lease, Request for Competitive Interest (RFCI), and Request for Public Comment. On February 13, 2013, BOEM received an unsolicited request for a research lease from DMME. The objective of DMME is to obtain a lease under 30 CFR 585.238 for renewable energy research activities, including wind turbine installation and operational testing and the installation of metocean monitoring equipment. The objective of the DMME proposal is to design, develop, and demonstrate a grid-connected 12 megawatt (MW) offshore wind test facility on the OCS off the coast of Virginia. The purpose of the public notice is to: (1) Describe the proposal submitted to BOEM by the Commonwealth of Virginia, Department of Mines, Minerals and Energy (DMME) to acquire an OCS lease for wind energy research activities; (2) solicit indications of interest in a renewable energy lease in the area identified by DMME for substantially similar wind energy activities; and (3) solicit public input regarding the proposal, its potential environmental consequences, and the use of the area in which the proposed project would be located.

Affected Localities Virginia Beach

Finding

Based on this review, we do not have any substantive comments.

Comments Sent 8/23/2013

Final State Comments Received 8/29/2013

Received 8/12/2013

Number 13-151F

Name Safety Zone, Submarine Cable Repair, Coleman Bridge, York River

Sponsor DHS/U.S. Coast Guard

Description

The Coast Guard intends to establish a safety zone closing a section of the York River Channel so that the Department of Transportation can facilitate the installation of submarine cables for the Coleman Bridge between Yorktown (York County) and Gloucester Point (Gloucester County). The work will take place in the York River underneath the bridge from 6:00 AM on September 3, 2013 until 11:59 PM on September 7, 2013. The safety zone will be bound by a box formed by the following coordinates:

- 37-14.6 N/076-30.3 W;
- 37-14.4 N/076-30.4 W;
- 37-14.5 N/076-30.5 W, and
- 37-14.7 N/076-30.4 W.

The safety zone is established to protect mariners from the hazards associated with marine repair work and to ensure the successful completion of the work.

Affected Localities Gloucester Cou York County

Finding

The proposed project is consistent with local and regional plans and policies. We recommend that the Coast Guard coordinate with both Gloucester County and York County to maintain access during this project to the piers and boat launch facilities at Riverwalk Landing in Yorktown and Gloucester Point Beach Park if possible.

Comments Sent 8/23/2013

Final State Comments Received 8/26/2013

Received 8/21/2013

Number 13-157F

Name Lynnhaven River Basin Ecosystem Restoration Project

Sponsor DOD/Dept. of the Army/Army Corps of Engineers

Description

The U.S. Army Corps of Engineers (Corps) proposes to conduct an ecosystem restoration project in the Lynnhaven River in the City of Virginia Beach. The project includes four elements: (1) Ninety-four acres in the main stem and Broad Bay will be seeded to produce submerged aquatic vegetation (SAV) habitat. (2) When the SAV becomes established, bay scallops will be grown on site to build a self-sustaining population. (3) Hard reef structures will be placed in Broad Bay and Lynnhaven Bay through the placement of reefs. (4) Restoration efforts will occur at four wetland sites. The Corps has submitted a Federal Consistency Determination that finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 8/28/2013

Number 13-162F

Name U.S. Army Flight Concepts Division Compound Improvements, Joint Base Langley-Eustis

Sponsor DOD/Dept. of the Army/Dept. of the Air Force

Description

The Department of the Army (Army) proposes to construct a new Flight Concepts Division (FCD) compound at Joint Base Langley-Eustis in the City of Newport News. The FCD compound would be located at Felker Army Airfield south of Runway 14/32, on the opposite side of the runway from its current location. The proposed compound would provide a secure, professional, purpose-built office, training, and research and development complex consistent with the requirements of FCD's mission. The proposed new compound would consist of a basically linear layout with the hangars and repair shops on the east end and facilities for various FCD functions on the west end. The new compound would also include a training field, parking, aircraft aprons, a taxiway bridge to Runway 14/32 and a paved access road. The new compound would be surrounded by vegetated buffer and would not be visible from the surrounding training area. The facility would be surrounded by fences and a security system would be installed. The Army has submitted an Environmental Assessment for the proposed action which includes a Federal Consistency Determination that finds the proposed action consistent, to the maximum extent practicable, with the Virginia Coastal Zone Management Program.

Affected Localities Newport News

Finding

Comments Sent

Final State Comments Received

Received 9/5/2013

Number 13-164F

Name Safety Zone for Virginia Symphony Fireworks

Sponsor DHS/U.S. Coast Guard

Description

The Coast Guard intends to promulgate a regulation for the establishment of a safety zone to support the Virginia Symphony Orchestra Fireworks event. The event sponsor is Beach Events/Integrated Management Group, LLC. The event will take place in the Atlantic Ocean off the Virginia Beach oceanfront, on September 12, 2013 from approximately 9:20 PM to 10:10 PM. The safety zone will include all waters of the ocean within a 1000-yard radius of the position 36-51-12 N/075-58-06 W. The Coast Guard plans to establish a temporary final rule in Table 33, CFR 165.506 to enforce the safety zone. The safety zone is for the purpose of protecting mariners and spectators from the hazards of fireworks displays, including accidental discharge, dangerous projectiles, and falling hot embers or other debris. The Coast Guard states that the proposed event will be conducted in a manner consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10-D: ASKHRGREEN.ORG ANNUAL REPORT – FINAL REPORT

SUBJECT:

Annual Regional Environmental Education Report for FY 2012-2013.

BACKGROUND:

The four regional environmental education committees have reviewed and recommended the HRPDC approval of the Annual Regional Environmental Education Report for FY 2012-2013. This report is prepared annually by the HRPDC staff on behalf of the regional environmental education committees to document cooperative regional activities undertaken to support local programs in recycling and litter reduction; fats, oils and grease abatement, water awareness and stormwater pollution prevention. Localities will include this report in their annual reports to the Virginia Department of Environmental Quality (DEQ) for both stormwater and wastewater programs.

Enclosure

RECOMMENDED ACTION:

Approve the report for distribution.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10-E: WATER/WASTEWATER UTILITY RATE STRUCTURE REPORT

SUBJECT:

The HRPDC staff has completed a report on water and wastewater utility rate structures that addresses how declining water demands may impact utility finances.

BACKGROUND:

Water and wastewater utilities across the country are developing strategies to address:

- Uncertain or declining revenues
- Increasing costs
- Lack of public awareness of revenue gaps

The utilities in Hampton Roads are experiencing this trend and many are considering how their rate structures could be changed to become more financially stable. The study describes why water usage is decreasing, the impacts on utility revenues and costs, and potential solutions.

This item and associated materials were presented under workshop agenda item #6.

RECOMMENDED ACTION:

Approve the report “Designing the Rate Structure of the Future” for distribution.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

**ITEM #10-F: COMMENTS ON PROPOSED BUILDING CODE AMENDMENTS,
RAINWATER NON-POTABLE WATER SYSTEMS**

SUBJECT:

Comments on the proposed 2012 building code provisions for rainwater non-potable water systems.

BACKGROUND:

On September 5, 2013, the HRPDC Joint Environmental Committee recommended the HRPDC approval of the draft comment letter on the proposed building code amendments providing for the scope and design of rainwater non-potable water systems. The proposed regulations were published in the July 29, 2013 issue of the Virginia Register of Regulations (page 3282). The public comment deadline is September 29, 2013.

The proposed amendments will allow wider use of rainwater harvesting in voluntary green building applications to reduce or eliminate stormwater runoff through low impact development practices.

Attachment 10-F

RECOMMENDED ACTION:

Authorize the Executive Director to sign and submit the comment letter to the Virginia Department of Housing and Community Development.

MEMBER JURISDICTIONS

September 19, 2013

CHESAPEAKE

Mr. Stephen W. Calhoun
Regulatory Coordinator
Department of Housing and Community Development
600 East Main Street
Suite 300
Richmond, VA 23219

FRANKLIN

GLOUCESTER

RE: Proposed Regulation Amending the Virginia Uniform Statewide Building Code, 13VAC5-63-210 R (72) and 13VAC5-63-320 (19), Rainwater Non-Potable Water Systems.

HAMPTON

ISLE OF WIGHT

Dear Mr. Calhoun:

JAMES CITY

The Hampton Roads Planning District Commission (HRPDC) supports the provisions for rainwater non-potable water systems as set forth in the proposed regulation amending the Virginia Uniform Statewide Building Code, 13VAC5-63-210 R (75) and 13VAC5-63-320 (19). The proposed amendments will allow wider use of rainwater harvesting in voluntary green building applications to reduce or eliminate stormwater runoff through low impact development practices. The capture and use of rainwater reduces the environmental impact of development and protects the quality of streams and local waterways.

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

In areas where stormwater runoff cannot be infiltrated on site, the use of rainwater harvesting as a stormwater best management practice and as a source of non-potable water can create financial incentives for otherwise nonviable projects. In these cases, the cost of installing and maintaining a rainwater harvesting system may be offset by savings from downsized stormwater infrastructure and reduced potable water use. The proposed amendments will allow local governments to achieve development needs and project compliance with stormwater regulations while promoting environmental quality and sustainability goals.

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

In future updates to this section of the Virginia Uniform Statewide Building Code, HRPDC urges the Department of Housing and Community Development to continue coordination with the Department of Health and the Department of Environmental Quality to ensure that public health and environmental concerns are vetted through the code change process.

WILLIAMSBURG

YORK

Mr. Stephen W. Calhoun
September 19, 2013
Page 2

If you have any questions, please do not hesitate to contact Whitney Katchmark, HRPDC Principal Water Resources Engineer, at (757) 366-4342 or wkatchmark@hrpdcva.gov.

Sincerely,

Dwight L. Farmer
Executive Director/Secretary

TS/jc

DRAFT

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10-G: HRPDC EXTERNAL COMMUNICATIONS POLICY

SUBJECT:

Proposed policy for external communications for the HRPDC staff.

BACKGROUND:

HRPDC staff has had a series of limited and informal policies on communications with the media, including internet usage, blogging and other types of social media. The Freedom of Information Act (FOIA) requirements were compiled in a separate document and in an effort to create a comprehensive document on all types of external communications, the attached policy was drafted to consolidate various written and unwritten policies. The new policy also expands on the personal use of media during and outside of working hours.

The proposed policy has been extensively reviewed internally and by Ms. Susan Blackman with Willcox and Savage PC. This policy is designed to serve as a stand-alone document for communications policies and as an attachment for the Personnel Manual.

This item and related attachment were presented in workshop agenda item #4.

RECOMMENDED ACTION:

Approve the External Communications Policy.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

**ITEM #10-H: FY 2012 – 2013 ANNUAL REPORT TO DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT**

SUBJECT:

The HRPDC staff has completed the FY 2012-2013 annual report, required by the Regional Cooperation Act.

BACKGROUND:

The Regional Cooperation Act requires that Planning District Commissions (PDC) report annually to the Department of Housing and Community Development (DHCD) and to the Commission on their activities. This report is a requirement of the annual contract between DHCD and the HRPDC and follows a format prescribed by DHCD. This report details the responsibilities of PDC's. A number of supporting materials – Budget, Work Program, Publications List and List of Commissioners – are included in the report.

The FY 2012 – 2013 Annual Report was submitted on August 29, 2013.

This item and associated enclosure is included in workshop agenda item #5.

RECOMMENDED ACTION:

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

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10-I: STORMWATER REGIONAL COOPERATION SUMMARY REPORT

SUBJECT:

Annual Regional Cooperation in Stormwater Management report for FY 2012-2013.

BACKGROUND:

On September 5, 2013, the HRPDC Joint Environmental Committee recommended the HRPDC approval of the Annual Regional Cooperation in Stormwater Management report for FY 2012-2013. This report is prepared annually by the HRPDC staff on behalf of regional stormwater program to document cooperative regional activities undertaken to support the local stormwater programs. The permitted localities will include this report in their annual reports to the Virginia Department of Environmental Quality (DEQ).

Enclosure

RECOMMENDED ACTION:

Approve the report for distribution.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

**ITEM #10-J: MEMORANDUM OF UNDERSTANDING (MOU) WITH THE HAMPTON
ROADS MILITARY AND FEDERAL FACILITIES ALLIANCE**

SUBJECT:

Approval of an agreement between the HRPDC and the Hampton Roads Military and Federal Facilities Alliance (HRMFFA) for the HRPDC to host and provide financial and administrative support.

BACKGROUND:

HRMFFA has been renting space and procuring services for financial and administrative projects from the Hampton Roads Partnership. The Partnership will dissolve as of September 30, 2013. The HRPDC has agreed to provide space for HRMFFA at no cost, and to provide financial and administrative support as described in the attached MOU.

Attachment 10-J

RECOMMENDED ACTION:

Authorize the Chairman of the HRPDC to sign the MOU.

**Memorandum of Understanding
Between
The Hampton Roads Military and Federal Facilities Alliance
And
The Hampton Roads Planning District Commission**

This Memorandum of Understanding (MOU) is executed as of October 1, 2013, by and between the Hampton Roads Military and Federal Facilities Alliance, hereinafter referred to as HRMFFA, and the Hampton Roads Planning District Commission, hereinafter referred to as HRPDC.

The parties hereby agree as follows:

1. All fiscal policies, practices and decisions of HRMFFA shall be established by and under the control and direction of its Board and authorized agents and officers.
2. The HRPDC shall receive, hold and disburse grant and other funds payable to and belonging to HRMFFA. All funds and other assets of HRMFFA shall be separately identified in QuickBooks and reside in the SunTrust checking and money market accounts, and the Monarch CDs attributed to HRMFFA
3. Assets of HRMFFA shall be held and invested only in such accounts or in such form as are authorized for the investment of public funds under the laws of the Commonwealth of Virginia and any other applicable law, regulation or grant requirement.
4. Attachment A to this MOU details the services to be provided by the HRPDC to HRMFFA for an annual fee of \$20,500. It also lists various 'a-la-carte' services that the HRPDC can provide to HRMFFA for an additional fee, depending on which services HRMFFA requests.
5. Monthly, the HRPDC finance staff shall prepare and submit to HRMFFA's Executive Director a financial report reflecting all receipts, disbursements, cash, and cash equivalents on hand as of the date of the report. The books and records of HRMFFA shall be open to review and inspection at all times by the officers and Board of HRMFFA, or their designee, upon reasonable notice. The provision of all fiscal services by the HRPDC shall in all events conform to and comply with the requirements of all applicable regulations as determined by the provisions of State, Federal or other grants, and all other applicable laws.

In Witness Whereof, the parties have caused this Memorandum of Understanding to be executed by their duly authorized officers as of the date first set forth above.

Mary Jones, Chair
HR Military & Federal Facilities
Alliance

Thomas G. Shepperd, Jr., Chair
HR Planning District Commission

ATTACHMENT A
Between
The Hampton Roads Military and Federal Facilities Alliance
(HRMFFA)
And
The Hampton Roads Planning District Commission
(HRPDC)
October 1, 2013

The parties hereby agree as follows: The HRPDC will provide the following services to HRMFFA for an annual fee of \$20,500:

- Receptionist to answer incoming calls and direct visitors
- Administrative Support for routine office processes
 - Assistance with mailings, copying, letters, etc.
- Accountant
 - To administer all financial activities
 - QuickBooks
 - Reporting
 - Accounts Payable
 - Accounts Receivable
 - Payroll
- IT Support
 - Internet and phone connectivity
 - Day-to-day computer support

The HRPDC may also provide additional support to HRMFFA for an additional cost, that will be directly billed. These 'a-la-carte' services could include (but not be limited to), for example:

- Assistance with meetings
 - Set up
 - Attendance
 - Power-point assistance
 - Stenographer
 - Food
- Postage
- Copies
- Outside Printing
- Graphics
- Report creation
- Excess IT support
- Annual audit fee

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10-K: RESOLUTION FOR DAY OF SERVICE

SUBJECT:

Adoption of resolution for the Day of Service.

BACKGROUND:

Governor Robert F. McDonnell issued a proclamation asking all Virginians to participate in a Day of Service during the period of September 15th through the 29th. The vast majority of Planning District Commissions across the State also adopted a Resolution asking all local governments to adopt resolutions supporting the Day of Service.

Attachment 10-K



**HAMPTON ROADS PLANNING DISTRICT COMMISSION
RESOLUTION 2012-03**

**A RESOLUTION OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION
ENDORING THE DAY OF SERVICE**

WHEREAS, The Governors of Virginia, Maryland, West Virginia and the Mayor of Washington D.C., have come together to support “Day to Serve”; and

WHEREAS, “Day to Serve” is a unique event that has inspired a diverse group of people to set aside their political, religious, and cultural differences to strengthen our collective communities by coming together to “feed the hungry, protect and enhance the environment, as well as strengthening our communities”; and

WHEREAS, The Governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a Day of Service between September 15-29, 2013; and

WHEREAS, these events help to improve the environment through planting trees, cleaning up parks and streams, and “adopt a road” campaigns; and

WHEREAS, the Governor of Virginia has requested Virginians redouble our efforts for 2013;

NOW THEREFORE BE IT RESOLVED, the Hampton Roads Planning District Commission supports the Governor on this observance and requests all Hampton Roads community organizations and residents to participate in a Day of Service in their communities

APPROVED AND ADOPTED by the Hampton Roads Planning District Commission this 19th day of September 2013.

Thomas G. Shepperd, Jr.
Chairman

Dwight L. Farmer
Executive Director/Secretary

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: THREE MONTH TENTATIVE SCHEDULE

The HRPDC staff has developed a tentative schedule of issues that will come before the Commission for action over the next three months. These issues are the primary action items the Commission will be considering. Other items may be added depending on new priority requests from the Commission, state and federal legislative and regulatory activities and new funding opportunities.

October 2013

Election of Officers

Legislative Agenda

ENVISION Hampton Roads

FY 2013 Audited Financial Statements

CZM 309 Final Report

November 2013

Defense Analysis

Regional Mitigation Plan Update

Emergency Management Sustainability

December 2013

Planned Cancellation

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The Directors of Utilities Committee Summary Minutes from the August 1, 2013 and September 4, 2013 meeting are attached.

Attachment 12-A1

Attachment 12-A2

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

Hampton Roads Chesapeake Bay Committee and Regional Stormwater Management Committee Meetings from July 11, 2013, August 1, 2013 and September 5, 2013 are attached.

Attachment 12-B1

Attachment 12-B2

Attachment 12-B3

C. PROJECT STATUS REPORT

Attached are the project status reports on other HRPDC programs.

Attachment 12-C

MEETING OF THE DIRECTORS OF UTILITIES COMMITTEE

The Directors of Utilities Committee met on August 7, 2013. The following items were addressed during the meeting:

- HRPDC staff summarized the July 24, 2013 meeting with Department of Environmental Quality staff to review the agency's tentative compliance review of the Hampton Roads Regional Water Supply Plan. DEQ requested HRPDC provide specific items within 60 days. A copy of the response letter to DEQ will be provided to the Committee.
- Committee review of the pre-final water and wastewater rate structures report and two page summary will continue through August 16, 2013. The final report will be presented for approval at the September 4, 2013 Committee meeting. HRPDC staff summarized the Chief Administrative Officers' July 18, 2013 discussion of the draft project presentation. The CAOs had no suggestions for changes or edits in preparation for the September 19, 2013 presentation to the HRPDC Executive Committee. The Directors of Utilities Committee provided comments and revisions to staff.
- HRPDC staff briefed the Committee on Mission H2O Virginia, a group that tracks water supply issues and comments on regulatory proposals on behalf of the membership consisting of industrial, commercial and municipal users, and utilities. Mission H2O Virginia invited the HRPDC Directors of Utilities Committee to participate as a member in a new groundwater initiative. The Committee expressed interest, but requested more information; HRPDC staff will confirm the membership requirements and follow up with the Committee regarding the decision on participation.
- The Committee discussed the summary of comments on the Regional Sanitary Sewer System Asset Consolidation Study, focusing on the comment regarding the potential for a regional approach to system improvements without transfer of assets to a regional entity. Policy and administrative issues and the timeline for local decisions and council actions by the end of February 2014 were also discussed.
- HRPDC staff briefed the Committee on the development of the 2014 HRPDC legislative agenda, potential priorities for the FY14 water and wastewater work program, and the development of the FY15 draft budget.

MEETING OF THE DIRECTORS OF UTILITIES COMMITTEE

The Directors of Utilities Committee met on September 4, 2013. The following items were addressed during the meeting:

- Mr. Ted Henifin, Hampton Roads Sanitation District, provided an update on the regional sewer consolidation study. It is anticipated that the HRSD Commission will take action on the study at the September 24, 2013 meeting.
- The Committee approved the final water and wastewater rate structures report, *Water and Wastewater Utilities, Designing the Rate Structure of the Future*. The report will be presented to the HRPDC Executive Committee at the September 19, 2013 meeting.
- HRPDC staff briefed the Committee on Mission H2O Virginia's planning efforts for a presentation to the State Water Commission on September 11, 2013.
- The Committee discussed the FY14 water and wastewater work programs. Projects related to water and wastewater rate structures, affordability, groundwater policy and mitigation, and source water protection were prioritized.
- The Committee discussed draft FY15 program budgets. The final budgets will be presented for approval at the October 2, 2013 Committee meeting.
- HRPDC staff briefed the Committee on the following:
 - Response letter to Department of Environmental Quality's request for additional information to support to the agency's compliance evaluation of the Hampton Roads Regional Water Supply Plan.
 - HRPDC Regional Environmental Committee (REC) comments on the proposed building code amendments for scope and design of rainwater non-potable water systems.

**THE DRAFT SUMMARY OF THE MEETING OF THE
HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE
REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE
CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE
July 11, 2013**

1. Summary of the June 6, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

The Summary of the June 6, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

2. Coastal Zone Management Update

Mr. Benjamin McFarlane, HRPDC, briefed the Committee on developments related to Coastal Zone Management Program grant projects. After discussing possible public access projects in Virginia Beach with city staff, HRPDC staff determined that there were no projects that would be viable in the upcoming fiscal year. HRPDC staff has developed two proposals for FY14 VCZMP grant projects:

- 1) Developing a Native Plants Promotion Strategy for Hampton Roads
- 2) Sea Level Rise Planning and Technical Assistance

These proposals will be submitted to VCZMP by Friday, July 12.

HRPDC staff will make a presentation on the current Section 309 project at the August Committee meeting.

3. Coastal Resiliency Final Report

Mr. McFarlane presented the Coastal Resiliency Final Report to the Committee. The final draft has incorporated several minor changes based on local comments. HRPDC staff requested that the Committee recommend to the Commission that it approve the report for publication and distribution. The Committee voted unanimously, with two abstentions, to recommend approval of the report.

4. Industrial Stormwater Comments

Ms. Jenny Tribo, HRPDC, gave a presentation to the Committee on the proposed 2014 General VPDES Permit for Industrial Stormwater. The current permit expires on June 30, 2014. The new permit will be a five-year permit and is based on EPA's 2008 Multi-Sector General Permit (MSGP). The new permit will also incorporate some provisions from the draft 2013 MSGP. The industrial permit authorizes stormwater runoff

discharges from 30 different industrial sectors. The public comment period for the permit is July 15 to September 13; there will be a public hearing on August 29, 2013.

Key changes in the proposed permit include:

- a registration statement
- simplified map requirements
- monitoring requirements
- special conditions for the Chesapeake Bay TMDL, local ordinance compliance, compliance with new stormwater criteria, and for notification of discharges through an MS4
- several changes to sector definitions and descriptions

Facilities whose primary activity is covered by a sector-specific SIC code will need coverage; “primary activity” is now defined in the regulations (including the definition for co-located activities). Certain activities such as vehicle washing and concrete products are regulated by separate VPDES permits regardless of the primary activity.

Mr. Bill Johnston, Virginia Beach, asked if construction activities are now part of the industrial stormwater permit. Those activities fall under the Construction General Permit.

Mr. LJ Hansen, Suffolk, asked if mulching and composting was considered storage or generation.

Ms. Fran Geissler, James City, asked if the regulation did not require flow numbers. Ms. Tribo stated that she believes the monitoring requirements now included flow measurements as part of the load calculations.

Ms. Connie Bennett, York, asked if the notification requirement applied to both direct and indirect charges through MS4s. Ms. Tribo stated that it probably applied to any discharge from the activity that entered an MS4 system.

The Committee voted unanimously to recommend to the Commission that they approve the comment letter and send it to DEQ.

5. Flood Insurance Discussion

Mr. McFarlane led a discussion with the Committee on various ongoing issues with property insurance, including flood insurance. Recently the Virginia Association of Counties established a task force to study issues with the availability and affordability of homeowners insurance in coastal Virginia localities. Anecdotal evidence indicates that several insurance companies have withdrawn or limited coverage in coastal areas or localities in Virginia. HRPDC staff attended a meeting of the task force as representatives of VAPDC. The Coastal PDCs have been asked to help coordinate the mapping of areas subject to these new conditions (generally, no policies within 2,500

feet or one mile of the shore, depending on the company) and to estimate the number and value of properties at risk. HRPDC staff is currently working on this effort and will update the Committee when more information is available.

HRPDC staff is also working on developing educational and outreach materials concerning changes to flood insurance maps and regulations. This will include both the ongoing FEMA Region III remapping of coastal flood areas and changes to the National Flood Insurance Program (NFIP) as a result of the Biggert-Waters Flood Insurance Reform Act of 2012.

Staff from several localities, including York and James City, suggested that assistance on explaining the map changes to residents would be useful. There is a regional CRS work group that could provide additional information. Other ideas included putting together educational materials or a regional public outreach effort.

HRPDC staff will send out an email to the Committee to identify interested individuals to help in this effort.

6. Discussion on Committee Restructuring

Ms. Whitney Katchmark, HRPDC, led a discussion with the Committee on restructuring the Committee's organization and procedures. HRPDC staff has developed, with help from a subcommittee composed of Committee members, draft guidelines to govern Committee actions, including:

- Renaming the Committee from the Joint Environmental Committee to the Regional Environmental Committee
- Specifically establishing membership in the Committee as two official representatives from each city and county in the region, as well as the Towns of Smithfield and Windsor, and HRPDC staff (HRPDC staff will not vote but will chair the meetings). There are also provisions for non-voting members from regional, state, and federal entities.
- Defining the purpose of Committee
- New guidelines for roles, public notices, agendas, decision-making, voting, budget planning, and meeting participation

The proposed guidelines were sent out to the Committee with the agenda package.

Mr. Joe Du Rant, Newport News, stated that a roll call vote should be necessary for any recommendation to the Commission, and that a "sense of the Committee" or similar unofficial consensus would not suffice. The Committee discussion resulted in a recommendation to require a vote, either roll call or voice, on official actions, such as recommendations to the Commission.

The Committee extensively discussed the membership provisions in the guidelines, and whether there should be different levels of and terms for partners, stakeholders, non-

voting members, etc. Based on the discussion, the consensus appeared to be that there should be three classifications:

- 1) Voting members (local government staff)
- 2) Non-voting members, including
 - a. Regional agencies such as HRSD
 - b. Federal agencies and entities such as NAVFAC or representatives from military installations and/or commands
 - c. State agencies such as DCR, DEQ, and VDOT
- 3) The general public, which includes NGOs

In general, public comments will be restricted to a set place in the agenda, and will be restricted to items on the agenda. However, non-members can be invited to participate in discussions at the discretion of the chair.

Based on the results of the discussion, HRPDC staff suggested that the guidelines be modified and brought back to the Committee in August for more discussion and consideration.

7. Status Reports

Ms. Jenny Tribo, HRPDC, asked if there were any objections to cancelling the July Stormwater meeting and holding it instead in August. There were no objections. Ms. Erin Rountree, Suffolk, asked if a Phase II meeting could be held in August as well. The meeting will be held August 21.

Mr. Brian Swets, Chesapeake, announced that the City of Chesapeake will be hiring a senior long-range planner and that the position will be advertised soon.

Ms. Beth Lewis, Southampton, announced that Franklin and Southampton will now be sharing a combined Community Development Department. The department will be advertising for a stormwater inspector and a stormwater reviewer.

8. Other Matters

The next meeting of the Joint Environmental Committee is scheduled for August 1, 2013 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.

**THE DRAFT SUMMARY OF THE MEETING OF THE
HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE
REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE
CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE**

August 1, 2013

1. Summary of the July 11, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

The Summary of the July 11, 2013 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

2. 309 Project Update

Mr. Ben McFarlane and Ms. Jenny Tribo, HRPDC, updated the Committee on the status of HRPDC's Section 309 grant project. Year 2 of the project consists of three components: coastal plain stormwater BMP guidance, demonstration of a plan evaluation tool using Suffolk and Norfolk as case studies, and modeling of development impacts on water quality using local sites as examples. Ms. Tribo updated the Committee on the first project deliverable. The coastal plain stormwater BMP guidance focuses on new development and redevelopment BMPs and identifies those BMPs that should be preferred in Hampton Roads (such as rooftop disconnections and bioretention), those that are acceptable (such as vegetated roofs and wet ponds), and those that should be discouraged (grass channels and extended detention ponds). The guidance also identifies BMPs that reduce bacteria, and it summarizes coastal plain adaptations or special design features from Virginia's existing BMP specifications. Ms. Tribo has summarized this work into a "LID" (low impact development) checklist to help developers maximize the use of non-structural BMPs. Ms. Tribo will also be developing regional reference maps and GIS layers showing soils with low permeability, groundwater levels, steep slopes, and watersheds with bacteria TMDLs and bacteria-impaired streams. The LID checklist has been distributed to the stormwater working group for comments. A draft of the deliverable 1 report section will be distributed to the Committee prior to the September Committee meeting, with the goal of approving a final draft at the October Commission meeting.

Ms. Gayle Hicks, Hampton, stated that the products should note the limits of data and that people continue to use inappropriate BMPs.

Mr. McFarlane updated the Committee on the status of the second deliverable, which focuses on demonstrating or implementing the plan and ordinance review tools described in the year one report. Mr. McFarlane has been reviewing codes, ordinances, and plans from Norfolk and Suffolk to develop recommendations for changes, with input from local staff. The review has consisted of both untargeted reviews, meant to identify potential areas for change or improvement and personnel or departments with

decision-making or implementation, and targeted reviews, which use two of the tools identified in year one (the CWP Codes & Ordinances Worksheet and the EPA Water Quality Scorecard). Preliminary findings indicate that there are several possible areas of improvement, whether from adopting new ordinances or promoting the use of existing ordinances. HRPDC staff has also met with both cities on three occasions to discuss findings and parallel city efforts. HRPDC staff and locality staff have identified several focus areas, including:

- Changes to nuisance weed ordinances
- Training for public works personnel
- Landscaping standards for stormwater management
- Parking and road standards
- Transfer of Development Rights (TDR) policies
- Cluster development policies

HRPDC staff is also working on the modeling deliverable. A draft of the deliverable 2 report section will be distributed to the Committee prior to the September Committee meeting, with the goal of approving a final draft at the October Commission meeting.

Mr. David Imburgia, Hampton, noted that fire code street width requirements promote increased impervious area; local fire department regulations and the state fire code should be consulted.

Mr. Clay Bernick, Virginia Beach, stated that Virginia Beach had a similar issue with its fire department and had to come to a compromise when updating its requirements.

Ms. Tribo noted that in year 3 HRPDC staff will be documenting obstacles to implementation.

Mr. Andrew Scott, VDOT, stated that there are several products that can support fire equipment.

Mr. Dave Kuzma, Newport News, noted that maintenance issues should also be considered in considering these alternative products.

3. Regional Strategic Plan Update

Ms. Jai McBride, HRPDC, updated the Committee on the status of the Regional Strategic Plan. The Regional Strategic Plan was proposed and discussed during the Commission's annual retreat in February. Based on recent developments, HRPDC staff is proceeding with a new process for the plan, which starts with determining regional values. This process is based off efforts that have worked in several other regions. The general methodology consists of identifying and establishing stakeholders, committees, and subcommittees, creating guiding principles, engaging the community, identifying community values, and then summarizing the results. The time frame is expected to be twelve months. The next step is to host an initial stakeholder meeting later in August.

Mr. Bernick asked if there was a specific timetable for the effort. None has been established.

Ms. June Whitehurst, Norfolk, asked what stakeholders would be invited. Currently, HRPDC is working on the list, but a diverse and representative group is the goal, including representatives from local organizations and the public sector.

Mr. Imburgia asked what role the Regional Environmental Committee would play in the effort. Ms. McBride stated that the Committee would be involved as stakeholders on the public sector side, along with local boards and the mayors and chairs.

4. Building Code Comments

Ms. Whitney Katchmark, HRPDC, briefed the Committee on proposed regional comments on an update to the state building code. The state building code currently treats rainwater like graywater. HRPDC staff will be drafting a comment letter generally supporting the proposed amendments to the building code providing for scope and design of rainwater no-potable water systems. HRPDC staff would like to take the letter to the Commission for a vote in September. Mr. Bernick suggested sending the draft letter to locality building code officials. Ms. Barbara Brumbaugh, Chesapeake, suggested that Committee members could forward it on to their respective building code officials.

5. Nutrient RAP Update

Ms. Katchmark briefed the Committee on updates concerning the Nutrient Credit Trading Regulatory Advisory Panel. The RAP is not done with its work, but has made considerable progress. One regulatory need/goal that has been identified is that the registry should not impede Virginia's progress toward meeting the Chesapeake Bay TMDL or protection of local water quality.

Mr. LJ Hansen, Suffolk, asked if credits would be collected annually and would need to be renewed. Under the current proposal there would be permanent credits and term credits. Term credit rules have not been finalized. The restrictions and assurances for permanent credits would be greater. Mr. Hansen suggested that localities that were "ahead of the curve" could sell their permanent BMPs as term credits to others and then not renew them once they were needed. In that way, term credits provide an incentive to invest in BMPs earlier rather than later. Ms. Jennifer Howell, DEQ, stated that the assurances were borrowed from wetland banks.

Ms. Katchmark stated that the RAP is also looking at land use conversions.

Committee members asked who is responsible for enforcing assurances (states, municipalities), and if those requirements remain with properties. Restrictions stay with properties.

Mr. Bill Johnston, Virginia Beach, noted that he has been having an issue with developers in an impaired watershed asking him to prove that the ditch that leads to an impaired waterbody has a TMDL, not just the waterbody itself.

The next RAP meeting will be on August 22, 2013 and will be public. HRPDC staff will keep the Committee posted on any developments.

6. HRPDC Legislative Agenda

Ms. Katchmark briefed the Committee on the Commission's legislative agenda process. The Commissions generally does not look at specific proposals, instead looking at big issues. She encouraged localities to share any items they were considering.

Ms. Brumbaugh stated that Chesapeake is concerned with the conflict in the current stormwater regulations for grandfathering and vesting. Currently, approved projects are vested for five years, but that is in opposition to the grandfathering provisions in the regulations. Ms. Joan Salvati, DEQ, has responded that they are looking at the issue with DEQ's legal staff. Mr. Scott noted that VDOT is dealing with similar issues.

Ms. Connie Bennett, York, stated that York County was told that if the project does not have an approval by July 1, 2014, then they may have to start over. Ms. Whitehurst stated that projects have to be designed to the new standards if they do not have a permit by 7/1/14. Norfolk has been putting on received plans that they are contingent on meeting the new standards. Ms. Bennett stated that York County is giving projects preliminary approval. Ms. Hicks stated that projects can be designed to the new standard right now.

Mr. Hansen stated that Suffolk is having an issue with carwashes. Specifically, they are discharging to MS4 drainage-ways, but there is nothing in the permit that requires them to use phosphate-free detergent. Suffolk would like to see monitoring requirements for phosphorus for laundry and carwash industrial permits (both have industry-specific permits apart from the Industrial Stormwater General Permit).

7. Committee Restructuring Discussion

Ms. Katchmark briefed the Committee on the effort to restructure the Joint Environmental Committee. An updated version of the by-laws was included in the agenda packet, but that version did not show the changes that had been made. Most of those changes were grammatical.

Mr. Joe Du Rant, Newport News, stated that recommendations to the Commission should be actual votes, not general consensus statements.

Mr. Bernick asked about subcommittees and working groups. The new Regional Environmental Committee will not have any subcommittees, at least to begin with. Working groups will convene to advise HRPDC staff on various issues.

The Committee stated that there needs to be a mechanism to drop or table items of discussion.

The Committee voted to adopt the new by-laws, by a vote of 10 localities in favor, none opposed, and 7 abstaining.

8. Status Reports

Ms. Brumbaugh stated that Chesapeake has reorganized the city's Environmental Services Division; it now reports directly to the Public Works Director.

Mr. Weston Young, Hampton, reported that a Bacteria TMDL public meeting for the Back and Poquoson Rivers was held July 30, 2013.

Isle of Wight County staff reported that the County's Administrator is retiring. The County Fair will be held in September and will have a feature on up-cycled items.

Mr. Bernick reported that the Hampton Roads Sustainable Living Expo, which is targeted at educators, will be held August 28, 2013 at the Sandler Center.

Ms. Howell announced that John McLeod is the new Watershed Coordinator for DEQ's Tidewater Regional Office.

Ms. Whitehurst reported that Norfolk has a new Environmental Coordinator position open; the position will focus on industrial inspections and MS4 administration.

Ms. Tribo reported that the discussion monitoring for PCB TMDLs will be reconvening. The stormwater working group will discuss this at the next meeting. If anyone is opposed to monitoring for PCBs from stormwater, please let her know. Ms. Howell stated that DEQ's goal is to get the monitoring component done as soon as possible. Mr. Kuzma stated that it would be better to get the monitoring component done right than quickly. Mr. Hansen asked how PCB TMDLs would be calculated. Ms. Tribo suggested discussing the matter at the stormwater working group meeting.

9. Other Matters

The next meeting of the Joint Environmental Committee is scheduled for September 5, 2013 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.

MEETING SUMMARY
CHESAPEAKE BAY AND REGIONAL STORMWATER MANAGEMENT COMMITTEES

The Chesapeake Bay and Regional Stormwater Management Committees met on September 5, 2013. The following items were discussed.

- Mr. John White, Norfolk, gave a presentation to the Committees on Norfolk's efforts to address coastal flooding impacts through a combination of infrastructure projects and policy changes.
- Ms. Rebekah Eastep, HRPDC, briefed the Committees on the FY13 askHRgreen.org Annual Report. The Committees recommended that the Commission approve the report for publication and distribution. Ms. Eastep also briefed the Committees on some environmental education promotions planned for FY14.
- Ms. Sara Kidd, HRPDC, briefed the Committees on the modeling component of HRPDC's Section 309 Coastal Zone Management grant project. The project aims to develop recommendations to help local governments address land protection and water quality as part of their responses to the Chesapeake Bay TMDL and new Virginia Stormwater Management Regulations.
- Mr. Benjamin McFarlane, HRPDC, updated the Committees on the Virginia Coastal Zone Management Program. It appears that HRPDC will be awarded two competitive grants for FY14.
- Ms. Jenny Tribo, HRPDC, updated the Committees on developments with the Chesapeake Bay Program. Ms. Tribo briefed the Committee on the status of various stormwater best management practices (BMPs) under consideration for inclusion in the Chesapeake Bay Model.
- Ms. Whitney Katchmark, HRPDC, briefed the Committees on HRPDC's draft comments on proposed changes to the state building code concerning rainwater non-potable water systems. The Committees recommended that the Commission approve the comment letter and authorize the Executive Director to submit it.
- Ms. Tribo briefed the Committee on the Annual Regional Cooperation in Stormwater Management Report for FY12-13. The Committees recommended that the Commission approve the report for publication and distribution.
- Status reports and updates from HRPDC staff and locality staff.

PROJECT STATUS REPORTS

1. Regional Economics Program

Technical Assistance

Economics staff routinely provides technical assistance and support to member jurisdictions and regional organizations. Both the HRPDC Data Book and the Commission's Benchmarking Study provide easy access to a great deal of regional information. Staff also provides special reports and newsletter articles on topics of timely significance, such as payroll and unemployment reports. Over the past month, staff has provided briefings to member localities (per request), provided interviews for information purposes, assisted with the "Jobs Summit" hosted by TCC, and has responded to information requests from individuals, member localities, regional organizations, and the media.

Analysis of Department of Defense Presence

The Department of Defense plays a significant role in the Hampton Roads economy, a role that is continuously being re-defined. In an attempt to better understand the economic impact of the DoD on the region, staff have begun work on an in-depth analysis of the federal presence in Hampton Roads, specifically as it relates to defense activities. A report on the DoD presence in Hampton Roads will be presented at the October or November Commission meeting.

Hampton Roads Data Center

In keeping with the state mandate that calls for Planning District Commissions to collect and maintain demographic, economic, and other data concerning the region and member localities, and to act as a state data center affiliate in cooperation with the Virginia Employment Commission, staff routinely collect and maintain a variety of data sets. This year, as per the Commission's work program, staff are moving from the publication of data in an annual Data Book, to an online data repository that will enable efficient access for those seeking regional data. Staff are in the process of moving to an online system; a process that is expected to be ongoing as new information is released.

2. Housing and Human Service Technical Support

Staff members are also continuing to assist the Hampton Roads Housing Consortium and are currently working on the planning efforts for Seventh Annual Housing Awards to be held in October. HRHC also recently completed an interactive networking event entitled "Pathways to Partnership" and is working on the second phase of the project that includes best practices in delivering housing-related services. Housing Professionals from public, private and non-profit organizations are working together on important issues such as expanding housing opportunities for low and moderate income households. This initiative to hopes to bridge the "knowledge gap" between housing programs and services and other community

services such as, human services programs, mental health programs, services for the disabled and the elderly. A symposium will be held in late 2013 to discuss best practices.

HRPDC Staff members are also working in collaboration with Housing Virginia to present a symposium entitled "*Housing 2020*". This report was recently released by Housing Virginia on a state level. In this study, Housing 2020 analyzes the future of housing in Virginia through four aspects; Demographics, Economics, Finance and the "Green" Housing. Staff will be working with Housing Virginia in an effort to bring a regional focus to this data. A late October symposium is being planned.

Regional Housing Portal

HRPDC staff members are completing the final stages of the online module for the Regional Housing Portal. While the majority of all housing resources have been identified, staff members will began outreach efforts in November to validate all information. This information will be used to create a regional web-based portal for consumers and housing providers to access appropriate services.

3. Emergency Management Project Update

Ready Hampton Roads

Staff continues to support the Ready Hampton Roads (RHR) program. Current efforts include:

- Development of a coordinated, regional social media campaign
- Website improvement planning
- Development and adoption of a strategic plan for RHR that establishes ReadyHR.org as a 'one stop shop' for citizens looking for emergency and disaster related public information and educational information
- Redesign of practitioner side of ReadyHR.org to include calendar syncing, file library organization, and group/committee collaboration sites.
- Development of a RHR virtual joint information center for aggregating regional emergency public information and providing a way for public information officers to collaborate, share and validate information during response operations

The Ready Hampton Roads Working Group will meet on September 16, 2013 to address:

- Development of a Ready Hampton Roads Strategic Plan
- Use of ReadyHR.org & social media as public information aggregate sites
- Hootsuite groups for posting public info directly to RHR social media
- Coordinated social media preparedness campaigns
- Upgrades and changes to ReadyHR.org
- Integrating mobile technologies for secure information sharing, adding events to RHR Calendar, syncing calendar to Outlook, crowdsourcing, etc.
- Bringing RHR into ADA/LEP compliance

- Recommendation to change from working group to subcommittee and revise balance of subcommittee representation

Regional and Local Jail Exercise

The regional jail exercise series was accomplished with many notable lessons learned and improvements in preparedness. Each participant received a checklist of their capabilities and gaps to work on in the near future. HRPDC Staff will continue to engage local and regional jails by making sure they are included in Regional Catastrophic Planning and other endeavors.

Regional Emergency Management Technical Advisory Committee (REMTAC)

The Emergency Management staff continues to manage and support the Regional Emergency Management Technical Advisory Committee and its associated tasks and committees. The REMTAC last met on July 26, 2013, and covered the following:

- A briefing by VDEM on the current and future hazard mitigation funding streams in the Commonwealth and the merits of a regional hazard mitigation plan, as well as options for the next steps in developing a regional or sub regional plan was discussed and decided.
- The Evacuteer concept being used in New Orleans was presented and its viability for certain jurisdictions to use as evacuation rally points was discussed.
- The enhanced capabilities of the augmented HRTacRan system were presented.
- There was a briefing on HRPDC Staffs continued efforts to ameliorate the impacts of the new HIPPA regulations coming into effect.

Mitigation Planning

- Poquoson Multi-Hazard Mitigation Plan Update
HRPDC is in the procurement phase of selecting a contractor to update the the 2009 Multi-Hazard Poquoson mitigation plan that expires September 14, 2014.
- Hampton Roads Hazard Mitigation Plan
EM Staff, in coordination with the REMTAC, are in the process of developing a planning strategy to encompass the concerns of a few emergency managers in order to best move forward and utilize funds for mitigation planning that are anticipated to be awarded to HRPDC later in the year. Final decisions regarding whether the region uses the funds are delayed until after further analysis by REMTAC and the grant award decision my FEMA.

Special Needs Subcommittee

The REMTAC Special Needs Subcommittee continues to be supported by the Regional Special Needs Planner and EM Staff as needed. The Subcommittee last met July 17, 2013. The Subcommittee is currently overseeing the HRPDC bringing the

Registry into compliance with HIPAA, updating the charter and considering a name change to eliminate the use of 'special needs'. In September, the Subcommittee will begin establishing strategic priorities, goals and objectives for the next 5 years.

WebEOC Subcommittee

The REMTAC WebEOC Subcommittee continues to be supported by HRPDC Staff. The Subcommittee last met on August 7, 2013, and the main topics included:

- Training on the regional WebEOC boards (training manual distributed)
- WebEOC sustainment discussion and decision
- Virginia Peninsula Regional Jail presentation on how it utilizes the Regional WebEOC and Mapper in its operations.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). Recent activity includes:

- Closeout of UASI Grants
All FY08 and FY09 projects have been closed out. HRPDC is in the process of closing out FY 2010 UASI grants by July 31, 2013. After which, FY 2011 will be the last of the UASI grant received by the region with a performance period ending in July 2013.
- Sustainment
Stakeholders have narrowed down UASI funded projects to five initiatives that will require sustainment funding. A linkages meeting was held to determine how these initiatives are codependent on one another in order to drive sustainment discussion and prioritization. These five initiatives have completed a preliminary 10-year operating budget to forecast ongoing sustainment costs.
- UAWG Restructuring
In order to function in a new role of strategic regional collaboration and coordination, the UAWG has begun a restructuring process. In this effort three subcommittees have been established, one of which is responsible for updating the UAWG Bylaws. Stakeholders in this committee have begun looking into legal frameworks for the operations of a new preparedness committee.
- State Homeland Security Grant Program (SHSGP) Submission
The HRPDC is coordinating a regional submission for the FY 2013 SHSGP. This will help the region work together and minimize duplication of efforts.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). Recent activity includes:

- **FY 2013 State Homeland Security Grant Program (SHSGP) Submission**
The HRPDC and UAWG have recently completed a lengthy, regional application to the state for grant funding under the SHSGP.

Hampton Roads Interoperable Communications Advisory Committee (HRICAC)

Beginning in June, 2013, the HRPDC began providing project management and support for the HRICAC and associated tasks and subcommittees. Recent activity includes:

- **Regional Interoperability Communication Plan**
The HRPDC applied for and received an FY 2011 UASI grant for the completion of a regional interoperability communication plan. The HRPDC has contracted for professional services and work is under way. Two workshops have been scheduled to engage regional stakeholders; one on September 11th and the other on October 9th.
- **HRTacRan End User Equipment**
The HRPDC applied for and received an FY 2011 UASI grant for the replacement of HRTacRan end user equipment. The HRPDC is in the process of contracting with a vendor to provide the necessary equipment. The equipment will be placed in each locality's Emergency Operation Center and allow for video conferencing over the internet and Hampton Roads Microwave Ring.

Public Relations Report July 2012 - December 2012



COMMITTEE	DATE	MEDIA OUTLET	REPORT TITLE and LINK	CIRC./IMP	PR VALUE
askHRgreen	Sat. July 14, 2012	Daily Press 'Diggin' In' Blog	Enter summer staveation, save states by in free passes...	31,000	\$ 930.00
askHRgreen	Tues. Sept. 25, 2012	Daily Press 'Diggin' In' Blog	Name that place offers trip for two as prize	31,000	\$ 930.00
CLEAN	Nov. 2012	Tidewater Women	Calendar: Electronics Recycling Events, Nov. 12, 17	30,000	\$ 450.00
CLEAN	Nov. 2-7, 2012	Cox Communications 'Hot Ticket'	America Recycles Day, Electronics Event Newport News, Nov. 12	2,500	\$ 75.00
CLEAN	Nov. 8-14, 2012	Cox Communications 'Hot Ticket'	America Recycles Day, Electronics Event Virginia Beach, Nov. 12	2,500	\$ 75.00
CLEAN	Fri. Nov. 7, 2012	Daily Press 'Diggin' In' Blog	America Recycles Day ... dis pose of you unwanted electronics ...	31,000	\$ 930.00
CLEAN	Thurs. Nov. 15, 2012	The Virginian-Pilot 'Pulse' section	Calendar: Electronics Recycling and Safe Shredding, Nov. 17	156,968	\$ 375.00
askHRgreen	Thurs. Nov. 15, 2012	WVEC-TV Evening News	Green Learning	55,000	\$ 1,500.00
WATER	Sat. Nov. 17, 2012	James River Journal	Holiday shopping got you thirsty? Tap into TapIt.	25,000	\$ 45.00
FOG	Sun. Nov. 18, 2012	The Virginian-Pilot 'Gracious Living' section	Don't let your butterball turn pipes into a grease ball	156,968	\$ 9,000.00
FOG	Wed. Nov. 21, 2012	The Virginian-Pilot 'Flavor' section	Let's talk turkey	156,968	\$ 750.00
FOG	Mon. Nov. 19, 2012	Daily Press 'Diggin' In' Blog	Turkey grease: avoid putting drippings down the drain ...	31,000	\$ 930.00
WATER	Wed. Nov. 21, 2012	Daily Press 'Diggin' In' Blog	Thirsty while you shop? Reuseable water bottle refill network ...	31,000	\$ 930.00
askHRgreen	Mon. Dec. 3, 2012	Daily Press 'Diggin' In' Blog	Tips for making it a green, environmentally friendly Christmas	31,000	\$ 930.00
CLEAN	Tues. Dec. 26, 2012	WVEC-TV News 12 p.m. Newscast	Project Green: Where you can recycle your Christmas tree	31,000	\$ 375.00
CLEAN	Wed. Dec. 27, 2012	WAVY-TV News 6 p.m. Newscast	Recycling Christmas Trees	60,000	\$ 1,425.00
CLEAN	Wed. Dec. 27, 2012	The Virginian-Pilot	Cities want to recycle your old Christmas trees	156,968	\$ 4,500.00
CLEAN	Wed. Dec. 27, 2012	Alt Daily	How to recycle your natural-use-only Christmas trees in Hampton Roads		\$ -
askHRgreen	Mon. Dec. 31, 2012	Daily Press 'Diggin' In' Blog	Living green is a good way to embrace 2013, suggests askHRgreen.org	31,000	\$ 930.00

Total PR

1,019,872 \$24,150.00

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #13: CORRESPONDENCE OF INTEREST

- A. Letter from Mr. Larry Land, CAE Director of Policy Development to Mr. F. Woodrow Harris, City of Emporia City Council Member, August 14, 2013.**

Attached is a letter from Mr. Larry Land, CAE Director of Policy Development to Mr. F. Woodrow Harris, City of Emporia City Council Member recognizing the assistance provided by the HRPDC Deputy Executive Director, Randy Keaton and HRPDC Regional Planner Mr. Benjamin McFarlane, and requesting additional data for the VACO Coastal Insurance Study

Attachment 13-A

President
John D. Miller
Middlesex County

President-Elect
Harrison A. Moody
Dinwiddie County

First Vice President
Pablo Cuevas
Rockingham County

Second Vice President
Penelope A. Gross
Fairfax County

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Donald L. Hart, Jr.
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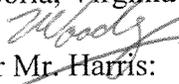
Immediate Past President
Catherine M. Hudgins
Fairfax County

Executive Director
James D. Campbell, CAE

General Counsel
Phyllis A. Errico, Esq., CAE

August 14, 2013

F. Woodrow Harris, Member, City Council
City of Emporia
1105 West End Dr.
Emporia, Virginia 23847


Dear Mr. Harris:

Thank you very much for the support and assistance provided by the Virginia Association of Planning District Commissions to VACO's Coastal Insurance Task Force. To date, the assistance provided by Ben McFarland and Randy Keaton from Hampton Roads PDC has been an essential part of helping us identify the type of information that's needed to perform this complex study. They have also helped us better understand how the data can be compiled in a consistent format. Lewis Lawrence of the Middle Peninsula PDC has also provided extremely helpful support.

On August 8, the Task Force Chair, Janine Burns met with VACO's President, Jack Miller and members of VACO's staff to discuss and decide upon a series of actions that must be taken within the next few weeks to help us establish a baseline for understanding the possible long-term impacts on property values in cases where coverage offered by insurance companies for "improved" properties in coastal areas becomes more restrictive.

We decided that in order to obtain this information, the continued cooperation and support of planning districts will be essential.

We are therefore requesting that the PDCs serving "Tidewater" localities (as defined in the Chesapeake Bay Preservation Act) work cooperatively to provide the following information to VACO's Task Force on a locality-by-locality basis:

Total Value

- For each PDC member county and city of a PDC, the total assessed improvement value of all properties within its boundaries.
- For each PDC member county and city of a PDC, the total assessed improvement value of all properties within 2,500 feet of a major shoreline.
- For each PDC member county and city of a PDC, the total assessed improvement value of all properties within one (1) mile of a major shoreline.

1207 E. Main St., Suite 300
Richmond, Va. 23219-3627

Phone: 804.788.6652
Fax: 804.788.0083

E-mail: mail@vaco.org
Web site: www.vaco.org

Total Properties

- For each member county and city of a PDC, the total number of properties within 2,500 feet of a major shoreline.
- For each member county and city of a PDC, the total number of properties within one (1) mile of a major shoreline.

Mapping

We also request assistance from the PDCs with the compilation of GIS-generated maps for all coastal counties and cities depicting properties within 2,500 feet and one mile from major shorelines. The maps need to be produced in a consistent format. We hope to soon receive information from various PDC staff members about the technical specifications required in order to accomplish this task.

At VACo, we hope to receive this information by the end of September. To coordinate efforts between VACo and the PDCs, please let us know what kind of further assistance we can provide.

Thank you very much for your consideration of this important matter.

Sincerely,



Larry Land, CAE
Director of Policy Development

cc: Janine Burns

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #14: FOR YOUR INFORMATION

A. Hampton Roads Regional Stormwater Management Program Memorandum of Agreement (MOA)

Over the past decade, the region's localities through the Regional Stormwater Management Program have developed a comprehensive, cooperative approach to stormwater management and compliance with state and federal regulatory requirements. This program includes technical studies, participation in the state and federal regulatory processes and education and training. Many HRPDC projects are integral to local government compliance with Municipal Separate Storm Sewer System (MS4) Permits.

In September 2003, a MOA, establishing the Hampton Roads Regional Stormwater Management Program, was executed by the HRPDC and fifteen of the member localities. The agreement formalizes the current Regional Program and establishes the framework for future program development. It outlines the responsibilities of the HRPDC staff and the local governments and details the approach to funding the program. The MOA has a five year term.

As required, the HRPDC staff and local government stormwater staff re-evaluated the MOA that was last executed in March 2008. A number of minor modifications were made to reflect experience, modifications to state legislative authority, and expectations about the HRPDC role under the new MS4 Permits.

The revised MOA became effective on July 1, 2013 following approval of the document by the HRPDC on April 18, 2013. It has now been executed by the sixteen member local governments, the Town of Smithfield, and the HRPDC. A copy of the executed MOA for the Hampton Roads Stormwater Management Program is enclosed.

Enclosure

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #15: OLD/NEW BUSINESS