

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
QUARTERLY COMMISSION MEETING
January 17, 2013

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

WORKSHOP AGENDA

4. Coastal Zone Program
5. Chesapeake Bay Program
6. 2013 Economic Forecast

REGULAR AGENDA

7. Submitted Public Comments
8. Public Comment Period
9. Approval of Consent Items
 - A. Minutes of November 15, 2012 Meeting
 - B. Treasurer's Report
 - C. Regional PNRS Reviews
 - D. Regional Environmental Impact Assessment/Statement Review
 - E. 2013 Economic Forecast
 - F. Coastal Zone Program – Hampton Roads Technical Assistance Program Final Report
 - G. Hampton Roads Watershed Roundtable Grant Authorization
 - H. Bacteria Study
 - I. Hampton Roads Transit Bus Shelter Agreement
 - J. 2040 Socioeconomic Forecast
 - K. Regional Solid Waste Plan for Southeastern Virginia - Amendment No. 3
 - L. Regional Benchmarking Study
10. HRPDC Three-Month Tentative Schedule
11. Project Status Reports and Advisory Committee Summaries
12. Correspondence of Interest
13. For Your Information
14. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #1: CALL TO ORDER

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

ITEM #2: RESOLUTIONS OF APPRECIATION

The HRPDC Board will bestow Resolutions of Appreciation on Commissioner Harry Diezel and longtime employees, John Carlock and Frances Hughey for their 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 QUARTERLY COMMISSION MEETING

ITEM #4: COASTAL ZONE MANAGEMENT PROGRAM

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. During FY 2013 the HRPDC received a grant to support the Coastal Zone Management Technical Assistance Program.

BACKGROUND:

In March 2012, the HRPDC applied for and received grant funding from the Virginia Department of Environmental Quality through the Virginia Coastal Resources Management Program to continue the HRPDC Technical Assistance (Regional Coastal Resources Management) Program. The HRPDC has received annual funding through this grant program since 1986. This program encompasses HRPDC staff efforts to review state and federal Environmental Impact Assessment/Statements, support the Hampton Roads Chesapeake Bay Committee, the evolving Chesapeake Bay-wide TMDL process, and provide regular technical assistance on environmental issues. It also supports HRPDC staff participation in the Chesapeake Bay Program and a variety of state and federal environmental initiatives. In the past, this program has provided the seed money for the establishment of the regional water, stormwater and environmental education programs.

The HRPDC staff has completed the enclosed report, *Hampton Roads Technical Assistance Program Fiscal Year 2012-2013 Final Report*. The report documents HRPDC CZM Technical Assistance Program activities for the period from October 1, 2011 through December 31, 2012.

Benjamin McFarlane, HRPDC Regional Planner will provide an overview of the HRPDC FY 2013 CZM Program.

Enclosure

Note: This item will be presented for action under agenda Item 9F.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #5: CHESAPEAKE BAY PROGRAM UPDATE

SUBJECT:

The HRPDC recommended numerous research and model revisions in its report, *Chesapeake Bay Phase II Watershed Implementation Plan, Hampton Roads Regional Planning Framework, Scenarios, and Strategies*. The Chesapeake Bay Program has taken several actions to address the Region's concerns and suggestions.

BACKGROUND:

In January 2012, the HRPDC developed the *Chesapeake Bay Phase II Watershed Implementation Plan (WIP), Hampton Roads Regional Planning Framework, Scenarios, and Strategies*. The report was appended to localities' Phase II WIP strategies and submitted to Virginia DCR.

The localities in Hampton Roads identified numerous strategies and practices that will reduce nutrient loads that are not included in the Bay Program's models. The report suggested Virginia and the EPA should lead efforts to research and approve the effectiveness of alternate Best Management Practices (BMPs) including illicit discharge elimination programs, harvested wetlands, oyster restoration, and shoreline erosion control.

The HRPDC also recommended further research and revisions to the Chesapeake Bay model in order to improve water quality management programs and guide WIP implementation strategy decisions. Recommendations included developing a process to incorporate local land use data into the Bay models, revising segmentsheds to reflect regional hydrology, and designating wetlands as a separate land use category.

The Chesapeake Bay Program is currently identifying program and modeling priorities to address before the 2017 Midpoint Assessment. The HRPDC staff has been tracking this process and many of the Region's recommendations are being considered. The most significant has been the formation of a Land Use Work Group to explore the options for incorporating local land use data in the Bay TMDL models.

Jennifer Tribo, HRPDC Senior Water Resource Planner will provide an overview of the actions the Chesapeake Bay Program is taking to address the HRPDC's concerns with the Chesapeake Bay TMDL process.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #6 2013 ECONOMIC FORECAST

SUBJECT:

The annual HRPDC regional economic forecast for 2013.

BACKGROUND:

Each January since 1990, HRPDC Economics Staff have delivered a regional economic forecast for the coming year. The forecast presentation includes a review of local and national trends and provides a forecast for gross regional product, employment, unemployment, retail sales, and residential construction. The HRPDC economic forecast was approved as part of the FY 13 HRPDC Unified Planning Work Program.

The HRPDC Economic Forecast is the staff assessment of what the region can expect for the coming year. The Commission's forecast is often used for planning purposes by staff from member jurisdictions as well as other regional organizations. Approving the release of the Economic Forecast will provide public access to the information.

Mr. Greg G. Grootendorst, Chief Economist, will present the 2013 Economic Forecast.

Note: This item will be presented for action under agenda item 9E

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #7: SUBMITTED PUBLIC COMMENTS

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

ITEM #8: PUBLIC COMMENT PERIOD

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

ITEM #9: APPROVAL OF REGULAR AGENDA ITEMS

A MINUTES

The Minutes of the HRPDC Executive Committee meeting of November 15, 2012 are attached.

Attachment 9-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 November 2012 activities are attached. This statement reflects the financial status of the HRPDC as a whole.

Attachment 9-B

RECOMMENDED ACTION:

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

C: REGIONAL REVIEWS – 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 January 4, 2013 on these projects.

Attachment 9-C

RECOMMENDED ACTION:

None required

D: REGIONAL REVIEWS - ENVIRONMENTAL IMPACT ASSESSMENT/STATEMENT REVIEW

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. There were no outstanding comments as of January 4, 2013 on these projects.

Attachment 9-D

RECOMMENDED ACTION:

None required.

**Hampton Roads Planning District Commission
Executive Committee Meeting
Minutes of November 15, 2012**

The Executive Committee 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:

EXECUTIVE COMMITTEE

Thomas Shepperd, Chairman (YK)
James O. McReynolds, Treasurer (YK)
Ella P. Ward (CH)*
Randy Martin (FR)*
Brenda Garton (GL)
Mary Jones (JC)
McKinley Price (NN)*

Selena Cuffee-Glenn (SU)
Tyrone Franklin (SY)
Louis R. Jones (VB)
Jackson C. Tuttle, II (WM)

EXECUTIVE DIRECTOR:

Dwight L. Farmer

EXECUTIVE COMMITTEE (ABSENT)

Christopher G. Stuart (HA)
Dee Dee Darden (IW)
Paul Fraim (NO)

Kenneth Wright, Vice Chairman (PO)
J. Randall Wheeler (PQ)
Michael Johnson (SH)

OTHER COMMISSIONERS

Amar Dwarkanath (CH)
Eric Martin (CH)
Debbie Ritter (CH)
Will J. Moffett (HA)
Douglas Caskey (IW)
Robert Middaugh (JC)
Neil Morgan (NN)

Sharon Scott (NN)*
Marcus Jones (NO)*
Brannon Godfrey (PO)
Robert Dyer (VB)
Harry Diezel (VB)
Barbara Henley (VB)
James Spore (VB)

*Late arrival or early departure

OTHERS RECORDED ATTENDING:

Brian DeProfio (HA); Jeff Raliski, (NO); Michael King (NN); Sherry Hunt, Eric Nielsen (SU); Wendy James, LeClair Ryan; John Gergely, Newport News Citizen; Ellis James, Sierra Club Observer; Cathy Aiello, Aiello Enterprises, Inc.; Eric Stringfield, (VDOT); Tony Kinn, (OTP3); Nicholas Nies, (WR&A) Staff: John Carlock, Camelia Ravanbakht, Curtis Brown, Melton Boyer, Rick Case, James Clary, Jennifer Coleman, Nancy Collins, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Mike Long, Jai McBride, Brian Miller, Kelli Peterson, Tiffany Smith, Jennifer Tribo, Chris Vaigneur.

APPROVAL/MODIFICATION OF AGENDA

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

Commissioner James McReynolds Moved to approve the agenda; seconded by Commissioner Mary Jones. The Motion Carried.

WORKSHOP AGENDA

LEGISLATIVE AGENDA

Commissioner Ward arrives

Mr. John Carlock, HRPDC Deputy Executive Director, informed the Commission of the changes made to the Legislative Agenda based on discussion and common themes from Legislative Agendas of the member localities.

Mr. Carlock indicated funding sources would be added to the emergency planning portion of the agenda and the issue with drainage easements required by the Virginia Department of Transportation (VDOT) was eliminated based on advice from the localities.

Additionally, the following items were crafted based on individual Legislative Agendas and various state agencies:

- The Commonwealth must be a reliable funding partner.
- Support funding to achieve 2015 goal of communications between all agencies using compatible communication interoperable systems.
- Oppose any legislation that would reduce local government planning and related authority.
- Support equal taxing authority for cities, counties and towns.
- Oppose any cap on local taxing authority or restrictions on local revenue sources.

Commissioners Martin, Scott and Marcus Jones arrive

Commissioner Harry Diezel inquired about the amount of time taken preparing the agenda in partnership with the General Assembly members to ensure the legislative priorities are addressed.

Chairman Shepperd commented that the reoccurring themes of the member-specific agendas, along with the localities meeting with their individual General Assembly members would be the best available option.

Commissioner Diezel reiterated the need to discuss the interoperability of communications with the Legislature because he believed every locality would see a dramatic price problem in the future.

Chairman Shepperd agreed and noted the HRPDC needs to consider a way to have more open ended discussions with the General Assembly in the future

Commissioner Mary Jones questioned the necessity of including the No Child Left Inside Act in the agenda and if it was included in the HRPDC's 2011 Legislative Agenda.

Mr. Carlock confirmed the No Child Left Inside Act was part of the legislative package in 2011 and was separately endorsed in 2010.

ANALYSIS OF ENERGY DEVELOPMENT STRATEGIES IN HAMPTON ROADS - PART II

Mr. James Clary, HRPDC Economist, stated there are not only economic concerns but also environmental and planning aspects that need to be taken into account for energy policy. With a regional policy, there are three goals: high energy surety, which is energy on demand and in locations where people require it, low energy costs and increasing energy jobs. Employment in the energy sector encompasses not only manufacturing and electricity generation, but a host of industries related to energy as well. .

In addition, the Hampton Roads area has been federally mandated to maintain a higher level of energy security for the federal facilities. This is a determining factor for long term Base Realignment and Closure (BRAC).

Virginia ranks 27th in usage and pricing which makes building new generation difficult. Virginia imports a significant portion of the electricity it uses, second only behind California.

Currently, the sources available to fulfill capacity needs are: coal, biomass, natural gas, wind, oil and nuclear. Depending on the Environmental Protection Agency (EPA) regulations, the makeup of resources to achieve capacity will be altered for the years 2016 and 2022. The primary source of energy is nuclear followed by coal which account for 67% and 28%, respectively. Oil and gas are mainly reserved for high usage events such as extreme temperatures.

Mr. Clary identified various potential energy technologies but because of lack of resources, building sites and levelized costs, only coal, offshore wind, oil and natural gas, and nuclear energy were considered viable options. Currently, the U.S. has the largest share of coal reserves at 239 years. In reserves, offshore resources include an estimated 140 million barrels of oil and 1.14 trillion cubic feet of natural gas. Most of the potential economic benefit would come from the lease revenues generated from the state government. Offshore development could generate up to 16,000 jobs regionally.

Although the levelized cost of \$304 per MWh is high, Hampton Roads is enrolled in the Smart from the Start program for the Bureau of Ocean Energy Management (BOEM). All Mid Atlantic offshore wind projects are proceeding at the same pace. The earliest turbine construction would be 2018 by Dominion Power, followed by the Atlantic Wind Connection in 2021.

The majority of job creation would occur during the installation phase with 24,000 jobs and holding steady at 1,400 jobs for yearly operation and maintenance.

Nuclear energy is the largest producer of energy in the region originating from the Surry power plant, but AREVA in Newport News is in the design phase of nuclear energy capacity.

Mr. Clary indicated the following policy recommendations to the Commission:

- Avoid the temptation to pick winners.
- Energy Efficiency is the most cost effective way to meet energy needs.
- Maintain simple permitting processes for distributed energy technologies.
- Recognize that some questions are policy questions and not economic or energy questions.
- Support the Hampton Roads Energy Corridor

Chairman Shepperd applauded the study comprehensiveness and asked for clarification on levelized costs.

Mr. Clary explained levelized cost includes capital, installation, transmission, operation and maintenance, and projected fuel for the source in relation to the output of energy.

SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT COMMENTS

Ms. Jennifer Tribo, HRPDC Senior Water Resources Planner, indicated Poquoson, Suffolk, Williamsburg, Isle of Wight County, James City County and York County will be directly affected by the change in regulation immediately. Additional localities that will be indirectly impacted in the future include Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Virginia Beach.

MS4 permits allow localities to discharge stormwater into local waterways and provide an approach to enforce reductions and create implementation plans for Total Maximum Daily Loads (TMDL).

Next steps include three public hearings in December 2012, followed by the Soil and Water Conservation Board taking final action in March 2013. Registration statements will be submitted by the localities in April 2013 and the new permits will become effective in July 2013.

Supplemental requirements for this permit cycle include:

- Requires more stringent local government programs
- Requires permittees to create Action Plans for all TMDLs for impaired waters receiving drainage from the permitted area
- Details how localities must calculate pollutant load reduction requirements to comply with the Chesapeake Bay TMDL

The HRPDC staff comments are based on two major concerns: First, localities receive credit for all Stormwater Best Management Practices (BMP) from 2006 forward, and secondly, the State should provide guidance on ambiguous permit requirements. Existing language in the draft permits notes localities must calculate TMDL reductions; however, the formula is not included. Staff would prefer the State develop a methodology for TMDL calculations and assist the localities.

Commissioner Jackson Tuttle mirrored the staff's disappointment with the State's dismissive stance in addressing the HRPDC concerns.

Commissioner Debbie Ritter stated the multi-jurisdictional board for the Chesapeake Bay has three representatives from the region and maintained the Environmental Protection Agency (EPA) is creating difficulties with the new legislation and restricting the State.

Chairman Shepperd commended the HRPDC staff on a superb work product and reiterated his disappointment with the State's approach towards the HRPDC concerns.

Commissioner Ritter reminded the Commission consent orders for the localities will be due in the near future and stated the MS4 permit coverage will expand.

Ms. Tribo noted the Stormwater regulations development has been delayed but a new timeline is expected in the summer.

GROUNDWATER REGULATIONS COMMENTS

Commissioner Price arrives

Ms. Whitney Katchmark, HRPDC Principal Water Resources Planner, reported the Department of Environmental Quality (DEQ) has published its revised Groundwater Regulations for public comment. She stated the Directors of Utilities Committee responded to DEQ's request and those comments are included in the agenda packet.

Groundwater management determines the amount of water localities or businesses can withdraw, thus allowing the cost of water to be varied because alternatives such as surface water have a higher price and the total volume of water available can lead to additional water use restrictions in drought conditions and prioritize who obtains water first.

She informed the Commission the referenced groundwater map with 170 permits and changes over the last seven years will be sent out as a special report to the members.

The purposes of these regulations are to address conflicts among users and monitoring water use to ensure the system is not overdrawn. Common problems associated with an overdrawn well can be saltwater replacing the fresh water completely, and the soil compacting; therefore permanently reducing the volume of water that can be stored.

DEQ has revised the regulations because the new data shows water levels lower than expected. New permit requirements will only apply in groundwater management areas,

which include all localities except Gloucester. A proposal is included in the draft regulations for the management area to include Gloucester and all areas east of I-95.

Ms. Katchmark reviewed the Directors of Utilities Committee comments which focused on public water system demands being the highest priority. These permits need to be grandfathered in and should not be required to purchase surface water in lieu of renewing them. The term for permits should be extended to 30 years to better align with infrastructure financing and planning purposes.

Additional recommendations include drought permits which should be evaluated on typical use and innovative practices should be encouraged.

Commissioner Tyrone Franklin asked when the changes will become effective.

Ms. Katchmark responded the comment period ends on January 11th and she needs to reference the timeline for the State Water Control Board, but would speculate within the year.

REGULAR AGENDA

SUBMITTED PUBLIC COMMENTS

Chairman Shepperd noted there were not any submitted public comments.

PUBLIC COMMENT

Two people requested to address the Hampton Roads Planning District Commission.

Ellis W. James

Thank you, Mr. Chairman, members of the Commission. My name is Ellis W. James, I reside in the City of Norfolk, and I'm a lifelong resident of Hampton Roads. The energy report that you have just heard from Mr. Clary was very interesting, but I find several things disturbing that I want to comment on. At the end of the report, it talks about specifically policy recommendations. Avoid the temptation to pick winners, and yet during the report, potential energy technologies in Hampton Roads: biomass, no; coal, yes; onshore wind, no; offshore wind, yes. And so on. For those of you who might have missed it, the United States of America is about to embark on a new direction in my opinion when it comes to energy. The information is interesting and significant to our future here in Hampton Roads. I would hope that included in this energy review there would be more attention made and paid to the question of impact of health issues on the residents of this area. One of the major costs of providing energy to our citizens is the question of dirty air, dirty water, and the impacts health wise that are significant to our existence here. One last item: There is a push afoot to gin back up the offshore drilling issue. That is the most ridiculous in the face of this information and this report item to push in the state of Virginia in my opinion. We have enough problems in trying to deal with the issues of clean air and clean water, and we don't need to have something that would be detrimental to the cities in Southside especially. I can imagine Virginia Beach's economy if the first oil spill were to occur off the coast and then people who flock to Virginia Beach and Hampton Roads for vacations, Williamsburg, all of those areas would then be confronted with the kind of craziness that existed in the gulf. Thank you, Mr. Chairman.

John Gergely

I'll be quick. I didn't mean to speak here, but Mr. Clary gave his presentation. He knows what's he's talking about. I was very impressed with the presentation, and Mr. Shepperd you asked this question about level loading, that I forgot the exact term was, but how that worked. I want to add a little bit to that, and I'm not sure if it's in his numbers or not, but for every wind turbine, every solar panel that's ever put online, there has to be an equal conventional power source sitting idle, waiting when that doesn't work. So when you put to really level load, and like I said I am not sure whether he has in in there or not, I'd like to get a copy of his report, when you really level load, when you look at the cost of wind and solar, you have to include the cost of a nuclear plant, a coal plant, a natural gas plant, a gas turbine somewhere sitting idle being unused, all that capital being invested just to back up that so-called clean energy So any cost you have in that, any level loading has to include that. So this stuff is really, really expensive. Basically, and any of the great ecological, green energies really, really cost money in the long run. And my field is thermodynamics I was educated at Old Dominion field of engineering. My expertise is power generation, and believe me, that stuff doesn't work, isn't worth the money. Thank you very much.

APPROVAL OF CONSENT ITEMS

- A. Minutes of October 18, 2012 Meeting
- B. Treasurer's Report
- C. Regional Reviews – Monthly Status Report
 - a. PNRS Reviews
 - b. Environmental Impact Assessment/Statement Review
- D. FY 2013 Budget Amendment
- E. Legislative Agenda
- F. Analysis of Energy Development Strategies in Hampton Roads – Part II
- G. PDC Boundaries
- H. Appointment to MMRS Oversight Committee
- I. Small Municipal Separate Storm Sewer System (MS4) Permit Comments
- J. Goundwater Management Area Regulations Comments
- K. State Homeland Security Grant Application
- L. Reallocation of Urban Areas Security Initiative Grant Funding
- M. National Fish and Wildlife Grant for Chesapeake Bay TMDL Watershed Implementation Plan Development in Hampton Roads
- N. Hampton Roads Adaptation Forum – Sea Grant Application

Chairman Shepperd asked Commissioner Mary Jones if she would prefer to pull the Legislative Agenda item.

Commissioner Mary Jones responded because of lack of discussion in the workshop agenda there was not any necessity to pull the item.

Commissioner Selena Cuffee-Glenn Moved to approve the consent items; seconded by Commissioner Louis Jones. The Motion Carried.

HRPDC THREE MONTH TENTATIVE SCHEDULE

Chairman Shepperd commented on the absence of a meeting in December, acknowledged the high volume of topics covered in January and the retreat in February.

Chairman Shepperd asked Commissioner Diezel if he would return in January to receive a Resolution of Appreciation from the Commission.

Commissioner Diezel expressed his thanks to the Commission.

CORRESPONDENCE OF INTEREST

Chairman Shepperd noted the Correspondence of Interest section of the agenda

PROJECT STATUS REPORTS

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

FOR YOUR INFORMATION

Chairman Shepperd acknowledged the For Your Information section of the agenda, and underscored the economic impact report from the Navy.

OLD/NEW BUSINESS

No Old or New Business was brought before the Commission

ADJOURNMENT

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:26 a.m.

Thomas G. Shepperd, Jr.
Chairman

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2013
11/30/2012
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	274,855	Current Liabilities	1,311,718
Accounts Receivables	1,154,519	Net Assets	4,351,568
Investments	2,844,760		
Other Current Assets	664		
Net Capital Assets	<u>1,388,488</u>		
Total Assets	<u><u>5,663,286</u></u>	Total Liabilities & Equity	<u><u>5,663,286</u></u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>YTD</u>
Grant and Contract Revenue	6,583,611	132,658	1,762,288
VDHCD State Allocation	151,943	-	75,971
Interest Income	18,000	1,842	6,611
Local Jurisdiction Contributions	1,329,440	-	664,719
Other Local Assessment	1,661,727	-	684,414
Sales and Miscellaneous Revenue	18,150	1,162	17,201
Special Contracts/Pass thru	1,476,185	-	-
Total Revenue	<u><u>11,239,056</u></u>	<u><u>135,662</u></u>	<u><u>3,211,204</u></u>
EXPENDITURES			
Personnel	4,532,387	341,904	1,777,206
Standard Contracts	205,405	5,815	80,228
Special Contracts / Pass-Through	5,892,155	316,312	1,394,890
Office Services	609,109	56,627	227,635
Capital Assets	-	-	-
Total Expenses	<u><u>11,239,056</u></u>	<u><u>720,657</u></u>	<u><u>3,479,959</u></u>
Agency Balance	<u><u>-</u></u>	<u><u>(584,996)</u></u>	<u><u>(268,755)</u></u>

Project Notification and Reviews

Date 1/2/2013 **CH #** VA121217-2823760

Title Pesticide Performance Partnership Grant Application FY14

Applicant VA Dept. of Agriculture and Consumer Services

State/Federal Program EPA National Pesticide Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

This project will assist Virginia in its continuing efforts to protect human health and the environment from unreasonable adverse effects resulting from pesticide use and ensure that pesticides are available for use in the state. This is done through education, compliance assistance, and appropriate enforcement action.

Federal	\$462,624.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$124,463.00	Income	\$0.00
TOTAL \$587,087.00			

Date 1/2/2013 **CH #** VA121217-2723760

Title VADEQ NOAA Meaningful Watershed Educational Experiences (MWEE) Application

Applicant VA Dept. of Environmental Quality

State/Federal Program Chesapeake Bay Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

The proposed project's funds would continue to strengthen and expand the network of highly trained, non-formal educators throughout Virginia who support formal educators in implementing successful Meaningful Watershed Educational Experiences (MWEE) at the K-12 level. This project build capacity by training highly qualified watershed education leaders, coordinating their work with school divisions and cultivating a strong network of schools and local service providers.

Federal	\$224,907.00	Local	\$0.00
Applicant	\$83,331.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL \$308,238.00			

Date 1/2/2013 **CH #** VA121220-2923760

Title FY2013 State Revolving Load Funds Capitalization Application

Applicant VA Dept. of Environmental Quality

State/Federal Program EPA Capitalization Grants for Clean Water State Revolving Funds

Type of Impact Statewide/Norfolk

Project Staff Sara Kidd

Project Description

Virginia has the opportunity to fund clean water projects throughout the Commonwealth. This proposal plans to fund 14 projects to localities through wastewater and stormwater loans. One of the 14 proposed projects is \$10,000,000 for sewer system improvements for the City of Norfolk. The improvements will reduce Sanitary Sewer Overflows (SSOs) in accordance with the regional Consent Order.

Federal	\$28,924,000.00	Local	\$0.00
Applicant	\$5,784,800.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$34,708,800.00	

Date 1/2/2013 **CH #** VA121227-3023xxx

Title Chesapeake Media Service - Bay Journal

Applicant Chesapeake Media Service, Inc.

State/Federal Program Chesapeake Bay Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

Chesapeake Media Service is requesting continuing funds to produce 10 issues of the Bay Journal, maintain the Bay Journal website, and distribute articles. The Bay Journal is the principal public information tool of the Chesapeake Bay Program.

Federal	\$327,000.00	Local	\$0.00
Applicant	\$86,528.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$413,528.00	

Environmental Impact Reviews

Received 11/9/2012

Number 12-193F

Name Dam Neck Car Care Center Expansion

Sponsor DOD/Army/U.S. Army Corps of Engineers

Description

The U.S. Army Corps of Engineers (Corps) is reviewing an application from Reed Enterprises, Inc. for a Section 404 Clean Water Act individual permit (NAO-2006-7731/12-V0974) for proposed impacts to jurisdictional Waters of the United States from the expansion of the Dam Neck Car Care Center in the City of Virginia Beach. The project site is located south of the intersection of Holland Road and Dam Neck Road. The project includes the expansion of an existing commercial automobile maintenance operation with the construction of two 6,000 square-foot collision repair buildings and associated parking, and the relocation of an existing stormwater pond. The site drains into West Neck Creek, a tributary to North Landing River, a navigable water of the U.S. The proposed project will result in impacts to 1.07 acres of forested wetlands and 0.66 acre of emergent wetlands. Reed Enterprises, Inc. 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 Virginia Beach

Finding

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

Comments Sent 12/3/2012

Final State Comments Received

Received 11/13/2012

Number 12-196F

Name Transfer of Interest in Real Property of the U.S. to the Commonwealth for Highway Constru

Sponsor DOD/Department of the Navy

Description

The Department of the Navy (Navy) proposes to grant multiple interests in real property (in the form of easements and licenses) to the Commonwealth of Virginia for construction of a new I-564 Intermodal Connector at Naval Station (NAVSTA) Norfolk and Naval Support Activity Hampton Roads (NSA HR). The Virginia Department of Transportation (VDOT) and its representatives will administer and construct the transportation improvements in accordance with final highway plans approved by Federal Highway Administration (FHWA). The proposed real estate transactions would allow VDOT to construct: (1) a new four-lane divided highway (I-564 Intermodal Connector) connecting the existing I-564 to NIT and NAVSTA Norfolk, including a relocated gate 6 and reconfigured commercial vehicle inspection station (CVIS) at the western end of the corridor; (2) Air Terminal Interchange (ATI) providing access to Hampton Boulevard, Seabee Road, Gates 1, 2, 3A and 5 of NAVSTA Norfolk, PPV Housing, NSA HR, Camp Allen and Helmick Street; and (3) relocation or mitigation for Navy facilities and infrastructure impacted by construction of the I-564 Intermodal Connector or ATI. The Navy has submitted a Federal Consistency Determination that finds the proposal consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Norfolk

Finding

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

Comments Sent 12/4/2012

Final State Comments Received

Received 11/13/2012

Number 12-194F

Name Airfield Electrical Improvements, Norfolk International Airport

Sponsor USDOT/Federal Aviation Administration

Description

The Norfolk Airport Authority (Authority) proposes to make airfield electrical improvements at the Norfolk International Airport in the City of Norfolk. The proposal includes: replacing all airfield electrical wiring with new wiring; installing taxiway light emitting diode (LED) lighting; replacing an existing rotating beacon; replacing an existing tower and obstruction light; and installing of two new airfield signs. The Authority 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 Norfolk

Finding

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

Comments Sent 12/4/2012

Final State Comments Received

Received 11/20/2012

Number 12-204F

Name Woodlake Drive Extension, City of Chesapeake

Sponsor DOD/U.S. Army Corps of Engineers

Description

The U.S. Army Corps of Engineers (Corps) is reviewing an application from the City of Chesapeake for a Section 404 Clean Water Act individual permit (NAO-2012-0669) for proposed impacts to jurisdictional Waters of the United States from the extension of Woodlake Drive in the City of Chesapeake. The proposed extension is Phase II of a project to connect Woodlake Drive to Debaun Avenue. The extension consists of the construction of approximately 2,900 linear feet of new roadway west of the existing Woodlake Drive which will complete the 1.4-mile connection between Greenbrier Parkway and Battlefield Boulevard. The extension will have two lanes at its connection to Woodlake Drive and will transition to four lanes at Debaun Avenue. The extension will contain turn lanes, raised medians, curb and gutter, a closed storm sewer system, and a 10-foot wide multi-use path. In addition, the roadway design will apply access management principles to accommodate future development. The City of Chesapeake 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

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

Comments Sent 12/20/2012

Final State Comments Received

Received 12/7/2012

Number 12-212F

Name PER Properties, Inc.

Sponsor DOD/Army/U.S. Army Corps of Engineers

Description

The U.S. Army Corps of Engineers (Corps) is reviewing an application from PER Properties, Inc. for permits required pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for proposed impacts to jurisdictional Waters of the United States from the construction of an intermodal facility for receiving agricultural products for export via oceangoing vessels at 3991 Elm Avenue in the City of Portsmouth. Construction of the facility will require dredging and filling which will impact 14,504 square feet of non-vegetated wetlands and 55,722 square feet of subaqueous land on the Southern Branch of the Elizabeth River. A 945 foot long steel sheetpile bulkhead will be installed to allow for loading equipment to support the waterfront activities necessary for terminal operations. The project will require dredging of 118,039 cubic yards of material to provide deepwater access to the federally-maintained shipping channel in the Elizabeth River. PER Properties, Inc. 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 Portsmouth

Finding

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

Comments Sent 12/28/2012

Final State Comments Received

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #9E 2013 ECONOMIC FORECAST

SUBJECT:

The annual HRPDC regional economic forecast for 2013.

BACKGROUND:

Each January since 1990, HRPDC Economics Staff have delivered a regional economic forecast for the coming year. The forecast presentation includes a review of local and national trends and provides a forecast for gross regional product, employment, unemployment, retail sales, and residential construction. The HRPDC economic forecast was approved as part of the FY 13 HRPDC Unified Planning Work Program.

The HRPDC Economic Forecast is the staff assessment of what the region can expect for the coming year. The Commission's forecast is often used for planning purposes by staff from member jurisdictions as well as other regional organizations. Approving the release of the Economic Forecast will provide public access to the information.

RECOMMENDED ACTION:

Approve the release of the 2013 Economic Forecast.

NOTE: This item was covered under Workshop Agenda Item 6

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9F: COASTAL ZONE PROGRAM – HAMPTON ROADS TECHNICAL ASSISTANCE PROGRAM – FINAL REPORT

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. During FY 2013 the HRPDC received a grant to support the Coastal Zone Management technical assistance program.

BACKGROUND:

In March 2012, the HRPDC applied for and received grant funding from the Virginia Department of Environmental Quality through the Virginia Coastal Resources Management Program to continue the HRPDC Technical Assistance (Regional Coastal Resources Management) Program. The HRPDC has received annual funding through this grant program since 1986. This program encompasses HRPDC staff efforts to review state and federal Environmental Impact Assessment/Statements, support the Hampton Roads Chesapeake Bay Committee, the evolving Chesapeake Bay-wide TMDL process, and provide regular technical assistance on environmental issues. It also supports HRPDC staff participation in the Chesapeake Bay Program and a variety of state and federal environmental initiatives. In the past, this program has provided the seed money for the establishment of the regional water, stormwater and environmental education programs.

The HRPDC staff has completed the report, *Hampton Roads Technical Assistance Program Fiscal Year 2012-2013 Final Report*. The report documents HRPDC CZM Technical Assistance Program activities for the period from October 1, 2011 through December 31, 2012.

At its meeting on January 3, 2013, the HRPDC Joint Environmental Committee recommended the Commission approve the report.

RECOMMENDED ACTION:

The HRPDC staff and Joint Environmental Committee recommend, the Commission approve the report as meeting the requirements of the Grant and Work Program and approve for distribution.

Note: This item was covered under Workshop Agenda Item 4.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9G: HAMPTON ROADS WATERSHED ROUNDTABLE GRANT AUTHORIZATION

SUBJECT:

The Virginia Department of Conservation and Recreation provides annual financial assistance to support regional watershed roundtables, including the Hampton Roads Watershed Roundtable.

BACKGROUND:

For several years, the HRPDC staff has received grant funding from the Department of Conservation and Recreation (DCR) to facilitate the activities of the Hampton Roads Watershed Roundtable. The Roundtable is comprised of representatives of private sector interest groups and the region's local governments. Generally meeting quarterly to address water quality and related environmental issues, the Roundtable provides a networking and information exchange opportunity. The HRPDC staff is working with DCR staff to develop a scope of work and funding package to support this activity during Calendar Year 2013. The grant proposal is due by January 15, 2013.

RECOMMENDED ACTIONS:

Authorize the Executive Director to submit a grant proposal to DCR for the Hampton Roads Watershed Roundtable grant as well as to accept a grant offer when it is made.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9H: REGIONAL BACTERIA STUDY

SUBJECT:

The HRPDC, Hampton Roads Sanitation District (HRSD) and several of the region's localities contracted academic researchers to develop a bacterial identification methodology for the Hampton Roads region. The methodology will help localities target the source of bacteria causing water impairments and develop more effective plans to eliminate impairments.

BACKGROUND:

A number of Hampton Roads waterways have been classified as impaired because levels of fecal bacteria exceed water quality standards for shellfishing and recreation. Total Maximum Daily Load (TMDL) studies and implementation plans must be prepared for these waterways. However, the bacteria data in the TMDLs is typically not specific enough to help localities target the sources of bacteria and effectively reduce the bacteria levels. Bacteria impairments may be caused by sewer leaks, failing septic tanks, and stormwater runoff with high concentrations of wildlife or pet waste.

The HRPDC staff led a regional effort to develop a bacterial identification methodology for the Hampton Roads region. Proven genetic techniques were used to differentiate bacteria sources so TMDL implementation plans can be designed to address the cause of the bacterial impairment. University researchers from Virginia Tech, University of South Florida, and University of North Carolina conducted the study, which was funded by the Hampton Roads Sanitation District and the following localities: Isle of Wight County, James City County, Norfolk, Virginia Beach, Portsmouth, Suffolk, Williamsburg and York County.

Three watersheds were selected as case study locations to test the usefulness of various methodologies in the Hampton Roads area. The HRPDC staff coordinated with the study team and locality staff to conduct reconnaissance sampling in Shingle Creek, Suffolk; Moores Creek, York County; and Mill Dam Creek, Virginia Beach. Sampling began in the Spring of 2010 and concluded in January of 2012.

The HRPDC staff has reviewed the enclosed report, *Assessing Sources of Fecal Contamination in High Priority Creeks in the Hampton Roads Region*, which summarizes the results of the analyses and contains recommendations for future studies.

The HRPDC Joint Environmental Committee reviewed the report at its meeting in January 3, 2013 and recommended the Commission approve the report.

Enclosure

RECOMMENDED ACTION:

The HRPDC staff recommends the Commission approve the report.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #9I: HAMPTON ROADS TRANSIT BUS SHELTER AGREEMENT

SUBJECT:

Approval of an agreement between the HRPDC and SPSA, owners of The Regional Building, and Hampton Roads Transit (HRT), constructor of a proposed bus shelter, which is to be placed between the Woodlake Drive sidewalk and the berm that lines the edge of The Regional Building property.

BACKGROUND:

In 2010, the HRPDC staff expressed interest to the City of Chesapeake staff in having a bus shelter near the Regional Building in order to better serve users of public transportation who want to attend meetings. In May of 2012, the City of Chesapeake staff offered to fund such a shelter administered by HRT.

The proposed bus shelter location is between the Woodlake Drive sidewalk and the berm that lines the edge of The Regional Building property. Being outside the public right-of-way, the proposed location is on the edge of The Regional Building property.

In October of 2012, HRPDC staff received a license agreement from HRT, to be signed by HRT and the owners of The Regional Building property, HRPDC and SPSA. Lawyers for the HRPDC and SPSA have edited the license agreement to protect the interests of the HRPDC and SPSA.

Attachment 9-I

RECOMMENDED ACTION:

Authorize the HRPDC Executive Director to sign the bus shelter license agreement.

LICENSE AGREEMENT

THIS AGREEMENT (the “Agreement”), made this _____ day of _____, 2012, by and between the HAMPTON ROADS PLANNING DISTRICT COMMISSION, a political subdivision and body corporate and politic of the Commonwealth of Virginia created pursuant to the Virginia Area Development Act of 1968 (“HRPDC”), and SOUTHEASTERN PUBLIC SERVICE AUTHORITY OF VIRGINIA, a political subdivision and body corporate and politic of the Commonwealth of Virginia (“SPSA”) (HRPDC and SPSA are referred to collectively as the “Grantor”), and the TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS, operating as Hampton Roads Transit, a body corporate and politic of the Commonwealth of Virginia created pursuant to the Transportation District Act of 1964, Grantee.

WHEREAS, HRPDC and SPSA are the owners, as tenants-in-common, of a parcel of real property (the “Property”) known as Hampton Roads Planning District Commission Regional Headquarters, located at 723 Woodlake Drive, Chesapeake, VA 23320; and

WHEREAS, Grantee, after obtaining all permits required by any appropriate legal authority, intends to construct a bus shelter on a 15’ X 5’ foot concrete pad on the Property at the location shown on Exhibit A (the “License Area”); and

WHEREAS the bus shelter and concrete pad will be a continuing encroachment (“Encroachment”) upon the Property;

NOW THEREFORE the Parties agree as follows:

1. The foregoing recitals are incorporated by reference herein.
2. Grantor, insofar as its rights and interests are concerned, hereby grants a license to the Grantee for construction, maintenance, and operation of the above-mentioned Encroachment in the License Area, subject to the following conditions.

3. Grantee acknowledges that Grantor makes no representations or warranties as to condition or suitability of the License Area for Grantee's intended purpose.

4. Grantor agrees that the Grantee shall be authorized to perform all tasks reasonably necessary to complete its intended improvements using heavy equipment, and Grantor agrees to maintain access from the public right of way to the License Area during construction.

5. Grantor shall not erect or install any improvements or any other obstruction within or near the License Area that will obstruct or interfere with the construction, maintenance, or operation of the Encroachment in the License Area by Grantee for the duration of this Agreement without the prior written consent of Grantee.

6. Grantee agrees and represents that it has adequately investigated the tasks required and has assured itself the work can be performed in a safe manner and without any damage to the License Area (other than the Encroachment) or the Property or any other property.

7. Grantee agrees to return the License Area and the Property to its original condition with the exception of the Encroachment.

8. Grantee assumes responsibility for and shall hold Grantor harmless for any claims or liability for personal injuries or damages to property which may result from the exercise by Grantee of the rights granted in this license, except as result from the negligence or willful misconduct by Grantor or its agents, employees or contractors. Grantor acknowledges that Grantee is self-insured pursuant to a self-insurance plan. In the event Grantee terminates its self-insurance plan, then Grantee shall maintain a commercial general liability insurance policy covering any and all damages and liability, including, attorneys' fees and expenses, on account of or arising out of injuries to or the death of any person or damage to property in or about the License Area or related to the use of the License Area, however occasioned, in amounts not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

9. Grantee agrees that it will not construct or cause to be constructed or erected any other structure or improvement upon the License Area or the Property other than the

Encroachment. Grantee will remove the Encroachment at no expense to the Grantor should this license be revoked.

10. Grantee agrees that any and all cost or expense for the Encroachment shall be borne solely by the Grantee, and the Grantor shall have no duty, obligation or liability for the maintenance and care or cost expense for the same. Grantee agrees to maintain the Encroachment in good repair and condition, reasonably clean and free of litter.

11. Grantee agrees to give Grantor notice of date of start of construction at least 10 days prior to that date.

12. This Agreement is revocable and terminable at will by the Grantor, with six months advance written notice to the Grantee, and shall in no way be construed as the granting of a perpetual easement or otherwise vesting in the Grantee any type of property right.

13. The terms of this Agreement shall run with the land and are binding upon the heirs, personal representatives, successors in interest and assigns of the parties.

14. All notices hereunder must be in writing and shall be deemed validly given if hand delivered or if sent by certified mail, return receipt requested, or by a nationally recognized overnight courier, addressed as follows:

HRPDC: Attn: Executive Director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

SPSA: Attn: Executive Director
Southeastern Public Service Authority of Virginia
723 Woodlake Drive
Chesapeake, VA 23320

Grantee: Attn: President and CEO
Hampton Roads Transit
3400 Victoria Boulevard
Hampton, Virginia 23661

With a copy to: Attn: Chief Engineering and
Facilities Officer Hampton Roads Transit
3400 Victoria Boulevard
Hampton, Virginia 23661

The Grantor or Grantee may, from time-to-time, designate any other address for this purpose by written notice to the other party.

WITNESS the following signature(s) and seal(s):

HAMPTON ROADS PLANNING DISTRICT
COMMISSION

By: _____ (SEAL)
Name: _____
Title: _____

COMMONWEALTH OF VIRGINIA
CITY OF CHESAPEAKE, to-wit:

The foregoing instrument bearing date of _____, was
acknowledged before me this _____ day of _____, by
_____.

Notary Public

My Commission expires: _____

Registration Number _____

SOUTHEASTERN PUBLIC SERVICE AUTHORITY OF VIRGINIA

By: _____ (SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY OF CHESAPEAKE, to-wit:

The foregoing instrument bearing date of _____, was
acknowledged before me this _____ day of _____, by
_____.

Notary Public

My Commission expires: _____

Registration Number _____

TRANSPORTATION DISTRICT COMMISSION OF
HAMPTON ROADS

By: _____ (SEAL)

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY OF CHESAPEAKE, to-wit:

The foregoing instrument bearing date of _____, was
acknowledged before me this _____ day of _____, by
_____.

Notary Public

My Commission expires: _____

Registration Number _____

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM#9J: HAMPTON ROADS 2040 SOCIOECONOMIC FORECAST

SUBJECT:

Every four years the Hampton Roads Transportation Planning Organization (HRTPO) develops a Long-Range Transportation Plan (LRTP) as required by federal regulations. One of the first steps in the development of the LRTP is to conduct a regional long-range socioeconomic forecast to serve as input data for the HRTPO's travel demand model.

BACKGROUND:

As in previous years, the HRPDC economics staff was tasked with producing the long-range socioeconomic forecast for the LRTP. The forecast includes estimates for the year 2040 for employment, population, workers, households, and vehicles for the sixteen Hampton Roads jurisdictions.

In developing the forecast, staff worked with the Transportation Technical Advisory Committee (TTAC) and the LRTP subcommittee. Draft methodology for the forecast was presented to and approved by the TTAC in June of 2012. As part of the forecast process, HRPDC Chief Economist Greg Grootendorst met with planning staff from each of the localities to discuss future development assumptions and verify current comprehensive planning documents.

Mr. Grootendorst presented the draft socioeconomic forecast to the HRTPO's LRTP subcommittee on September 5, 2012 and presented to the TTAC on October 3, 2012 (a copy of the presentation is available at:

http://www.hrtpo.org/MTG_AGNDs/TTAC_Info/2012/10032012TTAC/P14-2040_Socioeconomic_Forecast.pdf).

The draft forecast underwent public review and comment through October 12, 2012. Comments on the draft forecast were received, although no adjustments to the draft totals were recommended or required.

The TTAC recommended approval of the Hampton Roads 2040 Socioeconomic Forecast at its November 7, 2012 meeting. The HRTPO board unanimously approved the Hampton Roads 2040 Socioeconomic Forecast during its November 15, 2012 meeting. The Hampton Roads Socioeconomic Forecast has been included as part of the HRPDC agenda for the purpose of using the forecast data in other HRPDC regional planning programs.

Mr. Grootendorst presented the forecast to the HRPDC Directors of Utilities Committee on December 15, 2012 and the HRPDC Joint Environmental Committee on January 3, 2013.

Attachment 9-J

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the 2040 Socioeconomic Forecast for use in other regional planning programs.

Hampton Roads 2040 Socioeconomic Forecast

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Population Totals for Hampton Roads

	1970	1980	1990	2000	2010	Forecast 2040
Southside	775,253	849,550	1,018,986	1,085,471	1,152,606	1,454,000
Chesapeake	89,580	114,486	151,982	199,184	222,209	314,600
Franklin	6,880	7,308	7,864	8,346	8,582	10,800
Isle of Wight Co.	18,285	21,603	25,053	29,728	35,270	62,800
Norfolk	307,951	266,979	261,250	234,403	242,803	253,200
Portsmouth	110,963	104,577	103,910	100,565	95,535	98,200
Southampton Co.	18,582	18,731	17,550	17,482	18,570	25,500
Suffolk	45,024	47,621	52,143	63,677	84,585	182,700
Surry Co.	5,882	6,046	6,145	6,829	7,058	8,700
Virginia Beach	172,106	262,199	393,089	425,257	437,994	497,500
Peninsula	333,140	364,449	435,197	481,330	513,704	583,000
Gloucester Co.	14,059	20,107	30,131	34,780	36,858	40,200
Hampton	120,779	122,617	133,811	138,437*	137,436	137,200
James City Co.	17,853	22,339	34,859	48,102	67,009	104,200
Newport News	138,177	144,903	171,439	180,150	180,719	189,100
Poquoson	5,441	8,726	11,005	11,566	12,150	12,400
Williamsburg	9,069	10,294	11,530	11,998	14,068	17,200
York Co.	27,762	35,463	42,422	56,297	65,464	82,700
Hampton Roads	1,108,393	1,213,999	1,454,183	1,566,801	1,666,310	2,037,000

Source of Historical Data: U.S. Census Bureau (*denotes adjusted value).

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Number of Households in Hampton Roads

	1970	1980	1990	2000	2010	Forecast 2040
Southside	218,088	266,353	344,456	395,619	426,133	543,700
Chesapeake	25,178	36,362	52,024	69,900	79,574	114,300
Franklin	2,113	2,591	3,011	3,384	3,530	4,500
Isle of Wight Co.	5,028	7,050	9,031	11,319	13,718	24,700
Norfolk	86,607	74,955	79,518	86,210	86,485	91,500
Portsmouth	34,470	36,796	38,706	38,170	37,324	38,700
Southampton Co.	4,915	5,774	6,004	6,279	6,719	9,500
Suffolk	13,116	15,726	18,518	23,283	30,868	67,800
Surry Co.	1,576	2,002	2,279	2,619	2,826	3,500
Virginia Beach	45,085	85,097	135,365	154,455	165,089	189,200
Peninsula	92,909	124,178	159,724	183,488	199,950	229,500
Gloucester Co.	4,431	7,159	10,957	13,127	14,293	15,700
Hampton	34,564	41,550	49,680	53,887	55,031	55,500
James City Co.	4,551	7,493	12,990	19,003	26,860	42,300
Newport News	39,586	51,310	64,420	69,686	70,664	74,700
Poquoson	NA	2,763	3,763	4,166	4,525	4,700
Williamsburg	2,396	3,024	3,462	3,619	4,571	6,000
York Co.	7,381	10,879	14,452	20,000	24,006	30,600
Hampton Roads	310,997	390,531	504,180	579,107	626,083	773,200

Source of Historical Data: U.S. Census Bureau.

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Number of Vehicles in Hampton Roads

	1970	1980	1990	2000	2010	Forecast 2040
Southside	231,316	425,239	613,064	762,371	864,362	1,163,000
Chesapeake	31,108	62,967	101,571	148,000	176,139	252,600
Franklin	1,036	4,341	4,967	5,775	6,368	9,300
Isle of Wight Co.	5,736	12,410	19,248	26,062	33,625	60,500
Norfolk	86,358	114,263	129,858	144,024	153,058	189,400
Portsmouth	35,828	50,267	59,563	63,153	66,352	80,100
Southampton Co.	5,173	9,414	11,879	14,034	16,439	23,300
Suffolk	4,452	24,710	33,816	48,661	67,091	147,100
Surry Co.	1,723	3,599	5,102	6,283	7,370	9,100
Virginia Beach	59,902	143,268	247,060	306,379	337,920	391,600
Peninsula	110,481	192,989	279,223	357,595	412,325	493,600
Gloucester Co.	5,065	12,621	23,125	30,378	35,818	39,400
Hampton	42,797	66,132	87,366	97,982	104,189	114,900
James City Co.	3,958	11,319	22,776	37,423	52,673	87,600
Newport News	44,434	73,756	98,570	127,726	141,874	154,600
Poquoson	NA	5,272	8,470	10,031	11,336	11,800
Williamsburg	4,144	6,531	9,910	9,957	13,018	17,100
York Co.	10,083	17,358	29,006	44,098	53,417	68,200
Hampton Roads	341,797	618,228	892,287	1,119,966	1,276,687	1,656,600

Source of Historical Data: Virginia Department of Motor Vehicles.

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Number of Workers in Hampton Roads (by place of residence)

	1980	1990	2000	2010	Forecast 2040
Southside	387,154	511,022	531,417	579,237	702,200
Chesapeake	48,649	75,610	96,977	110,539	151,300
Franklin	2,732	3,272	3,337	3,078	3,700
Isle of Wight Co.	9,299	11,637	13,986	17,380	29,900
Norfolk	127,689	130,549	112,083	121,083	122,000
Portsmouth	41,576	44,390	43,922	44,871	44,600
Southampton Co.	7,065	7,255	6,945	8,445	11,200
Suffolk	19,100	22,255	28,372	39,012	81,400
Surry Co.	2,382	2,622	3,147	3,217	3,800
Virginia Beach	128,662	213,432	222,648	231,612	254,300
Peninsula	165,816	212,763	229,790	250,121	282,500
Gloucester Co.	8,447	14,387	16,952	18,003	19,600
Hampton	54,862	66,008	66,101	66,680	66,500
James City Co.	10,133	17,692	21,922	30,264	47,000
Newport News	67,023	82,662	86,282	90,519	94,700
Poquoson	4,015	5,700	5,658	5,917	6,000
Williamsburg	4,366	4,894	4,239	5,705	7,000
York Co.	16,970	21,420	28,636	33,033	41,700
Hampton Roads	552,970	723,785	761,207	829,358	984,700

Source of Historical Data: U.S. Census Bureau.

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Employment Totals in Hampton Roads

(by place of work)

	1970	1980	1990	2000	2010	Forecast 2040
Southside	388,716	472,753	614,446	673,958	693,844	902,300
Chesapeake	22,566	32,288	62,605	102,765	122,265	167,000
Franklin	3,397	4,091	4,685	5,560	6,182	8,500
Isle of Wight Co.	9,301	11,880	12,133	16,134	15,347	31,000
Norfolk	211,278	230,199	259,481	225,319	210,037	234,200
Portsmouth	48,087	53,996	58,979	52,831	57,414	70,400
Southampton Co.	6,124	5,927	5,461	6,026	5,454	10,700
Suffolk	18,055	19,692	20,660	26,273	33,914	62,900
Surry Co.	3,662	3,073	3,193	2,604	3,161	5,900
Virginia Beach	66,246	111,607	187,249	236,446	240,070	311,700
Peninsula	153,365	190,391	256,242	289,273	300,245	375,400
Gloucester Co.	3,493	6,468	9,700	13,002	14,421	18,200
Hampton	50,259	60,965	76,339	83,361	77,429	89,300
James City Co.	5,646	12,330	19,645	25,943	37,183	58,300
Newport News	75,753	85,370	110,589	115,678	115,265	129,700
Poquoson	999	1,611	2,160	2,674	2,870	3,610
Williamsburg	8,765	12,680	19,133	23,869	19,723	29,000
York Co.	8,450	10,967	18,676	24,746	33,354	47,290
Hampton Roads	542,081	663,144	870,688	963,231	994,089	1,277,700

Source of Historical Data: Bureau of Economic Analysis.

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Retail Employment in Hampton Roads (by place of work)

	2010	Forecast 2040
Southside	151,657	191,500
Chesapeake	30,553	39,200
Franklin	2,320	2,900
Isle of Wight Co.	3,897	6,600
Norfolk	38,386	44,500
Portsmouth	11,343	13,700
Southampton Co.	752	1,400
Suffolk	8,152	12,700
Surry Co.	459	700
Virginia Beach	55,795	69,800
Peninsula	66,849	81,000
Gloucester Co.	3,992	5,100
Hampton	17,198	19,400
James City Co.	9,074	11,700
Newport News	22,960	26,600
Poquoson	662	720
Williamsburg	4,389	6,100
York Co.	8,574	11,380
Hampton Roads	218,506	272,500

Source of Historical Data: Bureau of Economic Analysis.
2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Office Employment in Hampton Roads (by place of work)

	2010	Forecast 2040
Southside	255,920	338,800
Chesapeake	42,468	60,700
Franklin	2,039	2,800
Isle of Wight Co.	5,010	8,600
Norfolk	78,702	90,300
Portsmouth	19,829	24,900
Southampton Co.	1,406	2,100
Suffolk	10,987	21,700
Surry Co.	753	1,200
Virginia Beach	94,726	126,500
Peninsula	107,645	140,200
Gloucester Co.	4,686	5,600
Hampton	27,906	33,100
James City Co.	16,445	25,800
Newport News	36,149	40,500
Poquoson	1,013	1,400
Williamsburg	8,360	13,800
York Co.	13,086	20,000
Hampton Roads	363,565	479,000

Source of Historical Data: Bureau of Economic Analysis.
2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Industrial Employment in Hampton Roads

(by place of work)

	2010	Forecast 2040
Southside	122,520	157,700
Chesapeake	23,851	29,900
Franklin	755	1,000
Isle of Wight Co.	2,990	8,900
Norfolk	37,918	40,200
Portsmouth	11,884	13,200
Southampton Co.	2,048	4,900
Suffolk	7,173	14,900
Surry Co.	1,451	3,200
Virginia Beach	34,451	41,500
Peninsula	56,837	66,100
Gloucester Co.	2,834	3,700
Hampton	12,422	13,200
James City Co.	2,443	6,300
Newport News	31,461	33,200
Poquoson	628	640
Williamsburg	405	600
York Co.	6,643	8,460
Hampton Roads	179,357	223,800

Source of Historical Data: Bureau of Economic Analysis.

2040 Forecast prepared by the HRPDC staff.

Hampton Roads 2040 Socioeconomic Forecast

Approved by the HRTPO Board – November 2012

Other Employment in Hampton Roads

(by place of work)

	2010	Forecast 2040
Southside	163,747	214,300
Chesapeake	25,394	37,200
Franklin	1,068	1,800
Isle of Wight Co.	3,449	6,900
Norfolk	55,031	59,200
Portsmouth	14,358	18,600
Southampton Co.	1,248	2,300
Suffolk	7,602	13,600
Surry Co.	498	800
Virginia Beach	55,099	73,900
Peninsula	68,914	88,100
Gloucester Co.	2,910	3,800
Hampton	19,902	23,600
James City Co.	9,221	14,500
Newport News	24,696	29,400
Poquoson	568	850
Williamsburg	6,568	8,500
York Co.	5,050	7,450
Hampton Roads	232,661	302,400

Source of Historical Data: Bureau of Economic Analysis.

2040 Forecast prepared by the HRPDC staff.

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #9K: REGIONAL SOLID WASTE PLAN FOR SOUTHEASTERN VIRGINIA – AMENDMENT NO. 3

SUBJECT:

The HRPDC staff has developed Amendment No. 3 to the *Regional Solid Waste Management Plan for Southeastern Virginia*, approved by the HRPDC and SPSA in September 2011.

BACKGROUND:

The Virginia Solid Waste Planning and Recycling Regulations require that designated solid waste management planning units develop and maintain the regional solid waste management plan. These regulations also require that, before the Department of Environmental Quality issues permits for solid waste disposal facilities, the facility is to be included in or found consistent with the regional plan. The planning agency and affected locality also need to certify consistency of the facility with the regional plan and with local ordinances respectively.

Following approval of the Plan in September 2011, two amendments have been approved. East Coast Gutterman, LLC has applied for an amendment to the Plan to incorporate a new Materials Recovery Facility. In addition, DEQ, in approving the designation of the HRPDC as the regional solid waste planning agency for Southeastern Virginia, requested further details on the roles of the HRPDC and the Southeastern Public Service Authority of Virginia, respectively. Proposed Amendment No. 3:

- Modifies Table 8 to add the East Coast Gutterman LLC's proposed Military Highway Recycling Facility as a Proposed Materials Recovery Facility.
- Modifies pp. 48-50 to include a description of the proposed East Coast Gutteman, LLC facility.
- Modifies p. 100 to provide more detail on the role of SPSA as the regional solid waste management agency for Southeastern Virginia and to briefly describe the Post-2018 planning process being pursued by the localities in cooperation with the HRPDC and SPSA.

The attachments provide the detailed changes to the Plan.

DEQ has provided preliminary review and advice that this is a Minor Amendment to the Plan.

Attachment 9-K

RECOMMENDED ACTION:

Approve Amendment No. 3 to the *Regional Solid Waste Management Plan for Southeastern Virginia* and submit to DEQ for approval.

1.1.1 Material Recovery Facilities

The 2011 VDEQ database (dated February 9, 2011) lists 12 permitted material recovery facilities (MRFs) in the Tidewater area. Table 1 lists the known active and proposed MRFs in the Tidewater area.

Table 1. Material Recovery Facilities in the Tidewater Region

Facility	Location	Operator
Permitted Facilities		
Bay Disposal Inc., MRF	Norfolk	Bay Disposal
Meeks Disposal Corporation Recycling Facility	Chesapeake	Meeks Disposal Corporation
Norfolk Naval Shipyard MRF	Portsmouth	US Navy
Soilex Corporation	Chesapeake	Soilex Corporation
Soilex Corporation	Suffolk	Soilex Corporation
SPSA Tire Processing Facility	Suffolk	Southeastern Public Service Authority
Tidewater Green Corporation MRF	Chesapeake	Tidewater Green Corp.
United Disposal Wellman Street	Norfolk	United Disposal
Virginia Materials, Inc	Norfolk	Virginia Materials, Inc
Waste Industries, LLC	Chesapeake	Waste Industries
Waterway Marine Terminal	Chesapeake	
Wheelabrator Portsmouth, Inc.	Portsmouth	Wheelabrator
Recycling & Disposal Solutions MRF	Portsmouth	Recycling & Disposal Solutions
TFC Recycling MRF	Chesapeake	Tidewater Fibre Corp
Proposed Facilities		
B & H Sales Corporation MRF	Norfolk	B & H Sales Corporation
TFC Recycling MRF	Chesapeake	TFC Recycling
Portsmouth Operations Center Tire Splitting Facility (Unpermitted)	Portsmouth	City of Portsmouth
Recycling & Disposal Solutions MRF	Portsmouth	Recycling & Disposal Solutions
Southern Aggregates MRF	Chesapeake	Southern Aggregates, LLC
Military Highway Recycling Center	Chesapeake	East Coast Gutterman, LLC

1.1.2 Markets for Recycling and Reuse

Currently, all of the municipalities rely on the private sector for processing and marketing of collected recyclables. Collected materials are sold to a variety of end markets; the municipalities have no control over marketing decisions or prices paid. The municipalities can affect recycling markets, however, by:

Using economic development mechanisms to attract business that manufacture recycled products or assist current businesses with methods to use recycled materials. By doing this, the region will help close the loop for recycling and can create markets for their collected materials.

[NOTE: Amends Page 22 of Plan Update, July 2011, as amended in April & June 2011](#)

1.1.3 Construction and Demolition Debris

CDD consists of waste generated during construction, renovation, and demolition projects. The often bulky, heavy materials that make up CDD include wood, concrete, steel, brick, asphalt, gypsum, and plastic. CDD also includes salvaged building components such as doors, windows, and plumbing fixtures. Every time a building, road, or bridge is constructed, remodeled, or demolished, these materials are generated.

In addition, large volumes of CDD waste materials are generated during major storm events such as tropical storms and hurricanes. Historically, the region has experienced such storm events and has been forced to manage the resulting debris. The Region must plan and prepare for the management of large influxes of CDD in addition to the volumes of CDD waste that are generated as a result of normal construction and demolition activities within the area.

In 2003, EPA estimated that the per capita generation of building-related CDD materials was 3.2 pounds per person per day. This estimate was based on a series of calculations to estimate residential construction debris nonresidential construction debris, residential demolition debris, nonresidential demolition debris, and renovation/remodeling debris. EPA further estimated that 52 percent of CDD is disposed (i.e., 48 percent is recovered). In 1996, this per capita rate was estimated to be 2.8 pounds per person per day.

While not every person generates CDD materials personally, population growth increases the need for buildings and infrastructure to support that growth. Since little recovery of CDD appears to occur in the region and construction activity has declined, an average CDD disposal rate was used based on disposal studies conducted in California; Wisconsin; and King County, Washington. Forecasts of CDD disposal are provided in [Table 2](#) [Figure 13](#), using a disposal average of 2.1 tons/person/year (1.16 pounds/person/day).

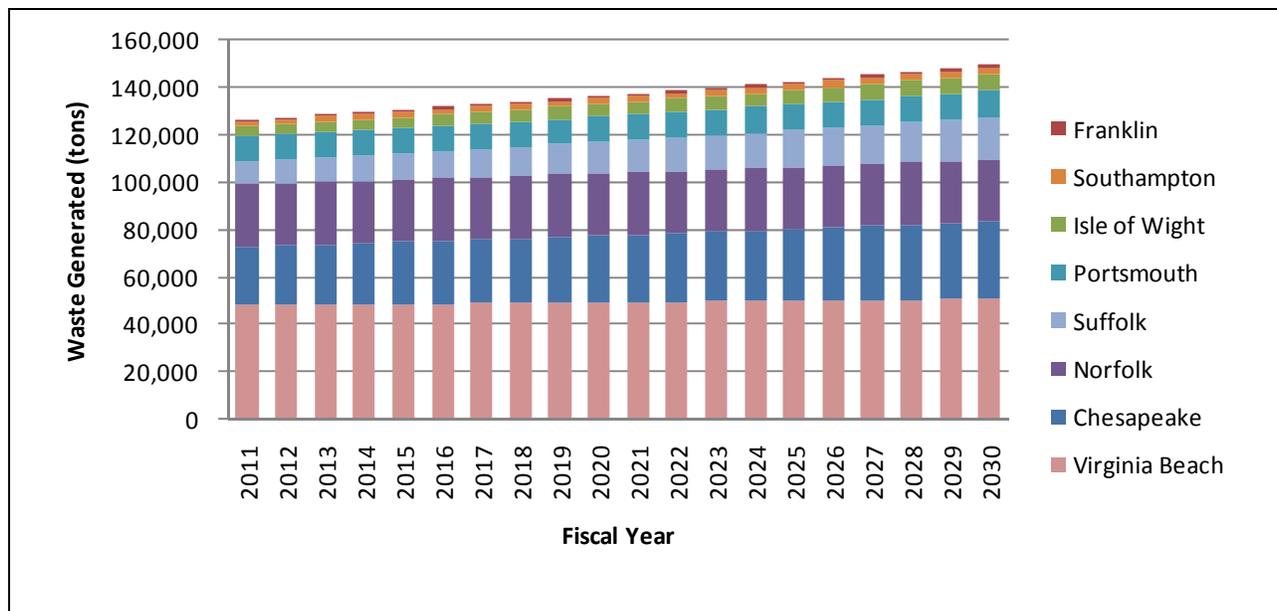


Table 2. Estimated CDD Generation for the Region

The majority of CDD handled and disposed of in the Region is collected by the private sector. The active permitted private CDD only disposal facilities in the South Hampton Roads Region are shown in [Table 3](#)~~Table 17~~.

There are two active CDD-only disposal facilities in the Region with capacity that extend well into the current study planning period (through 2047). The City of Portsmouth’s landfill is intended for disposal of city produced CDD material only. The Centerville Turnpike CDD Landfill has a reported capacity of 2,284,413 tons (as of December 2009) with 17 years of life (VDEQ, June 2010) and is anticipated to be the only active CDD only disposal facility for the foreseeable future in the Region. The Higgeson-Buchanan Landfill has very little permitted capacity remaining and it is reported that the facility has at least temporarily stopped accepting waste. Although, it is possible that an expansion may be permitted and constructed in the near future.

The Elbow Road CDD landfill on Centerville Turnpike in Chesapeake has a permitted expansion, although there are no plans to construct the expansion area, according to the site owner (personnel communication with facility owner, Warren Thrasher). The expansion has a reported capacity of approximately 1.6 million cubic yards with an estimated life of 13 years (assuming a waste disposal rate of 125,000 cubic yards per year). The expansion area would cover a total area of 20.7 acres (15.3 acres plus 5.3 acres of piggyback).

Table 3. Active CDD and Industrial Landfills In Region

Landfill	Facility Type	Total Remaining Permitted Capacity (Tons)	Waste Disposed (Tons)	Remaining Reported Permitted Life (Years)
City of Portsmouth Craney Island Landfill	CDD	800,201*	53,244*	17*
Higgeson Buchanan Landfill	CDD	32,705*	42,125*	1*
Centerville Turnpike CDD Landfill	CDD	2,284,412*	39,290*	17*
John C. Holland Enterprises Landfill (JCHEI)	Industrial	3,964,000**	5,573,000**	31**
International Paper	Industrial	Captive	Captive - TBD	Captive - TBD

*From Solid Waste Managed in Virginia During Calendar Year 2009 (VDEQ June 2010)

**Correspondence from JCHEI to HRPDC dated September 5, 2011

Landfills that are permitted for other types of waste (either MSW or Industrial) may also accept CDD, although a CDD only disposal facility would most likely have a lower tipping fee, and therefore disposal of CDD in a MSW or Industrial landfill may not be considered cost effective since CDD waste would be replacing MSW or Industrial waste air space. Non-CDD only permitted landfills that may accept CDD waste include the SPSA Regional Landfill (MSW) as noted above, the City of Virginia Beach Landfill No. 2 (MSW) and the Holland Landfill (Industrial). According to the VDEQ (Solid Waste Managed in Virginia During Calendar Year 2009), the Holland Landfill has over 12 million tons of capacity with an reported remaining life of more than 50 years, which extends through the study planning period.

Active and permitted Material Recovery Facilities (MRFs) that recycle and otherwise handle CDD in the Region are; Waste Industries on Cook Blvd. in Chesapeake, Bay Disposal on East Indian River Road in Norfolk, Waterway Marine Terminal on Precon Drive in Chesapeake, United Disposal on Wellman Street in Norfolk and Meeks Disposal Corporation on Cavalier Boulevard in Chesapeake.

According to VDEQ records, Waterways Recycling processes approximately 50,000 tons of CDD material annually (calendar year 2007 data), at least some of it from out of the Region. According to the facility manager, the facility has the capacity to handle up to 700,000 tons annually, with a recycling rate of 92 percent. The remaining 8 percent of the material is disposed of most likely in the Centerville Turnpike CDD Landfill.

The International Paper – Franklin Mill Industrial Waste Landfill was previously considered a “captive” industrial landfill. As the Franklin Mill has been repurposed, separate corporations will be operating facilities within the Mill. International Paper intends for businesses operation on the Mill site and generating similar wastes to dispose of that waste in the International Paper Industrial Waste Landfill. There is no intent to accept wastes from other locations and activities.

[“East Coast Gutterman, LLC proposes to operate a material recovery facility for CDD in Chesapeake. This facility will have an initial design capacity of 200 tons/day.”](#)

[The facility will accept, sort, and process construction and demolition debris \(CDD\) waste consisting primarily of steel, wood, shingles, sheetrock, concrete, and the like for recycling. The facility will include a concrete crushing operation. Recycled concrete and brick will be temporarily stockpiled on-site. Residual waste from the processing operation will be transferred from the facility to a permitted landfill or transfer station. The design capacity of the facility is 200 tons per day.](#)

[NOTE: Amends Pages 48 – 50 of Plan Update, July 2011, as amended June 2012](#)

[NOTE: Amends Page 100 of Plan Update, July 2011](#)

9.6 SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION

Section 9VAC20-130-90. B. indicates that “multi-jurisdictional plans developed in fulfillment of the requirements of this chapter must be adopted under authority of the Regional Cooperation Act (Chapter 42, (Section 15.2-4200, et. seq.) of Title 15.2 of the Code of Virginia), the Virginia Water and Waste Authorities Act (Chapter 51, (Section 15.2-5100, et. seq.) of Title 15.2 of the Code of Virginia), the provisions of the Code of Virginia governing joint exercise of powers by political subdivisions (Section 15.2-1300), or other authority as applicable.” Action by SPSA originally in 2004 to adopt the Regional Solid Waste Management Plan for Southeastern Virginia, in accordance with its plan approval procedures, satisfied this requirement.

SPSA was designated the regional solid waste planning agency for Southeastern Virginia by action of the Department of Environmental Quality in 2004. This action followed formal requests by the sixteen cities, counties and towns in Southeastern Virginia that SPSA be designated as the regional solid waste planning agency. However, in March 2010, the communities designated the HRPDC as the regional planning agency while SPSA remains the regional solid waste management agency at least until January 2018.

[In August 2012 the Virginia Department of Environmental Quality designated the HRPDC as the Regional Solid Waste Planning Agency. As the Planning Agency the HRPDC is responsible for maintaining the Regional Solid Waste Management Plan and completing the Annual Recycling Rate Reports. As the designated solid waste management agency, SPSA will continue to operate the regional disposal system, including transfer stations and the regional landfill. SPSA also holds the contract with Wheelabrator on behalf of the Region’s localities. That contract provides for delivery of the Region’s solid waste to Wheelabrator for processing. Concurrently the Region’s localities, HRPDC and SPSA are working to develop a plan for continued management of the Region’s solid waste post 2018. That plan, which will provide further specificity on the role of SPSA as the regional solid waste management agency and will be incorporated into the Regional Solid Waste Management Plan for Southeastern Virginia upon completion.](#)

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9L REGIONAL BENCHMARKING STUDY

SUBJECT:

The Hampton Roads Regional Benchmarking Study is an annual publication produced by the HRPDC staff.

BACKGROUND:

The Regional Cooperation Act, in the Code of Virginia, calls for Planning District Commissions to collect and maintain demographic, economic and other data concerning the region and member localities, and act as a state data center affiliate in cooperation with the Virginia Employment Commission.

In keeping with this mandate, the HRPDC staff have completed the eighth annual Regional Benchmarking Study. This publication includes a locality profile for all 16 jurisdictions as well as graphical illustrations for 104 regional benchmarks covering the economy, demographics, housing, transportation, and various quality of life indicators. Each graph is accompanied by a brief explanation regarding the purpose of the benchmark and the current condition in Hampton Roads. The 2013 Benchmarking Study indicates a new section comparing the regions localities on several imported metrics. Complete data tables for each of the data sets are included in the appendix.

Enclosure

RECOMMENDED ACTION:

Approve the release of the Hampton Roads Regional Benchmarking Study.

Note: This item will be presented on the Workshop Agenda at the March 21, 2013 Executive Committee Meeting.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #10: 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.

February 2013

Annual Retreat

March 2013

Housing Program Update

Coastal Resiliency Report

Land and Quality Study - Part I

Coastal Zone Management Grants

Hampton Roads Watershed Roundtable Report

April 2013

FY 2014 HRPDC Budget

FY 2014 Unified Planning Work Program

UASI Program Report

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #11: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The summary of December 5, 2012 joint meeting of the Directors of Utilities and Health Directors are attached.

Attachment 11-A

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

The summaries of the December 13, 2012 and January 3, 2013 Hampton Roads Chesapeake Bay Committee and Regional Stormwater Management Committee Meeting is attached.

Attachment 11-B1

Attachment 11-B2

C. PROJECT STATUS REPORT

Attached are status reports on other HRPDC programs.

Attachment 11-C

Attachment 11-Ca

Attachment 11-Cb

JOINT MEETING OF THE DIRECTORS OF UTILITIES COMMITTEE AND HEALTH DIRECTORS

The Directors of Utilities Committee and Health Directors met on December 5, 2012. The following items were addressed during the meeting:

- The Committee discussed the revision and update of the Hampton Roads Water Quality Response Plan (WQRP). The plan was originally created to facilitate communication between sectors for both utility-driven and health-driven emergencies. The Committee agreed that the plan works well, however, certain appendices are no longer necessary. Applicable plan components will be updated for consistency with the National Incident Management System. Beginning in 2013, HRPDC staff will distribute an email notice each spring and fall with a short summary of the WQRP, the most recent emergency contact list, and hyperlinks to EPA fact sheets. Staff will also explore suggestions for additional plan formats such as email groups and mobile device applications.

- Mr. Dan Horne, Virginia Department of Health (VDH), Office of Drinking Water (ODW), advised the Committee of recent VDH staffing changes. Regarding the Long Term 2 Enhanced Surface Water Treatment Rule for control of microbial pathogens, Mr. Horne summarized the final EPA-hosted stakeholder meeting on November 15, 2012, which discussed a modified analytical method for *Cryptosporidium*. Mr. Horne also summarized the retrospective review of consumer confidence reporting rule, noting that electronic distribution of reports may be allowed in the future. EPA anticipates publishing the revised Total Coliform Rule by the end of 2012, followed by the long term revisions to the Lead and Copper Rule in early 2013. EPA is developing guidance for a new federal law, the Reduction of Lead in Drinking Water Act of 2011, which becomes effective January 4, 2014 and affects utilities, manufacturers, and compliance practices. The law provides a new definition of “lead free” and prohibits the sale or use of materials in drinking water systems that do not meet this definition.

- HRPDC staff briefed the Committee on the Chesapeake Bay Program’s draft protocol for estimating nutrients from illicit discharges and crediting successful locality programs for illicit discharge elimination. Staff noted that Fats, Oils, and Grease (FOG) programs may also be eligible for credit toward water quality improvement goals. The Committee discussed issues related to quantifying nutrient loads from the limited volume of sanitary sewer overflows and the effort required for documentation. Staff will run some estimates and convey information to the Regional Stormwater Management Committee. The Committee will discuss FOG programs at a future meeting.

- HRPDC staff summarized the briefing to Chief Administrative Officers (CAOs) on the first workshop of the Sanitary Sewer System Asset Consolidation Study. The second workshop is scheduled for December 7, 2012.

- The Committee approved final comments on the proposed Groundwater Withdrawal Regulations (9VAC25-610) for submittal to DEQ by the January 11, 2013 comment deadline.
- The Committee approved the final *Hampton Roads Water and Wastewater Systems Emergency Preparedness and Response Regional Improvement Plan*. Staff will provide three hard copies and an electronic copy to each locality. Committee members will coordinate distribution of the report among local government staff as appropriate.
- During the roundtable portion of the meeting, the Committee discussed the addition of water utilities to SSORS notification lists, authority to place property liens for unpaid utility bills, and utility participation in the Hampton Roads Incident Management Team.

**THE DRAFT SUMMARY OF THE MEETING OF THE
HAMPTON ROADS CHESAPEAKE BAY COMMITTEE, THE
REGIONAL STORMWATER MANAGEMENT COMMITTEE AND THE
CHESAPEAKE BAY IMPLEMENTATION SUBCOMMITTEE
December 13, 2012**

1. Summary of the November 1, 2012 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee

The Summary of the November 1, 2012 Meeting of the Hampton Roads Chesapeake Bay and Regional Stormwater Management Committees and Chesapeake Bay Implementation Subcommittee was approved as distributed.

2. Small MS4 General Permit Comments

Ms. Jenny Tribo, HRPDC, updated the Committee on the PDC's comment letter regarding the small MS4 General Permit. The latest edition has been sent out to the localities; there have not been too many changes since the previous draft. Dave Evans added some references to bullet #4. Footnotes will be retained in the comments.

Ms. Barbara Brumbaugh, Chesapeake, asked the Committee whether the permit forbids residential car washing. Mr. LJ Hansen, Suffolk, stated that it does not, since that is covered under the definitions, which have not been changed. Mr. Bill Johnston, Virginia Beach, stated that EPA wants to forbid residential car washing eventually.

The Committee voted to approve the comments.

3. Coastal Partners Workshop

Mr. Benjamin McFarlane, HRPDC, briefed the Committee on the Virginia Coastal Zone Management Program's Coastal Partners Workshop, which was held December 5-6 in Richmond. The Workshop included many panels and presentations covering the various projects and programs CZM supports. HRPDC staff participated in panels on four CZM-supported projects: Coastal Resiliency, Water Quality, Working Waterfronts, and Public Access.

4. MARCO Climate Change Adaptation Workshop

Mr. McFarlane briefed the Committee on a sea level rise workshop organized by the Mid-Atlantic Regional Council on the Ocean that was held in Wilmington, Delaware on December 10-11. The workshop brought together researchers, state agency representatives (mostly from state coastal zone programs or related agencies), and federal agency representatives (mostly from NOAA) to discuss efforts related to sea level rise adaptation and planning. MARCO is currently deliberating whether and how to pursue a regional effort or policy related to climate change adaptation. At the

workshop, staff from the NOAA Coastal Services Center presented their Sea Level Rise and Coastal Flooding Impacts Viewer, which allows users to visualize the potential impacts of sea level rise on coastal communities. The viewer, which can be found at <http://csc.noaa.gov/digitalcoast/tools/slrviewer/index.html> should be available for the Chesapeake Bay region sometime in the first quarter of 2013.

Mr. Clay Bernick, Virginia Beach, suggested that a regional work group for climate change adaptation composed of local government staff should be convened to develop recommendations for the region and its localities.

5. Coastal Zone Grant Project: Land and Water Quality Protection in Hampton Roads

HRPDC staff updated the Committee on the status of the 309 grant project. The project consists of three parts. Ms. Tribo briefed the Committee on the project's overview and the first section, which summarizes the new stormwater regulations, Chesapeake Bay TMDL, and the link between these regulations and local codes and ordinances. This section also includes a description of the new performance standards for water quality and a discussion of the impacts of these regulations on localities. Mr. McFarlane briefed the Committee on the second section, which discusses in greater detail the connection between the regulations and local ordinances and policies. This section discusses how policies related to new development, redevelopment, and public lands can be adjusted to help localities better meet the requirements of the Chesapeake Bay TMDL, and includes suggestions for new policies or ordinance changes. Ms. Sara Kidd, HRPDC, briefed the Committee on the third section, which includes a review of tools localities can use to model development impacts on water quality and a demonstration of the use of one tool, CommunityViz. HRPDC staff is currently working to integrate the various formulas from the Virginia Runoff Reduction Method spreadsheets into CommunityViz to enable modeling at various scales of potential changes to development plans or local ordinance and policy changes.

HRPDC staff will present drafts of the report sections at the January JEC meeting for Committee comments and discussion.

6. Status Reports

HRPDC staff reported the results of a conversation with DCR staff regarding the application of new development standards to redevelopment projects which involve clearing areas prior to new plans being in place. HRPDC staff had previously discussed the change in the definition of redevelopment with the region's Chief Administrative Officers, and in order to make local policies consistent with state policies contacted DCR about the issue. Mr. Dave Dowling, DCR, agreed that the wording of the definition was strange, and stated that documentation of the site's conditions prior to demolition (such as photographs, impervious cover percentage, etc.) would be sufficient and the standard redevelopment criteria would apply. Ms. Brumbaugh inquired whether aerial photography would suffice. Mr. Bernick asked if this would be included in DCR's

guidance documents so that there would be consistency across the region in terms of local policies.

Chesapeake staff reported that the city's new planning director is Jaleh Shea. The city is also advertising a stormwater administrator position until January.

Windsor staff reported that the town is working with the PDC on its comprehensive plan update and will be holding a work session January 5th.

Suffolk staff asked the Committee if the Construction General Permit LGAC is still meeting. Ms. Brumbaugh reported that the next meeting will be held January 4th.

Virginia Beach staff reported that they are finishing work on the site design guidelines and that the sustainability plan will be going before council in February.

DCR staff reported that the stormwater training previously canceled due to Hurricane Sandy has been rescheduled and will be held at VIMS on December 19th. Todd Herbert has also left DCR for another position.

7. Other Matters

The next meeting of the Joint Environmental Committee is scheduled for January 3, 2012 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 January 3, 2013. The following items were discussed.

- Mr. Greg Grootendorst, HRPDC, gave a presentation to the Committee on the HRPDC 2040 Forecast.
- Ms. Jenny Tribo, HRPDC, updated the Committee on the status of the Regional Bacteria Study. The Committee recommended approval of the study report by the Commission.
- Mr. Benjamin McFarlane, HRPDC, gave a presentation to the Committee on two Coastal Zone Management Program grant projects, the Hampton Roads Coastal Resources Technical Assistance Program and the Section 309 project. The Committee recommended approval by the Commission of the final report for the Coastal Resources Technical Assistance Program and requested more time to review the Section 309r report.
- Status updates from HRPDC staff, Virginia Beach, Poquoson, James City County, and DCR.

PROJECT STATUS REPORTS

1. Regional Housing Program

Housing & Human Services Technical Assistance

The staff is monitoring the State's proposed program design for utilization of the Virginia Housing Trust Fund. An announcement will be made in the next few weeks to outline criteria for agencies and regions to apply. Approximately \$7 million has been appropriated for the fund to include up to 20% of the funding to be utilized for homelessness initiatives with the remaining portion to be used to fund affordable rental, loans, and down payment assistance. Staff is currently researching the proposed program application and design.

Hampton Roads Loan Fund Partnership

The Department of Housing and Community Development (DHCD) recently notified staff of additional funding available for Planning District #23. The Hampton Roads Planning District Commission will receive an estimated \$50,000 to provide down payment and closing cost assistance to qualified individuals. Staff members also completed HOME training on new program criteria and reporting mandates. Training will take place with local and regional partners to discuss program changes and procedures.

Regional Housing Portal

HRPDC staff members are continuing to work on the implementation of the Regional Housing Portal. Initial design of the online component is being finalized. This information will be used to create a regional web-based portal for consumers and housing providers to access appropriate services.

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

3. Regional Stormwater Program

HRPDC staff continues to provide information to local government staff on regulatory actions related to stormwater and water quality through the Regional Stormwater Committee. HRPDC staff is currently tracking the Construction General

Permit, Nutrient Trading Regulations, Phase I MS4 Permit renewals, Phase II MS4 General Permit, and local government implementation of the new stormwater regulations.

At the November 15, 2012 Commission meeting, the Commission approved the HRPDC draft comment letter on the reissuance of the General Permit for Discharges of Stormwater from Small MS4s. The comment letter contained a request that DCR develop guidance for developing the Chesapeake Bay TMDL Action Plans required of the new permit. A similar requirement is expected to be contained in the Phase I MS4 individual permits likely to be issued in 2013. The Action Plans will detail how a local government plans to meet its TMDL requirements. However, neither the permit nor the fact sheet explains the methodology for developing the plan. Without such guidance, localities are left to assume what is required of them and thereby risk being charged with non-compliance despite their best efforts to submit and implement complete Action Plans.

Because this guidance is an important part of implementation of the Chesapeake Bay TMDL, the HRPDC staff have requested the General Assembly to direct DCR and DEQ to jointly develop guidance through the creation of a Technical Advisory Committee by December 1, 2013. Through our contract with McGuire Woods, Preston Bryant drafted the enclosed Bill and Resolution that have been submitted by Senator Northam and Delegate Knight---no assigned bill number yet. Mr. Bryant is also working with DEQ and DCR policy program staff to gain agency support for this action.

Attachment 11-Ca
Attachment 11-Cb

4. Regional Consolidation of Sewer System Assets Study

HRPDC has contracted with HDR Engineering, Inc. to conduct a study to evaluate sewer system asset consolidation. The study will look at alternatives, costs, and benefits of combining local wastewater collection system infrastructure with HRSD's regional infrastructure. The project began in August 2012 and must be completed by July 2013.

Workshop No. 2 was held with the project stakeholders on December 7, 2012. Various project activities and approaches were discussed including:

- I. Data Evaluation Results
 - a. Rates and debt
 - b. Legal and governance
 - c. Asset and O&M data

- II. Discussion on Future Approaches
 - a. Methodology for developing rate models

- b. Economic development, service extensions, governance and coordination with local governments

III. Next Steps

Workshop No. 3 is scheduled for February 22, 2013 at HRPDC's Boardroom. Workshop agenda topics are consensus on asset valuation results, level of service for consolidated entity, staffing plan, legal review results, assignment of risk, debt analysis results, economic development, governance evaluation, customer services, and proper equipment and support facilities.

5. Emergency Management Project Update

Ready Hampton Roads

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

Pet Shelter Supply Trailers

The remaining three pet shelter supply trailers were delivered in December. Staff in coordination with the receiving localities will conduct inventory in early 2013.

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 November 27, 2012. Recent activities included:

- A briefing by VDOT on the design of the 2013 Hurricane guide
- An overview of the National Disaster Recovery Framework by VDEM in light of Hurricane Sandy
- Overview by Charles Werner from Charlottesville VA and G&H's Regional Information Sharing Project on behalf of Secretary of Veterans Affairs & Homeland Security in light of Sandy
- A review of the Gap Analysis prepared by WBB as part of the ongoing Preparedness Report
- A discussion of recent and upcoming meetings with HRT officials involving coordinating emergency operation policies
- A decision to have REMTAC meet every other month beginning January 2013 in order to reduce stakeholder fatigue
- Sharing of experiences as a result of preparing for and responding to Hurricane Sandy

Hampton Roads Medical Special Needs

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

- The HRPDC has re-verified all registrants in the region whose records are older than one year on behalf of all the localities. There are 1,375 participants currently on the Registry.
- The updated Special Needs quad-fold self-mailing brochure has been printed and is available for distribution.
- Functional Needs Shelter training, under the guidance of a planning team of stakeholders, will focus on liability/legal issues.
- Subcommittee strategic focus was discussed for the next two years, to include transportation, registry robustness, sheltering and inclusive planning.
- Some of the region's emergency managers are meeting with Hampton Roads Transit to discuss and resolve issues that continue to arise prior to, during and post-emergencies.

Hampton Roads Tactical Regional Area Network (HRTacRAN)

HRPDC and VDEM staff have obtained an extension to the FY 2008 UASI grant from FEMA. The extension extends the FY 08 performance period until February 28, 2013. Communications stakeholders have indicated that the new timeframe allows for sufficient time to complete the augmentation of the HRTacRAN system. Since the extension has been received, communications stakeholders have published a request for proposals to complete the associated work.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). In February 2012, the HRPDC received official notice that Hampton Roads has been eliminated from the UASI program in fiscal year 2012. As such, the HRPDC and UAWG leadership have been primarily focusing on the sustainment of UASI funded initiatives after September 2014 (end of fiscal year 2011 performance period). This involves:

a) Presidential Policy Directive 8

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

(THIRA). HRPDC staff contracted to have a vendor currently working with the Governor's office coordinate with Hampton Roads emergency managers, Virginia Department of Emergency Management (VDEM), and the Office of Homeland Security and Veterans Affairs to complete a regional THIRA for the Hampton Roads UASI region, as there is overlap in the data that feeds both products. The final THIRA was submitted on the Hampton Roads behalf by the Governor's office on December 27 as a component of the DHS required State Preparedness Report.

b) UASI Effectiveness Study

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

6. **askHRgreen.org**

Public Relations Report

HRPDC staff continues to work with Cahoon & Cross to promote regional environmental education messages. Critical to the success of these efforts is earned media through news releases, etc. The following chart characterizes these efforts and assigns a dollar value based on the number of impressions, or circulation of the message, and how much it would have cost to purchase the same amount of space as a traditional advertisement. A value factor of three is the industry standard to compute total public relations value of the media item. Earned media has a higher value than paid media because it is more trusted by consumers. To date this fiscal year, askHRgreen.org has garnered media attention in print, online and television with a total value of \$24,150.00. The attached table also contains hot links to each item.

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. 12	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

28 planning activities pursuant to their MS4 permits and in the development of their Action Plans;
29 now, therefore, be it

30 RESOLVED by the _____, the _____ concurring, that the Virginia
31 Department of Conservation and Recreation and the Virginia Department of
32 Environmental Quality be directed to publish, on or before December 1, 2013, joint
33 guidance (i) identifying methodologies to be used by MS4 permittees in calculating
34 nutrient reductions and Best Management Practices efficiencies as part of their Bay
35 TMDL planning activities pursuant to MS4 permits, and (ii) to assist MS4 permittees in
36 developing and implementing their Action Plans.

37 In preparing the guidances, the Department of Conservation and Recreation and the
38 Department of Environmental Regulation (the “Departments”) shall coordinate with a technical
39 advisory committee consisting of nine individuals who reside or are employed in the
40 Commonwealth and who have experience in the design and implementation of stormwater
41 management systems and/or MS4 operation and maintenance. The technical advisory committee
42 members shall be appointed jointly by the Directors of the Departments. Six members of the
43 committee shall be representatives of MS4 jurisdictions and the three other members shall have
44 technical expertise in the subjects considered by the committee. The technical advisory
45 committee shall advise and provide recommendations on the development of the guidances.

46 In addition, the Departments shall (i) review materials available on the BMP
47 Clearinghouse and through the Chesapeake Bay Program relating to BMPs and their nutrient
48 reduction and efficiencies; (ii) review guidance on these same issues prepared by other states in
49 the Chesapeake Bay watershed; (iii) identify nutrient reduction methodologies and BMP
50 efficiencies, which may include identifying an appropriate and consistent resource to use for
51 obtaining such information; (iv) identify and explain suggested components for Action Plans;
52 and (v) make specific recommendations in the form of guidances identifying methodologies for
53 calculating nutrient reductions and BMP efficiencies for traditional and non-traditional nutrient
54 reduction techniques and to assist MS4 permittees in developing and implementing their Action
55 Plans.

_____ **BILL NO.** ____
Offered _____
Prefiled _____

A BILL to amend § 10.1-603.3 of the Code of Virginia, relating to the development of guidances (i) identifying methodologies to be used by municipal separate storm sewer system (“MS4”) permittees in calculating nutrient reductions and Best Management Practices efficiencies as part of their Chesapeake Bay TMDL (“Bay TMDL”) planning activities pursuant to MS4 permits, and (ii) to assist MS4 permittees in developing and implementing their Bay TMDL Action Plans.

Patron -- _____

Referred to Committee on _____

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-603.3 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-603.3. Establishment of Virginia stormwater management programs.

A. Any locality, excluding towns, unless such town operates a regulated MS4, shall be required to adopt a VSMP for land-disturbing activities consistent with the provisions of this article according to a schedule set by the Board. Such schedule shall require adoption no sooner than 15 months and not more than 21 months following the effective date of the regulation that establishes local program criteria and delegation procedures, unless the Board deems that the Department's review of the VSMP warrants an extension up to an additional 12 months, provided the locality has made substantive progress. Localities subject to this subsection are authorized to coordinate plan review and inspections with other entities in accordance with subsection H.

B. Any town lying within a county, which has adopted a VSMP in accordance with subsection A, may adopt its own program or shall become subject to the county program. If a town lies within the boundaries of more than one county, the town shall be considered to be wholly within the county in which the larger portion of the town lies. Towns shall inform the Department of their decision according to a schedule established by the Department. Thereafter, the Department shall provide an annual schedule by which towns can submit applications to adopt a VSMP.

C. In support of VSMP authorities, the Department shall:

1. Provide assistance grants to localities not currently operating a local stormwater management program to help the localities to establish their VSMP.

2. Provide technical assistance and training.

39 3. Provide qualified services in specified geographic areas to a VSMP to assist localities in the
40 administration of components of their programs. The Department shall actively assist localities
41 in the establishment of their programs and in the selection of a contractor or other entity that may
42 provide support to the locality or regional support to several localities.

43 D. The Department shall develop a model ordinance for establishing a VSMP consistent with
44 this article and its associated regulations, including the Virginia Stormwater Management
45 Program (VSMP) General Permit for Discharges of Stormwater from Construction Activities.

46 E. Each locality that administers an approved VSMP shall, by ordinance, establish a VSMP that
47 shall be administered in conjunction with a local MS4 program and a local erosion and sediment
48 control program where applicable, and which shall include, but is not limited to, the following:

49 1. Consistency with regulations adopted in accordance with provisions of this article;

50 2. Provisions for long-term responsibility for and maintenance of stormwater management
51 control devices and other techniques specified to manage the quality and quantity of runoff; and

52 3. Provisions for the integration of the VSMP with local erosion and sediment control, flood
53 insurance, flood plain management, and other programs requiring compliance prior to
54 authorizing construction in order to make the submission and approval of plans, issuance of
55 permits, payment of fees, and coordination of inspection and enforcement activities more
56 convenient and efficient both for the local governments and those responsible for compliance
57 with the programs.

58 F. The Board may approve a state entity, including the Department, federal entity, or, for linear
59 projects subject to annual standards and specifications, electric, natural gas and telephone utility
60 companies, interstate and intrastate natural gas pipeline companies, railroad companies, or
61 authorities created pursuant to § [15.2-5102](#) to operate a Virginia Stormwater Management
62 Program consistent with the requirements of this article and its associated regulations and the
63 VSMP authority's Department-approved annual standards and specifications. For these
64 programs, enforcement shall be administered by the Department and the Board where applicable
65 in accordance with the provisions of this article.

66 G. The Board shall approve a VSMP when it deems a program consistent with this article and
67 associated regulations, including the Virginia Stormwater Management Program (VSMP)
68 General Permit for Discharges of Stormwater from Construction Activities.

69 H. A VSMP authority may enter into agreements or contracts with soil and water conservation
70 districts, adjacent localities, or other public or private entities to carry out or assist with the
71 responsibilities of this article.

72 I. Localities shall issue a consolidated stormwater management and erosion and sediment control
73 permit that is consistent with the provisions of the Erosion and Sediment Control Law (§ [10.1-](#)
74 [560](#) et seq.). When available in accordance with subsection J, such permit, where applicable,

75 shall also include a copy of or reference to state VSMP permit coverage authorization to
76 discharge.

77 J. Upon the development of an online reporting system by the Department, but no later than July
78 1, 2014, a VSMP authority shall then be required to obtain evidence of state VSMP permit
79 coverage where it is required prior to providing approval to begin land disturbance.

80 K. Any VSMP adopted pursuant to and consistent with this article shall be considered to meet
81 the stormwater management requirements under the Chesapeake Bay Preservation Act (§ [10.1-](#)
82 [2100](#) et seq.) and attendant regulations, and effective July 1, 2014, shall not be subject to local
83 program review under the stormwater management provisions of the Chesapeake Bay
84 Preservation Act.

85 L. All VSMP authorities shall comply with the provisions of this article and the stormwater
86 management provisions of the Erosion and Sediment Control Law (§ [10.1-560](#) et seq.), and
87 related regulations. The VSMP authority responsible for regulating the land-disturbing activity
88 shall require compliance with the issued permit, permit conditions, and plan specifications.

89 M. VSMPs adopted in accordance with this section shall become effective July 1, 2014, unless
90 otherwise specified by the Board.

91 *N. On or before December 1, 2013, the Department and the Virginia Department of*
92 *Environmental Quality, shall jointly develop and publish guidances (i) identifying methodologies*
93 *to be used by municipal separate storm sewer system (“MS4”) permittees in calculating nutrient*
94 *reductions and Best Management Practices efficiencies as part of their Chesapeake Bay TMDL*
95 *(“Bay TMDL”) planning activities pursuant to MS4 permits, and (ii) to assist MS4 permittees in*
96 *developing and implementing their Bay TMDL Action Plans. In preparing the guidances, the*
97 *Department and the Department of Environmental Regulation shall coordinate with a technical*
98 *advisory committee consisting of nine individuals who reside or are employed in the*
99 *Commonwealth and who have experience in the design and implementation of stormwater*
100 *management systems and/or municipal separate storm sewer operation and maintenance. The*
101 *technical advisory committee members shall be appointed jointly by the Directors of the*
102 *Department and the Department of Environmental Regulation. Six members of the committee*
103 *shall be representatives of MS4 jurisdictions and the three other members shall have technical*
104 *expertise in the subjects considered by the committee. The technical advisory committee shall*
105 *advise and provide recommendations on the development of the guidances.*

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #12: CORRESPONDENCE OF INTEREST

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

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

Attachment 12-A

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

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

Attachment 12-B

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

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

Attachment 12-C

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

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

Attachment 12-D

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

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

Attachment 12-E

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

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

Attachment 12-F

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

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

Attachment 12-G

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

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

Attachment 12-H

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

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

Attachment 12-I

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

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

Attachment 12-J

K. Isle of Wight County Resolution

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

Attachment 12-K

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

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

Attachment 12-L

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

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

Attachment 12-M

Chesapeake Conservancy

October 31, 2012

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

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

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

Re: Fort Monroe – Planning of State Managed Lands

Dear Ms. Suit and Mr. Merrill:

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

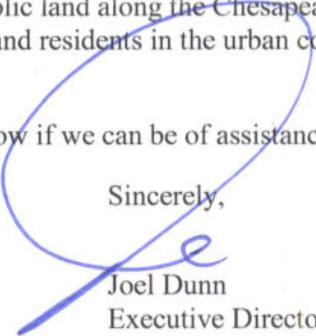
The fort and its beaches are a national treasure, a "pearl" on the string of the Captain John Smith Chesapeake National Historic Trail and a vital part of the Chesapeake's natural and cultural landscape. Our organization was instrumental in shaping the strategy to achieve monument status and in establishing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

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

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

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

Sincerely,


Joel Dunn
Executive Director

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

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Susquehanna River Heartland
Coalition

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Maryland, Retired

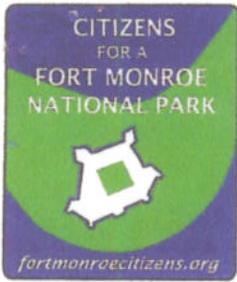
U.S. Senator John Warner
Virginia, Retired

EXECUTIVE DIRECTOR

Joel E. Dunn

www.chesapeakeconservancy.org

Attachment 12-A



Citizens for a Fort Monroe National Park

Preserving a Grand Public Place

Advisory Board

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Bloomfield, NJ
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Norfolk, VA
Betty Harper Wyatt
Williamsburg, VA
Jane Yerkes
Williamsburg, VA

H.O. Malone
(1934-2008)
Dorothy Rouse-Bottom
(1927-2011)

October 26, 2012

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

Re: Fort Monroe Wherry Quarter Concepts Opinion Survey

Dear Ms. Suit:

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

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

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

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

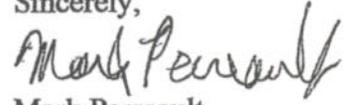
<http://fortmonroecitizens.org>



Citizens For A Fort Monroe National Park

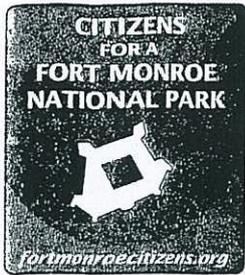
Attachment 12-A

Sincerely,



Mark Perreault
President

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



Citizens for a Fort Monroe National Park

Preserving a Grand Public Place

November 5, 2012

Advisory Board

Colonel Perry Allmendinger
USA, Ret., Hampton, VA
Bertram Hayes-Davis
Dallas, TX
Thulani Davis
Bloomfield, NJ
Commander Paul Galanti
USN, Ret., Richmond, VA
Alec Gould
Williamsburg, VA
Betty Hocy
Newport News, VA
Robert E. Lee, IV
Bethesda, MD
Colonel Richard Mackin
USA, Ret., Hampton, VA
Wendy Nelson
Yorktown, VA
Cassandra Newby-Alexander
Chesapeake, VA
General Glenn Otis
USA, Ret., Carlisle, PA
Colonel J.E.B. Stuart, IV
USA, Ret., Richmond, VA
Harrison Ruffin Tyler
Richmond, VA

Board of Directors

Philip A. Adderley
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Norfolk, VA
Adrian Whitcomb
Newport News, VA
Ron Wilson
Norfolk, VA
Betty Harper Wyatt
Williamsburg, VA
Jane Yerkes
Williamsburg, VA
H.O. Malone
(1934-2008)
Dorothy Rouse-Bottom
(1927-2011)

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

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

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

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

Dear Sirs and Madam:

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

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

RECEIVED

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

NOV 09 2012



HRPDC

Attachment 12-B

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

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

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

Sincerely,

CITIZENS FOR A FORT MONROE NATIONAL PARK



Mark Perreault
President

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

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

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

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



November 7, 2012

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

James,

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

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

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

Sincerely,

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

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

RECEIVED

NOV 08 2012

HRPDC

Attachment 12-C

SENATE OF VIRGINIA

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



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

November 26, 2012

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

Dear Dwight:

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

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

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

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

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

Sincerely,

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

Senator John Miller
1st District

Received

NOV 27 2012

HRPDC



COMMONWEALTH of VIRGINIA

Office of the Governor

Terrie L. Suit
Secretary of Veterans Affairs
and Homeland Security

December 7, 2012

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

Dear Mr. Dunn:

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

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

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

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

Sincerely,

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

Terrie L. Suit

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



COMMONWEALTH of VIRGINIA

Office of the Governor

Terrie L. Suit
Secretary of Veterans Affairs
and Homeland Security

December 7, 2012

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

Dear Mr. Perreault:

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Sincerely,

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

Terrie L. Suit

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



**Gloucester County
Administrator's Office**

Telephone 804-693-4042

P. O. Box 329, Gloucester, Virginia 23061

Fax 804-693-6004

December 10, 2012

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

Dear Ms. Williams,

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

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

Respectfully Yours,

Brenda G. Garton
County Administrator

BGG:tc
Enclosure

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

RECEIVED

DEC 11 2012

HRPDC

Attachment 12-G

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

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

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

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

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

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

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

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

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

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

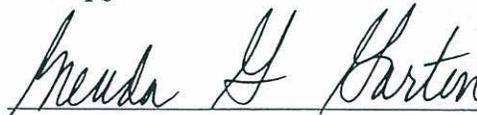
WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of Gloucester County or one or more other members; and,

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

NOW THEREFORE BE IT RESOLVED that the Gloucester County Board of Supervisors requests the Department of Housing and Community to reaffirm the existing boundaries of the Hampton Roads Planning District Commission; and,

BE IT FURTHER RESOLVED by the Gloucester County Board of Supervisors that Gloucester County desires to remain a member of the Hampton Roads Planning District Commission.

A Copy Teste:

A handwritten signature in cursive script that reads "Brenda G. Garton". The signature is written in black ink and is positioned above a horizontal line.

Brenda G. Garton, County Administrator

THE CITY OF
PORTSMOUTH

December 12, 2012

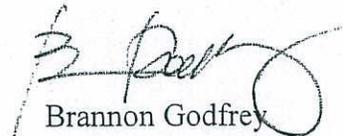
Mr. Bill Shelton, Director
Virginia Department of Housing
and Community Development
Main Street Centre
600 East Main Street, Suite 300
Richmond, VA 23219

Dear Mr. Shelton:

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

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

Sincerely,



Brannon Godfrey
Deputy City Manager

JBG\rh

Attachment: Resolution

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

RECEIVED

DEC 14 2012

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

HRPE

Attachment 12-H

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

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

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

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

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

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

Teste:

City Clerk

MEMBER JURISDICTIONS

CHESAPEAKE

December 13, 2012

FRANKLIN

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

GLOUCESTER

HAMPTON

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

ISLE OF WIGHT

Dear Ms. Porterfield:

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

SOUTHAMPTON

The Hampton Roads Planning District Commission (HRPDC) submits the following comments on the proposed Ground Water Withdrawal Regulations 9 VAC 25-610. The comments have been endorsed by the HRPDC Directors of Utilities Committee, which previously commented on the draft Ground Water Withdrawal Regulations in an October 15, 2010 letter to the Department of Environmental Quality. The Committee includes the Directors of Water Utilities from the following localities: Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, Gloucester County, Isle of Wight County, James City County, Southampton County, Surry County, York County and the Towns of Smithfield and Windsor. The HRPDC encourages the Department of Environmental Quality to consider the following recommended revisions to the proposed groundwater withdrawal regulations:

SUFFOLK

1) Human consumptive use: The definition of human consumption needs to be broader. In several sections of the regulations, "public water systems" should replace the term "human consumption" to support all of the customers that rely on public water systems.

SURRY

VIRGINIA BEACH

a) In Section 610-10, the proposed definition for "Human Consumption" in the draft regulation is too narrow. It does not include toilet flushing, washing clothes, medical needs, etc. The regulation should continue to use the definition of "Human consumptive use" in the existing regulations:

WILLIAMSBURG

YORK

"Human consumptive use" means the withdrawal of groundwater for private residential domestic use and that portion of ground water withdrawals in a public water supply system that support residential domestic uses and domestic uses at commercial and industrial establishments.

- b) When the available supply of groundwater is not sufficient to meet all requests, meeting the demands of public water systems should be the highest priority. In the existing regulations, human consumptive use is the highest priority which leaves out a portion of the public water systems' customers and creates a burdensome task of trying to estimate human consumptive use which is not tracked by public water systems. Section 610-110 paragraph E should be revised as follows:

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

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

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

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

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

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

requirements should be based on the depth and position of the well screen rather than on which aquifers are utilized as a groundwater source. Section 610-110 paragraph D.3.c should be revised with the following language:

- i) *The applicant demonstrates that no pumps or water intake devices are placed lower than the top of the uppermost confined aquifer with a well screen in order to prevent dewatering of a confined aquifer, loss of inelastic storage, or damage to the aquifer from compaction.*
- ii) *Public water systems with wells screened in the Potomac Aquifer may continue to operate with pumps set below the top of the Potomac Aquifer if those operational settings were approved in their permits prior to the Potomac Aquifer classification as one aquifer instead of three aquifers (Upper Potomac, Middle Potomac, and Lower Potomac).*

- b) If a public water system requests a renewal of a permit with the same conditions as its existing permit, the system should be guaranteed that the renewal will not be denied based on new evaluation of water level impacts. Section 610-110 F should be revised with this additional paragraph:

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

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

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

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

- a) The technical evaluation of proposed withdrawals should be based on predicted water levels at the end of the proposed permit term instead of evaluating the "stabilized effects" of proposed withdrawals. A transient model simulation should be used instead of a steady state simulation to estimate water level and head changes caused by a proposed withdrawal. A steady state simulation could represent impacts that are expected to occur 50 years or longer after the permit would expire. Section 610-110 paragraph D.3.h should be revised with the following language:

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

b) The point of compliance with the 80% drawdown criteria should be based on the generally recognized calibration limit of the model used for the analysis. Permit renewals should not have to meet a more stringent criterion than the permit's initial technical evaluation.

i) Compliance with the 80% drawdown criteria should be based on the calibration limit of a technically sound groundwater model. Section 610-110 paragraph D.3.h should be revised by adding the following paragraphs:

(1) Compliance with the 80% drawdown criterion for new applications will be determined at the model's minimum drawdown contour based on the predicted effects of the proposed withdrawal. The model's minimum drawdown contour is defined as the calibration limit of the specific groundwater model or assessment methodology used for the technical evaluation.

(2) Compliance with the 80% drawdown criterion for permit renewals will be determined at the points that are halfway between the proposed withdrawal site and the model's minimum drawdown contour based on the predicted effects of the proposed withdrawal. The model's minimum drawdown contour is defined as the calibration limit of the groundwater model used for the technical evaluation.

ii) The "area of impact" should be defined according to the calibration of the model used for the analysis. Section 610-10 should include the following definition:

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

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

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

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

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

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

- d) The Virginia Coastal Plain groundwater model should be used to manage the Coastal Plain Aquifer System instead of the RASA model currently in use. The Virginia Coastal Plain (VCP) groundwater model, authored by Charles Heywood and Jason Pope from the USGS Virginia Water Science Center, incorporates the findings of the Virginia Coastal Plain Hydrologic Framework report funded by DEQ and the HRPDC. The VCP model should be adopted because it produces more accurate predictions of groundwater elevations. The VCP model includes information that was not available when the RASA model was developed such as the groundwater density distribution along the saltwater interface near the Atlantic Ocean, domestic self-supplied withdrawals below the reporting threshold, the Chesapeake Bay Impact Crater, and recognition of a single Potomac aquifer.

4) Drought relief permits: Drought relief permits have been better defined in the draft regulations; however, several suggestions are offered to further define how these permits will be issued and evaluated.

- a) The HRPDC Directors of Utilities Committee originally supported the creation of Conjunctive Use Permits as a new permit category. However, 610-104 "Surface water and groundwater conjunctive use systems" in the draft regulations does not accomplish the goal of giving water providers the flexibility to maximize the available water resources with fewer restrictions than Drought Relief Permits. The Committee suggests that the Conjunctive Use Permit category be eliminated. Permits should be issued as either a Production Well Permit or a Drought Relief Permit.
- b) Drought Relief Permits for public water systems should not be limited to permitted withdrawals that only support human consumptive use. The definition of "Supplemental drought relief well" in Section 610-10 should be revised with the following language:

"Supplemental drought relief well" means a well permitted to withdraw a specified amount of groundwater to meet human consumptive use needs during declared drought conditions, or other declared water supply emergency, after mandatory water use restrictions have been

implemented. Permits for public water systems should be permitted to withdraw groundwater to meet the needs of all consumers after mandatory water use restrictions have been implemented.

- c) The impacts of drought relief wells should be evaluated under conditions that more closely match the past operations of drought relief wells in Virginia. The impacts should be evaluated with a transient model assuming the proposed maximum rate and withdrawal amount for two years, followed by eight years at the minimum maintenance withdrawals, and repeated if the permit term is extended beyond 10 years. This approach is based on the historical use of emergency wells in the Virginia Coastal Plain.
- i) The draft regulations states that the 80% criterion will be evaluated based on the stabilized effects of the proposed withdrawal. Drought wells are rarely pumped for more than a year and almost never pumped continuously. The aquifer system is sluggish to respond to pumping stresses so using a transient model instead of a steady state model is a more accurate way to simulate the impacts of drought relief withdrawals. Section 610-106 paragraph G.6 should be revised with the following language:

The board's technical evaluation demonstrates that the effects from the proposed withdrawal amounts pumped at the maximum rate for two years followed by the withdrawal of any minimum amounts required for maintenance for eight years in combination with the effects of all existing lawful withdrawals will not lower water levels, in any confined aquifer that the withdrawal impacts, below a point that represents 80% of the distance between the historical prepumping water levels in the aquifer and the top of the aquifer.

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

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

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

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

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

For the past twenty years, the region's local governments have provided financial and technical support to the USGS and DEQ through the Cooperative Groundwater Program. The members of the HRPDC Directors of Utilities Committee bring considerable technical and policy experience and perspective to the Groundwater Withdrawal Permitting process. The proposed regulatory changes are important to the operations of the water utilities in the Hampton Roads region and the Commission would appreciate your careful consideration of its recommendations.

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

Sincerely,



Thomas G. Shepperd, Jr.
Chairman

WSK/jc

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

MEMBER
JURISDICTIONS

December 19, 2012

CHESAPEAKE

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

FRANKLIN

GLOUCESTER

HAMPTON

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

ISLE OF WIGHT

Dear Mr. Dowling:

JAMES CITY

NEWPORT NEWS

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

NORFOLK

POQUOSON

I. Introduction

PORTSMOUTH

Although the HRPDC and the MS4 Localities appreciate the Department of Conservation and Recreation’s (“DCR’s”) willingness to address many of our concerns during the advisory panel process leading up to publication of the Permit, we continue to have serious concerns with the baseline loading rates in Section I.C. of the Permit. We have expressed these same concerns a number of times during development of the Permit and the

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

Phase I and Phase II Watershed Implementation Plans (“WIPs”), and it is disappointing to see not only that the deficiencies remain unaddressed, but also that our concerns appear to have been largely ignored in both the Permit and the draft Fact Sheet accompanying the Permit (the “Fact Sheet”).

WILLIAMSBURG

YORK

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

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

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

Although not fully explained in the Fact Sheet, we understand that the baseline loading rates in Section I.C. of the Permit were calculated using state-derived estimates of the types, numbers, and efficiencies of stormwater Best Management Practices (“BMPs”) installed on the acreage of developed impervious and pervious land in each river basin as of June 30, 2008. These estimates were then used as inputs to the Chesapeake Bay Watershed Model to produce basin-wide 2009 edge of stream (“EOS”) baseline loading rates for each pollutant of concern (nitrogen, phosphorus, and total suspended solids). We have identified three compounding flaws in the approach used to derive the baseline loading rates.

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

Although DCR has not provided a meaningful explanation of how it arrived at its BMP estimates, it is apparent that DCR’s BMP estimates are inconsistent with Locality-documented BMP implementation data as of June 30, 2008. As you know, during the Phase II WIP process, DCR shared its BMP data with the HRPDC and the Localities and asked us to check its data against local BMP implementation data. The Localities found significant discrepancies between local and State BMP data and reported this information to DCR in February 2012, but DCR neither corrected its data nor responded to the Localities’ findings.² DCR’s failure to use readily available and updated BMP data prevented it from calculating accurate baseline loading rates.

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

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

Baseline loading rates derived using BMP implementation data averaged over the entire James River basin fail to account for greater BMP implementation by localities that are subject to the Chesapeake Bay Preservation Act ("CBPA"), and therefore, over-estimate loading rates for these localities. As directed pursuant to the CBPA, the 38 Virginia localities in the tidal portion of the Chesapeake Bay Watershed (including 16 localities within the HRPDC), have been requiring developers to offset nutrient and sediment loads since 1990 by installing stormwater BMPs. The tidal localities receive only partial credit for the resulting lower loading rates because the basin-wide average BMP implementation estimates used by DCR to derive basin-wide baseline loading rates simply offset the higher loading rates of those localities in the non-tidal portion of the basin rather than giving full credit to the localities that actually achieved the reductions.

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

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

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

As noted above, HRPDC and the Localities have alerted DCR to the above described deficiencies on more than one occasion in the past. While DCR has responded to a number of our questions related to the baseline loading rates, it has either not responded to others or has provided responses that fail to explain or offer a reasoned explanation and justification for its decisions to develop the baseline loading rates in Section I.C of the Permit using the State basin-wide BMP data and the 2009 Progress Run. Two of the more obvious examples of this are (i) DCR's

failure to even respond to the discrepancies in DCR's and the Localities' BMP implementation data identified by the Localities even though the Localities were responding to a request from DCR, and (ii) DCR's reliance on a directive from the Environmental Protection Agency ("EPA") to use the 2009 Progress Run to derive the baseline loading rates rather than exercising its own judgment and discretion to determine whether some other model run would produce more accurate loading rates.³

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

Although courts accord considerable deference to an agency's exercise of its discretion, the agency must exercise that discretion in a way that is not arbitrary and capricious. In short, the agency must provide a reasoned rationale and justification for its action.⁵ It is not enough for an agency to simply identify the basis for its action as DCR has done here. It must also provide a reasoned rationale and justification for its action by explaining why it selected these rates over other rates and why the rates it selected are preferred over those proposed by others such as HRPDC and the Localities. We respectfully submit that DCR's failure to respond to our concerns regarding the discrepancies in the state and Locality BMP data, its total reliance on EPA's directive to use the 2009 Progress Run to produce the baseline loading rates, and its failure to offer a reasoned rationale and justification for using basin-wide average baseline loading rates is arbitrary and capricious and must be corrected before the Permit is finalized.

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

⁴ See Fact Sheet at 20.

⁵ See *Chemical Mfrs. Ass'n. v. Environmental Protection Agency*, 28 F.3d 1259, 1265-66 (D.C. App. 1994); *Virginia Real Estate Comm'n v. Bias*, 226 Va. 264, 269, 308 S.E.2d 123, 125 (1983); *Environmental Defense Fund v. Ramirez*, 15 Va. App. 271, 277, 422 S.E.2d 608, 611-12 (1992); *Johnston-Willis v. Kenley*, 6 Va. App. 231, 241-44, 369 S.E.2d 1, 19-24 (1988); *Atkinson v. Virginia. Alcoholic Beverage Control Comm'n*, 1 Va. App. 172, 176, 336 S.E.2d 527, 529-30 (1985).

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

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

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

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

Virginia's BMP Clearinghouse (which is still under construction) and the Chesapeake Bay Program's guidance are not consistent with respect to methodologies for calculating nutrient reductions and the differences between some of the methods and calculations are not inconsequential. Therefore, in order to develop consistent and effective strategies for pollutant load reduction, localities need to know which BMPs can be included in their Chesapeake Bay TMDL Action Plans ("Action Plans") and the BMP efficiencies that should be assigned to those

BMPs. Localities also need to know the equivalencies that can be used for non-traditional BMPs so that they can use these equivalences to obtain credit for their implementation. Although flexibility is appreciated, localities must have confidence that the methodologies and equivalencies used for their calculations will ensure compliance with their obligations under the Permit.

A related concern involves the absence of any guidance on the content of the Action Plans required by Section I.C.2 of the Permit. Although Section I.C.2 lists the subjects that must be addressed in the Action Plans, neither it nor the Fact Sheet provide localities with any guidance as to DCR's expectations regarding the minimum acceptable content of the Action Plans. Without such guidance, localities are left to assume what is required of them and thereby risk being charged with non-compliance despite their best efforts to submit and implement complete Action Plans.

By the foregoing, we do not mean to suggest that DCR should try to include the methodologies and guidance in the Permit. To the contrary, we do not believe it would be appropriate to include either the methodologies or the guidance as permit conditions given their technical nature and anticipated length and the need for flexibility. Rather, the Fact Sheet should announce DCR's intention to publish a separate document containing the methodologies and guidance before the Permit's effective date and following public notice and the opportunity for comment. The Maryland Department of the Environment has recognized the need to assist Maryland's localities in fulfilling their MS4 permit obligations and has provided guidance for that purpose.⁶ We know of no reason why DCR cannot do the same.

Sincerely,



Thomas G. Shepperd
Chairman

JLT/jc

Attachment

Copy: David Johnson, DCR
Ginny Snead, DCR

⁶ See Maryland Department of the Environment, Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated: Guidance for National Pollutant Discharge Elimination System Stormwater Permits (June 2011 Draft).

MEMBER JURISDICTIONS

August 15, 2011

CHESAPEAKE

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

FRANKLIN

GLOUCESTER

Dear Ms. Salvati:

HAMPTON

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

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

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

Critical Information for Developing Phase II Strategies

SOUTHAMPTON

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

SUFFOLK

SURRY

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

VIRGINIA BEACH

WILLIAMSBURG

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

YORK

Ms. Joan Salvati
August 15, 2011
Page 2

Concerns about Target Loads

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

Issues on cataloging and documenting nutrient reductions

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

Ms. Joan Salvati
August 15, 2011
Page 3

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

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

Ms. Joan Salvati
August 15, 2011
Page 4

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

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

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

Sincerely,

A handwritten signature in black ink that reads "John M. Carlock". The signature is written in a cursive, flowing style.

John M. Carlock
Deputy Executive Director

WSK/fh

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

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

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

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

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

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

Critical Information for Developing Phase II Strategies

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

Concerns about Target Loads

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

Issues on cataloging and documenting nutrient reductions

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

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

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

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

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

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

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

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

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

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

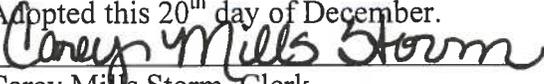
WHEREAS, significant progress is being made in addressing these issues cooperatively and that progress would be lost if the HRPDC boundaries were changed to cause the loss of the County of Isle of Wight or one or more other members; and,

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

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

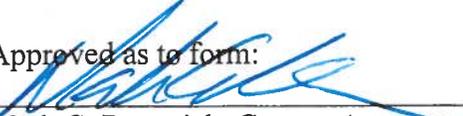
BE IT FURTHER RESOLVED by the County of Isle of Wight that it desires to remain a member of the Hampton Roads Planning District Commission.

Adopted this 20th day of December.


Carey Mills Storm, Clerk


Alan E. Casteen, Chairman

Approved as to form:


Mark C. Popovich, County Attorney

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

Subject: Planning District Boundary Review Update

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

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

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

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

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

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

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

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

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

<MHickman@virginiashartland.org>, "Crum, Robert, Jr."

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

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

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

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

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

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

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

Dear PDC Executive Directors:

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

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

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

Comments were received from the following PDCs and local governments:

3 Planning District Commissions (PDCs)

Commonwealth Regional Council Mount

Rogers PDC

West Piedmont PDC

7 Counties

Clarke

Fauquier

Gloucester

Hanover

Isle of Wight

Mecklenburg

Orange

3 Cities Galax

Poquoson

Portsmouth

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

Susan

Susan B. Williams, Esq.

Local Government Policy Manager

Commission on Local Government

Department of Housing and Community Development

Main Street Centre - 600 East Main Street, Suite 300

Richmond, VA 23219

PH: 804.786.6508 - FAX: 804.371.7090

Email: susan.williams@dhcd.virginia.gov

Website: www.dhcd.virginia.gov/CommissiononLocalGovernment/default.htm

Attachment 12-L



COUNTY of ISLE OF WIGHT

THE COURTHOUSE

January 4, 2013

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

Dear Mr. Farmer:

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

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

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

Sincerely,

Carey Mills Storm
Clerk, Board of Supervisors

/cms

RECEIVED

JAN 07 2013

HRPDC

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #13: FOR YOUR INFORMATION

A. Proposed Legislation—Referendum on Transportation Funding

Delegate Chris Stolle, R-Virginia Beach, submitted legislation calling for a regional referendum in Hampton Roads. If approved, this legislation would put a referendum on the November ballot asking voters whether they support enacting the special tax. Delegate Stolle estimates it would generate \$175 to \$195 million annually for Hampton Roads projects.

B. VAPDC 2013 Winter Conference

The Virginia Association of Planning District Commissions will hold its 2013 Winter Conference in Richmond on January 31, 2013 and February 1, 2013. The January sessions include joint meetings with VML and VACO, and with General Assembly Members. Attached is the conference flyer and agenda.

Attachment 13-B



VAPDC 2013 Winter Conference – Richmond Downtown Marriott
Virginia's PDCs: Saving Public Dollars through Regional Efficiencies

VAPDC will once again join VML and VACo for the annual Local Government Day on January 31, 2013. That evening following the day's activities, VAPDC will kick off its 2013 Winter Conference with a dinner/reception at the Virginia Biotechnology Research Park. On Friday, the conference will feature an awards breakfast followed by several speakers and end with lunch. Don't delay in registering for the VAPDC Winter Conference.

Conference Schedule

Thursday, January 31, 2013

9:00 – 12:00 pm VML/VACo Committee Meetings
10:00 – 12:00 pm **VAPDC Board of Directors/Executive Directors Meeting**
12:00 – 2:00 pm VML/VACo/VAPDC Meeting with Box Lunch
2:00 – 5:00 pm VML/VACo/VAPDC Meetings with Legislators
5:30 – 6:30 pm VML/VACo/VAPDC Cash Bar Reception
7:00 – 9:00 pm **VAPDC Dinner with Speaker**
• Robert T. Skunda, President & CEO, Virginia Biotechnology Research Park

Friday, February 1, 2013

7:30 am **Awards Breakfast**
JLARC Report No. 433: Encouraging Local Collaboration through State Incentives
9:30 am **Session I**
10:15 am **Session II**
11:00 am **Session III**
11:45 am **Lunch and Networking**
11:45 am **VAMPO Board of Directors Meeting**

Location

Richmond Marriott Hotel
500 East Broad Street
Richmond, VA 23219
1-800-228-9290

For the group rate of \$112 call the Marriott Hotel directly and specify the group Virginia Association of Planning District Commissions (VAPDC).

Conference Costs

VML/VACo/VAPDC Local Government Day + VAPDC Winter Conference	\$270.00
VAPDC Winter Conference (Choose this option if you are not registering for Local Government Day)	\$225.00

Online registration closes at 5 pm on Friday, January 25, 2013. No cancellations or refunds after 5 pm on Friday, January 25, 2013.

Register for the VAPDC Winter Conference at www.vapdc.org.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #14: OLD/NEW BUSINESS