

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
EXECUTIVE COMMITTEE MEETING
June 19, 2014

1. Call to Order
2. Approval/Modification of Agenda

WORKSHOP AGENDA

3. DEQ's Long Range Planning Initiative
4. Envision Hampton Roads Survey Results
5. Regional Emergency Management Collaboration and Sustainment

REGULAR AGENDA

6. Submitted Public Comments
7. Public Comment Period
8. Approval of Consent Items
 - A. Minutes of April 17, 2014 Quarterly Commission Meeting and May 15, 2014 Retreat
 - B. Treasurer's Reports of March & April 2014
 - C. Regional Reviews
 - D. FY 2015 Unified Planning Work Program
 - E. FY 2014 Budget Amendments
 - F. FY 2015 Budget Amendment – DEQ Roundtable Grants
 - G. Addition of Town of Smithfield to HRPDC
 - H. VRS Resolution
 - I. DEQ's Long Range Planning Initiative
 - J. Resolution of Support for "Let's Open Doors"
 - K. Envision Hampton Roads Survey Results
 - L. Regional Emergency Management Collaboration And Sustainment
 - M. Consultant Services Contract Task Order – Permit Administration and Review System (PARS)
 - N. Consultant Services Contract Task Order – Sanitary Sewer Overflow Reporting System (SSORS)
 - O. Consultant Services Contract – Special Legal Consultant On Stormwater Matters
 - P. Consultant Services Contract – Continuing Services Agreements For Water Resources Projects
 - Q. Coastal Zone Management Program – FY 2015 Grants
9. HRPDC Three-Month Tentative Schedule
10. Advisory Committee Summaries
11. Correspondence of Interest
12. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #1: CALL TO ORDER

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

ITEM #2: APPROVAL/MODIFICATION OF AGENDA

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

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #3: DEQ'S LONG RANGE PLANNING INITIATIVE

SUBJECT:

The Department of Environmental Quality (DEQ) is seeking assistance and cooperation from the HRPDC to implement a pilot project for long range environmental planning.

BACKGROUND:

DEQ has statutory responsibility for the Commonwealth's long range environmental planning. DEQ is in the process of implementing pilot projects to carry out this responsibility.

Rather than the traditional "top-down" method of a Statewide Commission preparing a Statewide plan, DEQ envisions a "bottom-up," regionally-based, collaborative model that is coordinated by DEQ and led by Planning District Commissions (PDCs). This model will build on the effective work already being done by many PDCs. Eventually, it is envisioned that the approach will be adopted in all regions of the State.

DEQ staff, under the leadership of its Director and with participation by its Regional Directors, would facilitate regional long-range efforts by performing the following tasks:

- Work with regional PDCs and other local and regional leaders to convene and facilitate regional stakeholder meetings to address long range environmental and energy priorities.
- Encourage collaborative identification and implementation by these local/regional leaders of
 - (1) Highest long-range priorities in each respective region.
 - (2) Programs and projects to address those priorities.
- Assist regions in elevating and bringing priority needs to the attention of the Administration and General Assembly, in securing cooperation and support from state and federal agencies, in obtaining needed research, and in obtaining grants and other funding.

Mr. David Paylor, Director of DEQ will provide an overview of the Planning Initiative to the Commission.

Note: This item will be presented for action under item #8-I

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM#4: ENVISION HAMPTON ROADS SURVEY RESULTS

SUBJECT:

Envision Hampton Roads Community Values Survey Results.

BACKGROUND:

As part of the regional strategic planning process, the HRPDC conducted marketing research to engage residents to participate in the establishment of shared Regional Values. During this process Christopher Newport University (CNU) used input from the HRPDC and assisted the HRPDC in:

- Analysis of feedback from a series of community values listening sessions.
- Designed a standardized 12 minute survey questionnaire.
- Conducted a statistically valid telephone survey of 1,216 Hampton Roads residents.
- Analyzed the findings using statistical modeling.

Mr. Quentin Kidd, CNU, will provide the Commission with an overview of the Envision Hampton Roads Community Values Survey Report findings.

Enclosure

Note: This item will be presented for action under item #8-K

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #5: REGIONAL EMERGENCY MANAGEMENT COLLABORATION AND SUSTAINMENT

SUBJECT:

The Department of Homeland Security (DHS) has released Fiscal Year 2014 Preparedness Grant Allocations. This year, Hampton Roads will receive \$1 million in Urban Areas Security Initiative (UASI) funding. In addition, multiple federally funded regional grant programs are coming to an end. Consolidated, regionally focused emergency management planning and support will enable Hampton Roads communities to build resiliency and strengthen their ability to prepare, respond, recover, and mitigate all hazards that may threaten the area.

BACKGROUND:

Hampton Roads was designated a high risk urban area eligible to receive UASI funding in Fiscal Year 2007. In Fiscal Year 2012, the region was removed from the UASI eligibility list and remained ineligible to apply for UASI grants thru Fiscal Year 2013. However, the region has been reinstated and allocated \$1 million for fiscal year 2014. While these funds will greatly assist preparedness efforts in the Hampton Roads region, the funding is still insufficient to meet regional preparedness needs.

In addition to the UASI funds, the Hampton Roads region has benefited from grants for Homeland Security Grants and Sub-Grants, including Regional Catastrophic Planning Grants, Port Security Grants and Communications and Interoperability Program Grants. These programs have been successful in fostering communication and greater coordination among local, state and federal representatives to improve the region's capacity to plan, coordinate, equip, and ultimately respond and recover from natural and manmade threats and disasters.

Many of these grants have been reduced, eliminated or will be closed within the next twelve months. They have resulted in the acquisition of millions of dollars of assets that have depreciated service life and need to be maintained and replaced over time. In addition, multiple regional Emergency Planning Organizations, created for various programs have resulted in duplication of effort, requiring many hours of staff time and creating unintended program inefficiencies.

Consolidating and sustaining these highly effective grant program capabilities and assets will improve efficiencies and produce many tangible benefits for member jurisdictions and the region.

James Gray (Hampton Assistant City Manager and UAWG Chair) and Stephen Best (Program Manager and Former Fire Chief) will brief the Commission.

STAFF COMMENTARY:

Staff recommends supporting this effort as it is vital to our ability to maintain and enhance our region's preparedness for all hazards.

Note: This item will be presented for action under item #8-L

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #6: 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 #7: 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 #8: APPROVAL OF CONSENT AGENDA ITEMS

A. MINUTES

The Minutes of the April 17, 2014 Quarterly Commission Meeting and May 15, 2014 Retreat are attached.

Attachment 8-A1
Attachment 8-A2

RECOMMENDED ACTION:

The HRPDC staff recommends approval of the minutes.

B. TREASURER'S REPORTS

The Balance Sheets and Statements of Revenue and Expenditure for March and April 2014 activities are attached. These statements reflect the financial status of the HRPDC as a whole.

Attachment 8-B1
Attachment 8-B2

RECOMMENDED ACTION:

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

C. REGIONAL REVIEWS

1. PNRS

The HRPDC staff is routinely involved in the review of applications for grants to support projects involving federal or state funding. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Review and comment by more than one locality is requested when a project may affect the entire region or a sub-regional area. There were no outstanding comments received as of June 6, 2014.

Attachment 8-C1

RECOMMENDED ACTION: None required.

2. ENVIRONMENTAL IMPACT ASSESSMENT/STATEMENT REVIEW

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. There were no outstanding comments as of June 6, 2014 on these projects.

Attachment 8-C2

RECOMMENDED ACTION: None required.

Hampton Roads Planning District Commission
Quarterly Commission Meeting
Minutes of April 17, 2014

The Quarterly Commission Meeting of the Hampton Roads Planning District Commission was called to order at 9:38 a.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

COMMISSIONERS:

Kenneth Wright, Chairman (PO)
John L. Rowe (PO)
James Baker (CH)
Amar Dwarkanath (CH)
Dr. Ella P. Ward (CH)
Barry Cheatham (FR)
Randy Martin (FR)
John Meyer (GL)
Mary Bunting (HA)
Will J. Moffett (HA)
George Wallace (HA)*
Anne Seward (IW)
Mary Jones (JC)*

Adam Kinsman (JC)
McKinley Price (NN)
Thomas Smigiel (NO)
J. Randall Wheeler (PQ)
Michael W. Johnson (SH)
Barry Porter (SH)
Selena Cuffee-Glenn (SU)
John Seward (SY)
Barbara Henley (VB)
Louis R. Jones (VB)
James Spore (VB)
Thomas Shepperd (YK)

Executive Director:

Dwight L. Farmer

COMMISSIONERS: (ABSENT)

Brenda Garton (GL)
Dee Dee Darden (IW)
Paul D. Fraim (NO)

Tyrone Franklin (SY)
Clyde Haulman, Vice Chairman (WM)
James O. McReynolds, Treasurer (YK)

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

Earl Sorey (CH); Brian DeProfio (HA); Bryan Pennington, Jeff Raliski, (NO); Michael King, Tom Slaughter, Bryan Stilley, Jerri Wilson (NN); Nita Mensia-Joseph, Sherri Neil (PO); Peter Stephenson (SM); Sherry Hunt (SU); Robert Matthias (VB); Diane Kaufman, Senator Kaine's Office; Cathy Aiello, Aiello Enterprises; Jim Oliver, HRCCE; Gail H. Matolla, Lets Open Doors; VADEM David Architzel (ret.), Elizabeth Kersey, Ray Toll, ODU; Ellis James, Sierra Club Observer; Ann-Germaine Dariz, Virginia Ready Mixed Concrete Advisory Council; Angela Bezik, Williams Mullen; Staff: Randy Keaton, Shernita Bethea, Melton Boyer, Rick Case, Rob Case, Jennifer Coleman, Nancy Collins, Rebekah Eastep, Kathlene Grauberger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Sara Kidd, Robert Lawrence, Mike Long, Jai McBride, Ben McFarlane, Kelli Peterson John Sadler, Tiffany Smith, Joe Turner, Chris Vaigneur.

APPROVAL/MODIFICATION OF AGENDA

Chairman Wright noted the lack of quorum required for a Quarterly Commission Meeting and informed the Commission is meeting as an Executive Committee. He asked for any modifications or additions/deletions to the agenda.

Commissioner Barry Porter Moved to approve the agenda; seconded by Commissioner Ella Ward. The Motion Carried.

URBAN AREAS SECURITY INITIATIVE (UASI) FUNDING UPDATE

Mr. John Sadler, HRPDC Senior Regional Homeland Security Planner, explained the Urban Areas Security Initiative (UASI) program began in federal fiscal year 2003 with Hampton Roads being funded due to a classification as a high risk urban area in federal fiscal year 2007. The main purpose of the program is to enhance preparedness in major metropolitan areas to prevent, protect and respond to acts of terrorism through planning and training.

Funds are distributed through the Hampton Roads Urban Areas Working Group (UAWG) and the Region has received a total of \$35.4 million. Completed initiatives due to funding include:

- Emergency Communications Buses
- Overlay Regional Interoperable Network
- WebEOC software
- 45 Member Incident Management Team
- Personal Protective Equipment

In federal fiscal year 2012, the region was removed as a high risk area due to the restructuring of the UASI Program and reduction in funding by the Department of Homeland Security (DHS).

Mr. Sadler indicated although funding had stopped, the UAWG continued to meet as a coordinating body to close capability gaps. Additionally, several efforts were made to engage federal and state decision makers to bring awareness for the increased need of funding. He also noted the Region V Measure, a culmination of previous homeland security planning efforts, had recently been adopted.

For FY 14 Hampton Roads has been reinstated due to policy decisions by the new Secretary of Homeland Security, Jeh Johnson and recognition of risk. Currently the total allocated amount is \$1 million, with the region being eligible for the following additional grants:

- a non-profit UASI grant
- Operation Stonegarden
- State Homeland Security

Although current sustainment needs already identified will be the main recipient of these funds, the UAWG Resource Allocation Subcommittee will review any new submissions.

Mr. Sadler concluded the current UASI allocation will assist the region, but the UAWG is actively working to identify a regional, long-term solution to sustaining capability gaps.

Mr. Dwight Farmer reiterated to the Commission the HRPDC Emergency Management Department worked diligently to get the region reinstated and obtain the UASI grant allocation.

SEA LEVEL RISE PILOT PROJECT

Mr. Ray Toll, Old Dominion University's Center for Coastal Physical Oceanography Senior Project Scientist reminded the Commission of the President of the United States Executive Order on climate change and sea level rise in December, and stated a delegation including Mr. Joe Bouchard, Member of the Recurring Coastal Flooding Subpanel and Mr. Ron Williams, City of Norfolk Assistant City Manager, informed the White House of the region's activities related to climate change and sea level rise.

The White House, Pentagon and ODU have been communicating about a pilot project detailing solutions to the vulnerability of sea level rise in regards to Naval Station Norfolk. He further noted potential results of the pilot would be applied to other U.S. Navy installations around the globe.

Mr. Toll explained the project would continue for up to three years and a regional organization or task force would be created. Additional federal, state and local agencies such as the Virginia Modeling and Simulation Center (VMASC) would be involved to determine the funding needed for implementation.

A new ODU initiative, The Mitigation and Adaptation Research Institute (MARI), and a series of sea level rise forums were created to assist the efforts of the pilot project. Mr. Toll informed the Commission the White House had expressed interest in attending the forums.

Chairman Wright asked for an update in regards to the White House.

Mr. Toll responded Ms. Alice Hill of the National Security Council stated she or a staffer will be attending. He also noted the Chair for the Climate Change Task Force, Navy RADM John White (ret.) will be present.

Chairman Wright reiterated the necessity of the Commission being informed on the status of the pilot project.

Mr. Farmer replied he was going to address the size of the Stakeholders Committee with the City Managers to ensure all parties are involved.

VADM David Architzel (ret). explained the White House selected Hampton Roads due to the high level of regionalism related to climate change and sea level rise.

Commissioners George Wallace, Mary Jones and Adam Kinsman arrive

FISCAL YEAR 2015 DRAFT BUDGET

Ms. Nancy Collins, HRPDC Chief Financial Officer, brought attention to the graphs and tables depicting the overall changes of the HRPDC and the Hampton Roads Transportation Planning Organization (HRTPO) five year budget.

The FY 15 budget is the lowest in five years at less than \$8 million. The main cause is due to the reduction in federal funding for homeland security programs, such as the UASI and Metropolitan Medical Response System.

Ms. Collins further explained the expenditures would be reduced by 30% to parallel with the decreased funding from FY 14. Reductions include:

- Pass thru activity – 59%
- General expenditures (telephones, printing, travel) – 51.8%

Mr. Farmer clarified the draft budget allows for a 2% merit based salary adjustment. Currently the HRPDC Human Resources Administrator, Ms. Kelli Peterson is collaborating with member localities Human Resources Departments to ensure actions are aligned. He additionally stated the Joint Personnel and Budget Committee will present the budget again to the Commission for final approval in July.

TOWN OF SMITHFIELD MEMBERSHIP

The Town of Smithfield is interested in pursuing membership in the HRPDC. Mr. Peter Stephenson, Smithfield Town Manager, informed the Commission the Town of Smithfield is the only incorporated Town eligible for membership. Smithfield is currently active in HRPDC Committees and initiatives through Isle of Wight County, and until recently was a separate voting member of the now dissolved Hampton Roads Partnership.

Mr. Farmer will be attending the April 28, 2014 Town Council Meeting to review the rights roles and responsibilities of being a voting member of the HRPDC, and if membership was to be approved, it would be effective July 1, 2014.

Chairman Wright questioned if Town membership is already fulfilled by Isle of Wight County.

Mr. Farmer responded Smithfield lies within Isle of County, but is eligible by the Virginia State Code to request membership.

Chairman Wright asked if membership dues would be required.

Mr. Farmer replied affirmatively and stated he would include dues in his presentation to Smithfield Town Council.

REGULAR AGENDA

Public Comment

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

Dr. Gail Motolla

I carry two items with me everywhere I go. The first item is this poster, which is an ad that appears in the Senior Advocate. On page 20, it is a picture of my husband Lou Mottola, who passed away in November, November 3rd of last year. We are let's open doors. Our organization is educational in public education and awareness of accessibility issues. We chose one item to concentrate on and that simply is existing buildings, the entrance ways, the doors. This is the culprit. In 2006, the ADA access board put out a guide to small business and in that, on page 8, it shows these door handles as not accessible. When we go to various places, various stores et cetera we find that people are not aware that that is true. We can change these doors. We can make sure that anyone over the age of 50, which numbers right now 498,884, according to the Virginia Economic Report, we can change these doors by simply adopting a policy of coming to the door or going through various solutions that we present at letsopendoors.net. One solution is a the right handle to use, and I've given all the Commissioners a brochure. You can see in that what those handles with like. Also, a doorbell that plugs into a wall. We are asking your support, you as the Hampton Roads Planning District Commission, can help us in leading this and getting 500 to 5,000 doors changed this year. We can help in terms of employment. According to the reports of your Commission and elsewhere, there are so many doors that have this need. We are helping the young children, the mothers and fathers with small children in strollers, as well as all our 252,000 who are disabled and their caregivers. That's about 14% of our Hampton Roads community. We have a Hampton Roads flag that has all 16 cities and 7 counties, and there are 252,000 needs that are being ignored. Accessibility is a tremendously important subject, but more importantly, is the fact that we can take two industries, we can take healthcare, which is projected to rise -- excuse me, I want to correct that. Home healthcare, and people -- I'm sorry. I'm a musical conductor and I don't usually get nervous, but the reason I am nervous is because what I am finding is that the veterans in our communities totally understand what I'm talking about. It may take them a half an hour to dress, it may take them a half an hour to get to a store and they can't get in. Businesses need to be aware and they need to change this way of going about. Thank you very much.

Ellis W. James

Thank you, Mr. Chairman. My name is Ellis W. James. I'm a lifelong resident of Norfolk, Virginia, proudly, and I've got two items that I would like to call to the Commission's attention. There is -- I have just come back from the Virginia Environmental Symposium at VMI. We had 3 ½ days of solid activity and break out sessions and there is obviously a need for this Commission to pay close attention the question of water supply. You heard me last time refer to the fact that we have gotten the agreements and that our water supply should be secure for the future. Now comes the bad news. The push to do fracking east of I-95 could throw a monkey wrench into all of that planning. In my opinion, and I am here to tell you that I was able to get this issue onto the floor of the plenary sessions, as well as in the break-out sessions, and a lot of people were agreeing with my concern. We are starting up the paper plant in Franklin, which demands water. We are now finding out that the water level in the Potomac basin has dropped about a hundred feet and there are the beginnings of saltwater intrusion, which could raise a very serious issue for the drinking water that's involved in that. I want to tell you that I was even surprised at the response that I got during the symposium. It was gratifying and the discussion is now fully underway. The last point that I want to make will be a simple one. In Hampton Roads we're coming up fast on the season of heat and breathing and asthma and pollution, and there is a need in my opinion, to take a close look at the question of how we are monitoring our air. Coal dust is a tough issue that is prevalent both on the Peninsula side as well as on Southside and the monitoring station for our side unfortunately, happens to be at Langley, I believe. That's a little long way from home for us here. This question could increase with the increasing shipments that are being sent overseas to China, India, and other locations. So I would hope that we could take note of that and see if we can do a better job of monitoring exactly what our children and our seniors and the whole population here in Hampton Roads are confronted with. Thank you, Mr. Chairman.

Submitted Public Comments

Chairman Wright indicated there were no submitted public comments.

Approval of Consent Items

- A. Minutes of March 20, 2014 Executive Committee Meeting
- B. Treasurer's Reports of February 2014
- C. Regional Reviews
- D. Fiscal Year 2015 Draft Budget

Chairman Wright briefed the Commission on an Eagle Scout with Scout Troop 200 from Yorktown who was completing his Eagle Scout project of building a swing set for children in wheelchairs at the Edmark Hospice for children in Portsmouth.

Commissioner Porter Moved to approve the consent items, seconded by Commissioner McKinley Price. The Motion Carried.

HRPDC Three Month Tentative Schedule

Mr. Farmer reminded the Commission in May the HRPDC and HRTPO Meetings will be flipped and the HRPDC will hold its retreat starting at 11:00 a.m.

Project Status Reports

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

Old/New Business

Chairman Wright highlighted the Old/New Business section of the agenda.

Adjournment

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

Kenneth I. Wright
Chairman

Dwight L. Farmer
Executive Director/Secretary

Hampton Roads Planning District Commission
Annual Retreat
Minutes of May 15, 2014

The PDC annual retreat of the Hampton Roads Planning District Commission was called to order at 11:05 a.m. in the Regional Boardroom, 723 Woodlake Drive, Chesapeake, Virginia, with the following in attendance:

COMMISSIONERS:

Kenneth Wright, Chairman (PO)*
Clyde Haulman, Vice Chairman (WM)
James O. McReynolds, Treasurer (YK)
John L. Rowe (PO)
James Baker (CH)
Amar Dwarkanath (CH)
Dr. Ella P. Ward (CH)
Randy Martin (FR)
Brenda Garton (GL)
John Meyer (GL)
Mary Bunting (HA)
Will J. Moffett (HA)
George Wallace (HA)*

Mary Jones (JC)
Adam Kinsman (JC)
Jim Bourey (JC)
McKinley Price (NN)
J. Randall Wheeler (PQ)
Michael W. Johnson (SH)
Barry Porter (SH)
Selena Cuffee-Glenn (SU)
Tyrone Franklin (SY)
John Seward (SY)
Robert Dyer (VB)*
James Spore (VB)
Thomas Shepperd (YK)

Executive Director:

Dwight L. Farmer

COMMISSIONERS: (ABSENT)

Scott Matheson (CH)
Debbie Ritter (CH)
Barry Cheatham (FR)
Dee Dee Darden (IW)
Anne Seward (IW)
Marcus Jones (NO)
Paul D. Fraim (NO)
Thomas Smigiel (NO)
Angela Williams (NO)

Sharon Scott (NN)
W. Eugene Hunt, Jr. (PQ)
Linda T. Johnson (SU)
Amelia Russ-Hammond (VB)
Barbara Henley (VB)
Louis R. Jones (VB)
John Moss (VB)
John Uhrin (VB)
Jackson C Tuttle (WM)
James O. McReynolds, Treasurer (YK)

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

Diane Kaufman (Sentara); Sherry Hunt (SU); Mark Osenbaugh (E.V. Williams, Inc.); Jon Nye (NO); Sherri Neil (PO); Mark Geduldig-Yatrofsky, (Portsmouth City Watch Dog); Jim Oliver (HRCCE); Ellis James (NEC Observer); Michael King (NN); Brian Deprofio (HA); Nitz Mensia (PO); Cathy Aiello (Aiello Interprises); Jerri Wilson(NN); Bryan Pennington (NO); Staff: Shernita Bethea, Nancy Collins, Kathlene Graubeger, Greg Grootendorst, Julia Hillegass, Jim Hummer, Whitney Katchmark, Sara Kidd, Mike Long, Jai McBride, Kelli Peterson, Camelia Ravanbakht, Joe Turner, Chris Vaigneur, Felecia Williams.

REGULAR AGENDA

Chairman Wright thanked everyone for attending the 2014 retreat. Before starting, Chairman Wright turned the retreat over to Dwight Farmer, who made an announcement concerning the former building superintendent Mr. Rick Case. Mr. Farmer proceeded to give background information on Mr. Case. Mr. Farmer requested a pause for a moment of silence in his memory.

Chairman Wright stated that the agenda showed where we were going to be in the next hour to hour and a half. There were two major discussion items; one before lunch and one just after lunch. Randy Keaton would give an overview of the PDC core programs and Dwight would go over the format of the retreat.

Chairman Wright announced that we had two public comment speakers. First was Mr. Mark Geduldig-Yatrofsky and he was followed by Mr. Ellis James.

Public Comment

Mr. Mark Geduldig-Yatrofsky

Good Morning, Mr. Chair, honorable commissioners, and fellow citizens. Yesterday in Portsmouth, we had one of a series of public meetings regarding Medicaid expansion in Virginia, and the city council of chambers was filled almost to capacity with people interested in the topic. A wide range of speakers came up to talk about what Medicaid expansion would do for the Commonwealth, and in many instances for them personally, but I think summative remarks made by US Representative, Bobby Scott really pinpointed why this is important for us. We have the opportunity to save the Commonwealth a great deal of money and he pointed out that the hundred million dollars a year that we would be saving while the federal government is picking up the full cost of the expansion for the additional folks who qualify could be put into an investment and serve as a trust fund to pay the Commonwealth's share in the years when the federal subsidy percentage changes and the Commonwealth picks up the additional costs. But to me, it is the human face of those who are not covered currently under any form of insurance program that matters the most. We who have insurance, we who have had insurance before the Affordable Care Act, I don't understand how we could deny to our fellow citizens such an essential component of welfare, that is to say, human welfare, and we're looking out for ourselves because disease gets a foothold in those who have the least care, those who have the least resistance to disease, and then spreads to those who are better off.

So it is in our enlightened self interest to make this happen, and I want to reach out to my neighbors in Suffolk. You have a very important person, your representative , your delegate Jones, who could be a linchpin in making this happen. I would urge you to encourage your friends and neighbors who live in his district to turn p the heat on him. We need to move this off the dime. We need to get it done. Thank you so much.

Chairman Wright called for Mr. Ellis James.

Ellis W. James

Thank you, Mr. Chairman, members of the commission. My name is Ellis W. James , I reside at 2012 Candlelight Place in the city of Norfolk, I'd like to echo some of Mark's remarks. The whole question that is swirling around that issue is extremely important, and I hope that each of the community representatives will take a very close look at what's happening. We're into the warm season, believe it or not and with climate change, probably warmer than we thought. I would like to urge each of the communities on this commission to please close attention to two aspects of the heat. I ask you last year to please pay attention to the seniors, especially and small children, but the seniors, those who are not necessarily having someone at home to monitor their situation. Cooling centers are important . I'm not naïve about the cost, but to have tragic unnecessary deaths is inexcusable in this modern age. I would hope that each of the communities will pay close attention to that. The second thing that's upon us already is the question of water quality and what is going to happen in the next months. For call those of you who don't make a trip across Lesner bridge and don't get to see the wonderful backlog of coal colliers, you may not be fully aware of how much coal and coal dust is passing through and onto the top of our communities. We need in my opinion, a better and closer end to Southside way of monitoring the quality of the air. I know that there is supposed to be an air quality station at Langley. I'm not sure that is, and no disrespect to them over there, it's just that I'm not sure that's giving us an accurate reading for the rest of the communities both on the Southside, as well as around in the counties surrounding our particular location here in Hampton Roads. I hope that you will take those things seriously. We need all the help and we need especially for those small children and seniors who have asthmatic conditions and pulmonary situations they need to be given assistance. They're not to be treated as if they're helpless, but it is important for us to pay closer attention I believe to what it is we're all swallowing and breathing. Thank you Mr. Chairman.

APPROVAL/MODIFICATION OF AGENGA

Chairman Wright called a motion to approve the agenda as printed.

Dr. Ella Ward moved to approve the agenda; second by Mayor Haulman.
The Motion Carried..

Chairman Wright called for the overview of the PDC core programs, presented by Randy Keaton, HRPDC Deputy Executive Director.

Chairman Wright reminded the Commission on the importance of the retreat.

Hampton Roads Planning District Work Program

Mr. Keaton spoke briefly on the PDC work program, prepared each year to be approved by the board. The tasks for approval are as follows:

A. Economics

- Hampton Roads Data Center
- Regional Benchmarking
- Economic Impact Studies
- Annual Economic Forecast
- Economic Technical Assistance
- Hampton Roads Economic Quarter

B. Emergency Management

- Ready Hampton Roads
- Hazard Mitigation Planning
- Hampton Roads Urban Area Working Group
- Health Organizations Emergency Preparedness Seminars
- Information Sharing/Regional WebEOC
- Metropolitan Medical Response System
- Staff Support and Technical Assistance

C. Housing

- Housing and Human Services – Technical Assistance
- Hampton Roads Loan Fund Partnership Administrative Support
- Development of Regional Housing Service Portal

D. Public Information Community Affairs

- Public Information and Community Affairs
- askHRgreen.org
- Hampton Roads Watershed Roundtable
- Recycling and Beautification Subcommittee
- Water Awareness Subcommittee
- Stormwater Education Program
- Wastewater Education Program
- Water Quality Advertising
- Hampton Roads H2O – Help to Others
- Native Plants Promotion

E. Regional Planning

- Comprehensive Planning Technical Assistance
- Regional Strategic Plan-“Envision Hampton Roads
- Environmental/Conservation Planning
- Recreational Planning
- Regional Solid Waste Management Planning
- GIS Mapping And Management

F. Water Resources

- Sea Level Rise Planning and Technical Assistance
- Coastal Resources Management Program
- Drinking Water Program
- Stormwater Management Program
- Water Quality Monitoring Program
- Wastewater Program

Chairman Wright turned the floor over to Dwight for the kickoff of the HRPDC Annual Retreat with instruction and tips for the table discussion. First, each table was asked to identify the top five priorities in which they believe the PDC should be engaged. Secondly, each table was to consider what steps the HRPDC could take to address the identified priorities.

Breakout Session for discussions.

After the table discussions, Dwight asked Shernita Bertha, Housing and Human Service administrator, to provide a summary of the discussions.

Ms. Bertha summarized each table’s topics of discussion:

Table 1

- Stormwater
- TMDL issues
- Unfunded mandates
- Legislative agenda coordination
- Affordable housing
- Transportation coordination
- Tourism promotion
- Shared services

Table 2

- Branding and Economic development, preparation and communication
- Regional lobbying
- Sea level rise
- Housing and economic development
- Unfunded mandates (again)

Table 3

- Infrastructure versus development
- Housing
- Work force, education and training
- Reality check
- Envision Hampton roads
- Coastal resource

Table 4

- Evacuation planning
- Port security
- Economic development planning
- Regional tourism hub
- Regional flood mitigation

Table 5

- Regional competitiveness
- Sea level rise
- Regional forum
- Water quality
- Supplemental services
- Vulnerable population

Table 6

- All the above topics

Ms. Shernita informed the committee that all information that was discussed will be compiled and available for July meeting. Mr. Famer thanked everyone for participating. All the information was helpful.

Adjournment

Kenneth I. Wright
Chairman

Dwight L. Farmer
Executive Director/Secretary

**FISCAL YEAR 2014
3/31/14
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	\$ 379,967	Current Liabilities	\$ 1,483,540
Accounts Receivables	1,347,964	Net Assets	5,192,255
Investments	3,640,717		
Other Current Assets	664		
Net Capital Assets	<u>1,306,482</u>		
Total Assets	<u>\$6,675,795</u>	Total Liabilities & Equity	<u>\$ 6,675,795</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Previous YTD	Current Month	YTD
Grant and Contract Revenue	\$ 7,087,983	\$ 4,875,997	\$ 252,832	\$ 5,128,829
VDHCD State Allocation	151,943	113,957	-	113,957
Interest Income	18,000	8,941	90	9,031
Local Jurisdiction Contributions	1,339,935	1,339,935	-	1,339,935
Other Local Assessment	2,523,267	1,146,998	-	1,146,998
Sales and Miscellaneous Revenue	190,488	13,399	7,459	20,858
Special Contracts/Pass thru	-	504,000	-	504,000
Total Revenue	<u>\$ 11,311,616</u>	<u>\$ 8,003,227</u>	<u>\$ 260,381</u>	<u>\$ 8,263,608</u>
EXPENDITURES				
Personnel	4,601,510	2,903,687	379,475	3,283,162
Standard Contracts	199,865	127,024	36,043	163,067
Special Contracts / Pass-Through	5,764,362	3,474,207	217,010	3,691,216
Office Services	745,879	289,008	21,383	310,391
Capital Assets	-	-	-	-
Total Expenses	<u>\$ 11,311,616</u>	<u>\$ 6,793,925</u>	<u>\$ 653,911</u>	<u>\$ 7,447,836</u>
Agency Balance	<u>\$ -</u>	<u>\$ 1,209,302</u>	<u>\$ (393,530)</u>	<u>\$ 815,772</u>

**FISCAL YEAR 2014
4/30/14
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	\$ 557,592	Current Liabilities	\$ 1,479,894
Accounts Receivables	1,358,439	Net Assets	5,573,896
Investments	3,840,307		
Other Current Assets	664		
Net Capital Assets	<u>1,296,789</u>		
Total Assets	<u>\$ 7,053,790</u>	Total Liabilities & Equity	<u>\$ 7,053,790</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Previous YTD	Current Month	YTD
Grant and Contract Revenue	\$ 7,087,983	\$ 5,128,829	\$ 844,010	\$ 5,972,839
VDHCD State Allocation	151,943	113,957	37,986	151,943
Interest Income	18,000	9,031	830	9,861
Local Jurisdiction Contributions	1,339,935	1,339,935	11,108	1,351,043
Other Local Assessment	2,523,267	1,146,998	-	1,146,998
Sales and Miscellaneous Revenue	190,488	20,858	625	21,483
Special Contracts/Pass thru	-	504,000	-	504,000
Total Revenue	<u>\$ 11,311,616</u>	<u>\$ 8,263,608</u>	<u>\$ 894,559</u>	<u>\$ 9,158,168</u>
EXPENDITURES				
Personnel	4,601,510	3,283,162	374,245	3,657,407
Standard Contracts	199,865	163,067	5,601	168,668
Special Contracts / Pass-Through	5,764,362	3,691,216	96,664	3,787,880
Office Services	745,879	310,391	36,409	346,801
Capital Assets	-	-	-	-
Total Expenses	<u>\$ 11,311,616</u>	<u>\$ 7,447,836</u>	<u>\$ 512,919</u>	<u>\$ 7,960,755</u>
Agency Balance	<u>\$ -</u>	<u>\$ 815,772</u>	<u>\$ 381,641</u>	<u>\$ 1,197,413</u>

Project Notification and Reviews

Date 4/28/2014 **CH #** VA140418-1223760

Title VADEQ 2015-17 Wetlands Protection: Building Capacity for Wetland Program Protection of High Ecological Value Aquatic Resources in Virginia

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

Guided by priorities laid out in Virginia's approved state wetlands plan, this project will extend the current online Virginia Wetlands Condition Assessment Tool (WetCAT) through recalibrating wetlands assessment models. Additionally, DEQ will develop new outreach strategies targeting local government and the public.

Federal	\$828,108.00	Local	\$0.00
Applicant	\$34,266.00	Other	\$0.00
State	\$241,821.00	Income	\$0.00
TOTAL		\$1,104,195.00	

Date 5/19/2014 **CH #** VA140516-1323710

Title Modeling the impact of water quality on SAV and other living resources in the tidal Chesapeake Bay

Applicant ODU Research Foundation

State/Federal Program Chesapeake Bay Program

Type of Impact Chesapeake Bay watershed

Project Staff Sara Kidd

Project Description

The proposed project aims to develop a hydrodynamic/bio-optical/biogeochemical model that will improve upon an existing water quality model to simulate the dynamics of smaller tributaries and shallower water more accurately.

Federal	\$73,333.00	Local	\$0.00
Applicant	\$39,234.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$112,567.00	

Date 5/20/2014 **CH #** VA140520-0923760

Title 29th Year VA CZM Implementation Application

Applicant Virginia Dept. of Environmental Quality

State/Federal Program NOAA - Coastal Management Program

Type of Impact Coastal Zone

Project Staff Sara Kidd

Project Description

This grant will allow the Commonwealth to continue funding activities of Virginia state agencies and local governments to improve the management and protection of Virginia's coastal resources. It includes funding for technical assistance from planning district commissions to their local government members and for special projects such as sea level rise studies.

Federal	\$2,512,000.00	Local	\$0.00
Applicant	\$943,322.00	Other	\$428,746.00
State	\$619,932.00	Income	\$0.00
TOTAL		\$4,504,000.00	

Date 5/27/2014 **CH #** VA140522-1423xxx

Title Composting for Community: A program to expand small-scale, community-based composting in the Mid-Atlantic

Applicant Institute for Self-Reliance

State/Federal Program EPA - RCRA Solid Waste Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

ILSR plans to continue its successful food composting outreach efforts in the Mid-Atlantic to address the priority of strengthening the food composting infrastructure to divert food residuals from the waste stream.

Federal	\$18,796.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$18,796.00	

Date 5/27/2014 **CH #** VA140523-1523750

Title Virginia DEQ DERA3 Project

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA - National Clean Fuel Assistance Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

This project is a continuation of the Clean Diesel Outreach and SmartWay initiative begun in FY2008. In FY2014, the initiative will continue to provide financial incentives and rebates for participants in the Virginia Port Authority "Green Operators" Program, which encourages truck companies and individual owner/operators serving the Port to install verified diesel retrofit devices to reduce emissions.

Federal	\$94,435.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$94,435.00	

Date 6/6/2014 **CH #** VA140530-1423760

Title National Air Toxics Trends Station (NATTS) Program

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

The NATTS program was established to monitor hazardous air pollutants (HAPs) through 27 sites nationwide (including one in Richmond, VA). This project funding will support the collection of a year's worth of data on ambient air toxics measurements for selected HAPs.

Federal	\$180,000.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL		\$180,000.00	

Date 6/6/2014 **CH #** VA140530-1523760

Title FY2014-17 Chesapeake Bay Nonpoint Source Implementation Grant

Applicant Virginia Dept. of Environmental Quality

State/Federal Program EPA - Chesapeake Bay Program

Type of Impact Chesapeake Bay watershed

Project Staff Sara Kidd

Project Description

These funds will be used to accomplish objectives of the Virginia Chesapeake Bay TMDL Phase I and Phase II Watershed Implementation Plans, and Virginia's Milestones, with an emphasis on nonpoint source pollution reduction programs. As Virginia's lead agency for nonpoint source pollution (NPS), the Department of Environmental Quality (DEQ) is responsible for the implementation of this grant.

Federal	\$3,437,621.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$3,437,621.00	Income	\$0.00
TOTAL \$6,875,242.00			

Date 6/6/2014 **CH #** VA140522-1423760

Title FY 2014 VADEQ Technical Review and Services for Defense Environmental Restoration Program (DERP) Activities at Active DoD Facilities and Environmental Restoration at Base Closure Sites

Applicant Virginia Dept. of Environmental Quality

State/Federal Program US Department of Defense

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

These funds will support the continuation of the Defense States Memorandum of Agreement Program (DSMOA).

Federal	\$2,522,122.00	Local	\$0.00
Applicant	\$0.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL \$2,522,122.00			

Environmental Impact Reviews

Received 4/8/2014

Number 14-054S

Name Construct a Consolidated Scientific Research Facility

Sponsor Virginia Institute of Marine Science

Description

The Virginia Institute of Marine Science (VIMS) of the College of William and Mary submitted an environmental impact report for the construction of a Consolidated Scientific Research Facility on the VIMS campus in Gloucester County. The project site is approximately 3.2 acres bounded by Great Road to the west and the York River to the east. The project involves the construction of a 32,000-square foot, multi-level building, parking and utilities as well as the relocation of existing utilities within the construction area, as needed. Several existing facilities, including the existing parking lot, Page House, Clayton House, Pollock House, and mobile modular buildings, may be demolished or removed to accommodate the new construction.

Affected Localities Gloucester

Finding

Based on this review, the proposal appears to be consistent with local and regional plans and policies. We recommend that VIMS coordinate with Gloucester County to ensure that the project complies with local historic preservation policies and environmental ordinances, including Gloucester County's Chesapeake Bay Preservation Ordinance.

Comments Sent 5/5/2014

Final State Comments Received 5/30/2014

Received 4/16/2014

Number 14-059F

Name USO Patriotic Festival and Oceanfront Air Show

Sponsor DHS/U.S. Coast Guard

Description

The Coast Guard intends to establish a safety zone in support of the USO Patriotic Festival and Oceanfront Air Show. The purpose of the zone is to protect mariners and the public from hazards associated with the air show. Access to the area will be restricted during the hours of 12:00 noon to 3:30 PM from May 30 through June 1, 2014. Coordinates of the restricted area are:

36 degrees, 49 minutes, 50 seconds North/75 degrees, 58 minutes, 33 seconds West;
36-51-46 N/075-58-33 W;
36-51-52 N/075-57-57 W;
36-49-56 N/075-57-26 W.

The event sponsor intends to place buoys to mark the race course for a limited duration. The buoys will not display prescribed characteristics for other marker systems. The Coast Guard will establish a safety zone in the table to 33 CFR, section 165.506(c). The Coast Guard states that the proposed activity is consistent, to the maximum extent practicable, with the enforceable policies of Virginia's Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

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

Comments Sent 5/13/2014

Final State Comments Received

Received 4/17/2014

Number 14-060F

Name Broad Creek V, Norfolk

Sponsor U.S. Department of Housing & Urban Development

Description

The U.S. Department of Housing and Urban Development (HUD) submitted a federal consistency determination (FCD) for the construction of apartments on Joe Austin Drive and Godfrey Avenue in the City of Norfolk. HUD is providing a grant to The Community Builders, which will construct the project. The project includes the construction of 50 rental units consisting of two-story duplexes and townhouses. The project sites, totaling approximately 2.96 acres, appear to be void of significant vegetation and are covered in grasses. The FCD states that the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP).

Affected Localities Norfolk

Finding

Based on this review, the proposal appears to be consistent with local and regional plans and policies. However, page 3 of the consistency determination refers to a combined sewer system in both the section on Point Source Pollution Control and the section on Shoreline Sanitation. Norfolk has separate sewer systems for stormwater and wastewater. Stormwater should be treated through onsite best management practices. HRPDC staff suggests that the applicant contact the City of Norfolk to ensure that all relevant local ordinances and policies related to stormwater management are addressed.

Comments Sent 5/23/2014

Final State Comments Received

Received 4/18/2014

Number 14-062F

Name Defense Logistics Agency Fuel Pier Replacement Project, Joint Base Langley-Eustis-Langley

Sponsor DOD/Army/Army Corps of Engineers

Description

The U.S. Army Corps of Engineers submitted an environmental assessment (EA), including a federal consistency determination (FCD) as the agent for Joint Base Langley-Eustis in Hampton. The EA describes the proposed action to replace the existing Defense Logistics Agency's (DLA) fuel pier at the base along the Southwest Branch of the Back River. The project includes construction of the new fuel pier and service station, demolition of the existing fuel pier and service station, and new work dredging for the proposed fuel pier's turning basin and berthing area. Dredged material will be placed a Norfolk Ocean Disposal Site for ocean disposal. The new pier, constructed approximately 175 feet south of the existing fuel pier, will be a concrete pile supported pier structure with a concrete deck. The pier will be 57 feet long by 50 feet wide and will include one 10-inch diameter carbon steel fuel pipe with one optional 10-inch diameter carbon steel fuel pipe. The project will also include two new fuel loading arms with spill containment. Demolition of the existing pier would take place upon completion of the new pier. Construction of a 20 foot wide boat ramp adjacent to the pier (south) will also be included in the project. The project footprint is approximately 10.87 acres and the dredging area is approximately 6.06 acres. The EA states that wetlands will not be affected. The FCD states that the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP).

Affected Localities Hampton

Finding

Based on this review, the proposal appears to be consistent with local and regional plans and policies. However, Hampton City staff has indicated that tidal wetlands may be present on the site (the provided documentation states that none are present). HRPDC staff suggests that the applicant coordinate with city staff to address this issue and any other applicable local ordinance or permit requirements.

In addition, the Draft Environmental Assessment notes that the new pier "will be constructed at a height of 11 feet above mean lower low water (MLLW) to avoid submergence and related equipment damage during extreme storm events." This standard appears to have been determined based on past extreme high water levels. Given that the current pier has been in place for more than sixty years, HRPDC staff suggests that the new pier's design should take projected sea level rise into account when determining the appropriate design height. By 2075, sea level is projected to rise between 1.8 feet and 4.7 feet at the Sewell's Point Tide Gauge, based on the global sea level rise scenarios developed for the 2014 National Climate Assessment and local land movement trends.

Comments Sent 5/23/2014

Final State Comments Received 6/5/2014

Received 4/24/2014

Number 14-063F

Name Marine Operations Center, Atlantic: Approach and Berthing Dredging Project

Sponsor U.S. Army Corps of Engineers/NOAA

Description

The National Oceanic and Atmospheric Administration (NOAA) is seeking an individual permit from the U.S. Army Corps of Engineers (Corps) to dredge the approach and berthing area for its Marine Operations Center – Atlantic (NOAA MOC-A) in order to provide necessary depth for nine NOAA ships that draft 21 feet and/or have valuable scientific instruments mounted to the hulls. The proposed depth would be 25 feet below mean low water, plus an allowable 2-foot overdepth. The NOAA MOC-A is situated along the Elizabeth River in Norfolk. Approximately 85,000 cubic yards of material would be dredged hydraulically and pumped into the Craney Island Dredged Material Management Area or mechanically dredged, placed in scows, barged to Craney Island, and dumped into the Rehandling Basin. The estimated top of the dredged cut is about 8.40 acres; the bottom (design improvement) is about 6.7 acres. About 5,000 cubic yards of material is maintenance material, to reach previously permitted depths of about 20 feet; the rest is new dredging work. NOAA has requested approximately 15,000 cubic yards of maintenance dredging for the next ten years.

Affected Localities Norfolk

Finding

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

Comments Sent 5/23/2014

Final State Comments Received

Received 4/25/2014

Number 14-065F

Name Port Messick Breakwater Project

Sponsor U.S. Army Corps of Engineers

Description

Port Messick Marina submitted a federal consistency certification (FCC) for the construction of a breakwater project since the project qualifies for a U.S. Army Corps of Engineers individual permit. The marina, located in the City of Poquoson, proposes to construct the project in the Back River. The project will consist of two 160-foot long sections of vinyl panel breakwater, which will be supported by spaced salt-treated piles. The breakwater will be designed to deter waves that enter Front Cove from the southeast to protect the city's public marina. The breakwaters will be located 250-foot channelward of mean low water and across the cove from the marina. A gap between the sections will provide a channel for the ebb tide waters. The panels will end 12 inches above the river bottom so sand may migrate to and from the submerged aquatic vegetation. The FCC states that the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP).

Affected Localities Poquoson

Finding

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

Comments Sent 5/28/2014

Final State Comments Received

Received 4/28/2014

Number 14-066F

Name Columbia Gas Pipeline Abandonment (VM-132 Abandon)

Sponsor DOE/Federal Energy Regulatory Commission

Description

The Columbia Gas Transmission Corporation (Columbia Gas or applicant) proposes to abandon Line VM-132 which is owned and operated by Columbia Gas, but located on property owned by DCP Midstream Partners, LP (DCP) at 2901 South Military Highway in the City of Chesapeake. DCP has requested that Columbia Gas permanently abandon the pipeline for safety reasons and to facilitate construction related to proposed facility expansion plans. DCP will assume ownership and responsibility for the abandoned pipeline within the limits of its property. The pipeline abandonment activities will be conducted within four workspaces which are approximately ten feet by ten feet in size. The natural gas pipeline will be abandoned in place by evacuating all remaining product, cutting the ends of the pipeline, filling the pipeline with concrete and then sealing the pipeline. The disturbed areas will be restored to pre-construction conditions. Columbia Gas will comply with Federal Energy Regulatory Commission (FERC) guidelines for the pipeline abandonment. The NMFS has submitted a Federal Consistency Certification that finds the proposed action 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 5/27/2014

Final State Comments Received

Received 5/1/2014

Number 14-068S

Name Replace Brown Hall

Sponsor Norfolk State University

Description

Norfolk State University submitted an environmental impact report for the construction of Brown Hall on its campus in the City of Norfolk. The proposed project site consists of the existing Brown Hall and an asphalt parking lot both of which will be demolished. The proposed facility will be three stories tall with a footprint of approximately 154,000 square feet. It will contain space for classrooms, meeting rooms, student lounges and study areas, a television studio and theater.

Affected Localities Norfolk

Finding

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

Comments Sent 5/23/2014

Final State Comments Received

Received 5/8/2014

Number 14-077F

Name Skiffes Creek Federal Navigation Channel, Maintenance Dredging

Sponsor DOD/Army/Army Corps of Engineers

Description

The Army Corps of Engineers, as agent for the 7th Transportation Brigade at the U.S. Army Transportation Center at Joint Base Langley-Eustis at Fort Eustis (JBLE-Fort Eustis), has submitted a Draft Supplemental Environmental Assessment (Draft SEA) and federal consistency determination (FCD) for a maintenance dredging project at Skiffes Creek and transporting dredged material for the purpose of ocean placement at the Norfolk Ocean Disposal Site (NODS). This Draft SEA/FCD supplements an EA/FCD prepared in 2003 which covered a project of restoring navigation to Skiffes Creek. Another EA was prepared in 2012 to take account of several changes. These included: Listing of the Atlantic sturgeon as a federal endangered species; De-listing of the bald eagle as an endangered species (the bald eagle is now afforded special protection under the Bald and Golden Eagle Protection Act, and a newly active nest is found near the project area); Major efforts by Fort Eustis, to control the common reed (*Phragmites Australia*), including efforts in part of the project area; Alignment of Fort Eustis with the Air Force and the need to follow Air Force policies; and The fact that the Fort Eustis Dredged Material Management Area is nearing the end of its useful life. The proposed action, addressed in the new Draft SEA/FCD involves maintenance dredging of the Skiffes Creek navigation channel and the transport of dredged material for ocean placement at the Norfolk Ocean Disposal Site. Dredged material not suitable for ocean placement will continue to be placed in the Fort Eustis Dredged Material Management Area (FEDMMA). Once that area reaches its limit, dredged material will be placed in appropriate upland placement sites. The Draft SEA also contemplates application of herbicides in the FEDMMA by certified applicators following label instructions. Alternatives considered include the following: No action, which would not accomplish the desired results; Use of the Craney island Dredged Material Management Area (CIDMMA), which would not be viable, because Skiffes Creek is outside the Congressionally mandated service area for the CIDMMA; Overboard placement areas in the James River, which are considered not viable because of area limitations imposed by the Marine Resources Commission and the presence and density of shellfish resources; and Beneficial uses of dredged material in near-shore areas surrounding the Skiffes Creek Channel, which may conflict with other permitted uses and, in any case, are subject to natural constraints because of the fine-grained material.

Affected Localities Newport News

Finding

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

Comments Sent 5/28/2014

Final State Comments Received 5/29/2014

Received 5/21/2014

Number 14-079S

Name New Dining Hall

Sponsor Old Dominion University

Description

Old Dominion University (ODU) submitted an environmental impact report to construct a new dining hall on its campus in the City of Norfolk. The proposed project site is an existing parking lot. The proposed dining facility will be approximately 39,000 square feet and will be located facing 49th Street.

Affected Localities Norfolk

Finding

Comments Sent

Final State Comments Received

Received 5/22/2014

Number 14-082F

Name Fort Norfolk Shoreline Stabilization Project

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

Description

The U.S. Army Corps of Engineers (Corps) has submitted an Environmental Assessment (EA) for proposed shoreline stabilization activities on the Elizabeth River at Fort Norfolk in the City of Norfolk. The proposed project is located on the southeastern corner of the Fort Norfolk property, in a U-shaped inlet used for occasional docking of Corps and other vessels. The proposed project (preferred alternative) includes two primary components. The first component includes replacement of an existing failing bulkhead with a new bulkhead along the shoreline at the southeast corner of the property. The second component involves the stabilization of the adjacent shoreline, immediately east of the bulkhead. The proposed bulkhead portion of the project on the north shoreline will extend between 4-7 feet channelward of the existing structure. The total length of the existing bulkhead is approximately 126 feet long. On the east shoreline of the project, the shoreline stabilization structure will serve to stabilize the shoreline and promote habitat for oyster development. The structure will also benefit other aquatic organisms by serving as a living shoreline. Riprap will provide some refuge from predators, a substrate for the oysters to adhere to, and add complexity to the substrate in the inlet. In addition, the EA includes a Federal Consistency Determination submitted under the Coastal Zone Management Act that finds the proposed action consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Norfolk

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-D: FY 2015 UNIFIED PLANNING WORK PROGRAM

SUBJECT:

Annually, the HRPDC staff prepares the Unified Planning Work Program (UPWP) for the coming Fiscal Year. The document outlines the work activities the HRPDC staff will undertake in support of the Commission and member localities.

BACKGROUND:

Enclosed is the proposed HRPDC UPWP for FY 2015, starting July 1, 2014. It is the result of input from the sixteen local governments served by the HRPDC and various state and federal planning requirements. The vast majority of the work elements evolved from local advisory and technical committees. It also includes ideas, comments and suggestions generated at the HRPDC Retreat held on May 15, 2014.

Enclosure

RECOMMENDED ACTION:

Approve the FY 2015 HRPDC UPWP.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM 8-E: FY 2014 BUDGET AMENDMENTS

SUBJECT:

There were three amendments to the HRPDC budget during this past quarter. These changes were in Legal Services, a DEQ Roundtable Grant, and Personnel.

BACKGROUND:

DEQ ROUNDTABLE GRANT:

The Department of Environmental Quality has awarded the HRPDC a grant totaling \$11,000, for the period April 2014 through December 2014. This grant had been anticipated to be received earlier, in the amount of \$11,970, to be expended all within FY 2014.

This amendment is to reflect the lower award amount, and transfer some of these funds into FY 2015.

LEGAL:

Expenditures are budgeted based on historical expenses of each expenditure category. In FY 2014, Legal expenses are higher than originally anticipated. This is due to including legal review of the new legislation concerning transportation bills, increased costs for legal review of revisions to the Personnel Manual, and other confidential concerns. The HRPDC Staff has reduced estimated budgets in both contingency line items in order to fund the increased budget in legal expenses.

PERSONNEL:

Personnel costs increased less than 1% from the last reported amendment. This latest increase is due to a number of changes within our staff due to promotions and changes in status from part-time to full-time.

Attachment 8-E

RECOMMENDED ACTION:

Approve the budget amendments.

FY2014 BUDGET AMENDMENTS

June 19, 2014

			Current	This	Amended	Amended	Amended	Amended	Amended		
	Code	Element	Budget	Amendment	Budget	TPO	PDC	TPO	PDC		
						Pass-Thru	Pass-Thru	Operations	Operations		
DEQ ROUNDTABLE											
REVENUES											
		DEQ Roundtable	42594	239400	<u>\$11,970</u>	<u>(\$5,270)</u>	<u>\$6,700</u>	<u>\$0</u>	<u>\$4,700</u>	<u>\$0</u>	<u>\$2,000</u>
		TOTAL Amended Revenue			<u>\$11,970</u>	<u>(\$5,270)</u>	<u>\$6,700</u>	<u>\$0</u>	<u>\$4,700</u>	<u>\$0</u>	<u>\$2,000</u>
EXPENDITURES											
		PDC Operations	50000	239400	\$7,970	(\$5,970)	\$2,000	\$0	\$0	\$0	\$2,000
		Pass-Through	71000	239400	<u>\$4,000</u>	<u>\$700</u>	<u>\$4,700</u>	<u>\$0</u>	<u>\$4,700</u>	<u>\$0</u>	<u>\$0</u>
		TOTAL Amended Expenditures			<u>\$11,970</u>	<u>(\$5,270)</u>	<u>\$6,700</u>	<u>\$0</u>	<u>\$4,700</u>	<u>\$0</u>	<u>\$2,000</u>
LEGAL SERVICES											
EXPENDITURES											
		HRPDC Contingency	71000	100000	\$163,456	(\$55,000)	\$108,456	\$0	\$0	\$0	\$108,456
		HRTPO Contingency	71000	401014	<u>\$42,911</u>	<u>(\$40,000)</u>	<u>\$2,911</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,911</u>	<u>\$0</u>
		TOTAL Contingency			<u>\$206,367</u>	<u>(\$95,000)</u>	<u>\$111,367</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,911</u>	<u>\$108,456</u>
		Legal Services	51900	100000	\$11,000	\$55,000	\$66,000	\$0	\$0	\$0	\$66,000
		Legal Services	51900	401014	<u>\$14,000</u>	<u>\$40,000</u>	<u>\$54,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$54,000</u>	<u>\$0</u>
		TOTAL Legal			<u>\$25,000</u>	<u>\$95,000</u>	<u>\$120,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$54,000</u>	<u>\$66,000</u>
PERSONNEL											
EXPENDITURES											
		Salaries	50000	various	3,567,697	\$26,697	\$3,594,394	\$0	\$0	\$1,982,305	\$1,612,089
		Benefits	50500	various	<u>1,033,813</u>	<u>\$4,867</u>	<u>\$1,038,680</u>	<u>\$0</u>	<u>\$0</u>	<u>\$573,205</u>	<u>\$465,475</u>
		TOTAL Personnel			<u>4,601,510</u>	<u>\$31,564</u>	<u>\$4,633,074</u>	<u>\$0</u>	<u>\$0</u>	<u>\$2,555,510</u>	<u>\$2,077,564</u>

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-F: FY 2015 BUDGET AMENDMENT – DEQ ROUNDTABLE GRANTS

SUBJECT:

An anticipated grant to be received from the Department of Environmental Quality (DEQ) for the DEQ Roundtable project for FY 2015. In addition, a portion of a previous grant received in FY 2014 will be carried over into FY 2015.

BACKGROUND:

DEQ is anticipated to award the HRPDC a new grant in FY 2015. The original total was for \$15,000; however, DEQ has notified the HRPDC the new amount will total \$11,000 in FY 2015. This grant is anticipated to be fully expended in FY 2015. In addition, a portion of a DEQ Roundtable grant received in FY 2014 has now been included in the FY 2015 budget as it was received later than expected, and work will not be completed until December 2014.

This amendment is to adjust the grant amount originally reported to the Commission in April 2014, and account for the additional funds carried forward from the grant received in FY 2014.

Attachment 8-F

RECOMMENDED ACTION:

Approve the budget amendment for this category.

**FY2015 BUDGET AMENDMENT
June 19, 2014**

DEQ ROUNDTABLE

REVENUES	Code	Element	Current Budget	This Amendment	Amended Budget	Amended	Amended	Amended	Amended
						Budget TPO	Budget PDC	Budget TPO	Budget PDC
						Pass-Thru	Pass-Thru	Operations	Operations
DEQ Roundtable	42594	239400	15,000	(10,700)	4,300		0		4,300
DEQ Roundtable	42594	259400	<u>0</u>	<u>11,000</u>	<u>11,000</u>	<u>0</u>	<u>5,500</u>	<u>0</u>	5,500
TOTAL AMENDED REVENUE			15,000	300	15,300	0	5,500	0	9,800
EXPENDITURES									
PDC Operations	50000	239400	7,500	(3,200)	4,300	0	0	0	4,300
PDC Operations	50000	259400	0	5,500	5,500	0	0	0	5,500
Pass-Through	71000	239400	7,500	(7,500)	0	0	0	0	0
Pass-Through	71000	259400	<u>0</u>	<u>5,500</u>	<u>5,500</u>	<u>0</u>	<u>5,500</u>	<u>0</u>	<u>0</u>
TOTAL AMENDED EXPENDITURES			15,000	300	15,300	0	5,500	0	9,800

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-G: ADDITION OF TOWN OF SMITHFIELD TO HRPDC

SUBJECT:

The Smithfield Town Council recently executed a resolution formalizing Smithfield's intent to join the HRPDC.

BACKGROUND:

The Code of Virginia provides that eligible localities that are not original members of a PDC may elect to join the applicable PDC pursuant to procedures established by a charter agreement. Article VI of HRPDC's Charter Agreement made as of July 1, 1990, and as amended contains three provisions regarding the addition of new localities.

- 1) An eligible locality may join the HRPDC at the ***end of the HRPDC's current fiscal year***, provided the locality ***adopts and executes*** the Charter Agreement.
- 2) Within ***60 days*** of notification of the locality's desire to join, the HRPDC shall ***submit a report to the remaining governing bodies*** recommending any necessary ***modifications*** to the Charter Agreement or Bylaws.
- 3) The new locality is responsible for its ***pro rata share*** of the operation from the ***effective date of the addition***.

The resolution states that Smithfield adopts the Charter Agreement. Smithfield must now execute the Charter Agreement and they will become a member on July 1, 2014. No revisions to the Charter agreements or bylaws are necessary. Attached is a copy of the Smithfield resolution and a report regarding Smithfield's pro rata share of the HRPDC budget including the corresponding adjustment for Isle of Wight County. Additionally, Smithfield should appoint two members to the HRPDC Board, The Chief Administrative Officer and an elected official.

Attachment 8-G1

Attachment 8-G2

RECOMMENDED ACTION:

Approve the report. The agenda note and enclosure constitutes the required report to the localities as outlined in the Charter Agreement.

RESOLUTION TO ADOPT AND EXECUTE CHARTER AGREEMENT OF
THE HAMPTON ROADS PLANNING DISTRICT COMMISSION

WHEREAS, the Town Council of the Town of Smithfield had determined that the Town is eligible for membership in the Hampton Roads Planning District Commission; and,

WHEREAS, the Town Council has determined that it is in the best interest of the Town and its citizens to become a member of the Hampton Roads Planning District Commission.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Smithfield that it does hereby adopt the Charter Agreement of the Hampton Roads Planning District Commission, dated July 1, 1990, a copy of which is attached hereto as Exhibit "A"; and

BE IT FURTHER RESOLVED that the Mayor of the Town of Smithfield is hereby authorized and directed to execute said charter agreement and any other documents that may be necessary for the Town to become a member of Hampton Roads Planning District Commission.

Adopted May 6, 2014.

TOWN COUNCIL OF THE
TOWN OF SMITHFIELD

By T. Carter Williams
T. Carter Williams, Mayor

ATTEST:

Lesley G. King
Lesley G. King, Clerk

RECEIVED

MAY 13 2014

HRPDC

EXHIBIT "A"
CHARTER AGREEMENT
OF THE
HAMPTON ROADS PLANNING DISTRICT COMMISSION

This Charter Agreement to organize a planning district COMMISSION is made as of the 1st day of July, 1990, by and between the undersigned governmental subdivisions as authorized by the Virginia Area Development Act. (Title 15.1, Chapter 34, 515.1-1400, et seq., VA Code Ann., (1950), as amended);

NOW THEREFORE, it is agreed that:

ARTICLE I

ORGANIZATION

1. Name. The name of this organization shall be the Hampton Roads Planning District Commission (the "COMMISSION").
2. Principal Office. The principal office of the COMMISSION shall be in Chesapeake, Virginia. The location of the principal office may be changed by the concurrence of the COMMISSION.
3. Effective Date of Organization. The effective date of organization shall be July 1, 1990 or upon the date as of which the Virginia Department of Housing & Community Development declares that Planning Districts Twenty and Twenty-One are merged, whichever occurs later.

ARTICLE II

MEMBERSHIP

1. Method of Appointment. Members of the COMMISSION shall be appointed by the respective governing bodies (the "Governing Bodies") of those governmental subdivisions which are parties to this Charter Agreement (the "Subdivisions").
2. Composition. The Governing Bodies shall appoint members to the COMMISSION on the following basis:
 - (a) Each Subdivision shall be entitled to two (2) initial members;

(b) Each Subdivision with a population greater than or equal to 100,000 and less than 200,000 shall be entitled to one additional member, for a total of three. Each Subdivision with a population greater than or equal to 200,000 but less than 300,000 shall be entitled to three additional members, for a total of five. Each Subdivision with a population greater than or equal to 300,000 shall be entitled to five additional members for a total of seven. Of the two initial members, one shall be an elected official of the Subdivision, and one shall be the Chief Administrative Officer of the Subdivision. At least one-half of the additional members for each Subdivision shall be elected official of the Subdivision.

3. Basis for Representation. The population on which representation on the COMMISSION is based shall be established annually by the COMMISSION, using the most recent United States Census at the time at which any provision dependent upon population is being applied, or the time as of which it is being construed, unless there is available a final annual estimate of population prepared by the Center for Public Service, the University of Virginia, in which event that estimate shall govern. If a Subdivision is determined to be entitled to increased membership on the COMMISSION, such increase shall become effective on the 1st of July immediately following such determination.

4. Term. Of the first members appointed to the Commission, one-half (1/2) of the members from each Subdivision shall be appointed for one year terms and the remaining half shall be appointed for two year terms. Where the number of members representing a Subdivision is not divisible by two, then the Subdivision shall appoint the extra member to a two-year term. The term of appointment for all subsequent members shall be two (2) years. This section intends as near as possible to have such Subdivision appoint one-half of its representation annually. Any additions to or reductions in representation on the COMMISSION shall be carried out in accordance with the stated intent of this section.

5. Vacancies. Any member of the COMMISSION may be removed from office at any time, with or without cause, by the Governing Body that appointed the member. Any COMMISSION member who is an elected representative of the Subdivision shall be removed immediately upon the expiration of his elected term of office. Any employee of a Subdivision shall be removed immediately upon the termination of his employment by the Subdivision. Vacancies on the COMMISSION shall be filled for the unexpired portion of the term in the same manner as the original appointment was made.

6. Voting. Each member of the COMMISSION shall have one equal vote in all matters before the COMMISSION.

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ARTICLE III

OFFICERS

1. Officers. The Officers of the COMMISSION shall consist of a Chairman, a Vice-Chairman and such other officers as may be deemed advisable by the COMMISSION. The Vice-Chairman shall serve, and may also be known, as the Chairman-Elect. All officers shall be elected by the COMMISSION from amongst its members, except that it may elect a secretary and treasurer who need not be members of the COMMISSION.

2. Term of Office. All officers shall be elected for a term of one year or until their successors are elected or until they resign or are removed from office. The Chairman and Vice-Chairman must be from different Subdivisions. The Chairman and Vice-Chairman may serve not more than two (2) consecutive one (1) year terms in succession.

3. Election. Election of Officers shall be held at the annual meeting of the COMMISSION. Any vacancy occurring in an office shall be filled at the next regular meeting following the occurrence of such vacancy, or at a special meeting called for that purpose. If the vacancy occurs in the office of Secretary or Treasurer, an acting officer shall be appointed by the Chairman pending such election.

4. Bylaws. The COMMISSION may adopt bylaws and such other rules as it may deem necessary or advisable for the conduct of its business, providing they are not inconsistent with the provisions of the Charter Agreement and the Virginia Area Development Act.

ARTICLE IV

MEETINGS

1. Regular Meetings. The COMMISSION shall hold regular meetings at such times as the bylaws may provide or as the COMMISSION may determine.

2. Special Meetings. Special meetings will be held upon call by the Chairman and in accordance with the procedures as may be established by the bylaws or the COMMISSION.

ARTICLE V

COMMISSION MERGER

Upon the effective date of this Charter Agreement, Southeastern Virginia Planning District Commission and the Peninsula Planning District Commission shall merge into the

Hampton Roads Planning District Commission, which shall be the surviving entity and which shall be entitled to all the assets and shall assume all the liabilities of the two entities.

ARTICLE VI

ADDITION OR WITHDRAWAL OF PARTY TO THIS CHARTER AGREEMENT

1. Addition. Any governmental subdivision within Planning District Nos. Twenty or Twenty-One which is not a party to this Charter Agreement at the effective date hereof, may thereafter join the COMMISSION at the end of the COMMISSION'S then current fiscal year, provided that such governmental subdivision is eligible for membership and that the governing body of the governmental subdivision previous thereto adopts and executes this Charter Agreement.

2. Withdrawals. Any Governing Body may withdraw its Subdivision from the COMMISSION by submitting to the COMMISSION in writing, at least sixty days before the end of the COMMISSION'S then current fiscal year, a notice of intent to withdraw. All withdrawals shall become effective at the end of the fiscal year. A notice of intent to withdraw may be withdrawn or canceled by the Governing Body concerned at any time prior to the effective date of the withdrawal.

3. Change of Charter. Within sixty days of receipt of such notification of intent to join or withdraw, the COMMISSION shall submit a report to the remaining Governing Bodies that would recommend any modifications to the Charter Agreement or bylaws of the COMMISSION which are necessary as a result of said addition or withdrawal.

4. Assets and Liabilities. Upon withdrawal of a Subdivision from the COMMISSION, all of its interest in the assets and responsibilities for the liabilities of the COMMISSION shall cease and terminate as of the effective date of such withdrawal.

5. Operating Costs. Upon the addition of a Subdivision to the COMMISSION, its responsibilities for its pro rata share of the operation of the COMMISSION shall begin on the effective date of such addition.

ARTICLE VII

FINANCES

1. Funds. Funds for the operation and administration of the COMMISSION shall be appropriated by the participating Governing Bodies on a pro rata basis based on population of

the Subdivisions as established for purposes of representation on the COMMISSION under Article II of this Charter Agreement.

2. Annual Payments. Payments to the COMMISSION shall be made quarterly, due within thirty days of the beginning of each quarter. No refund or adjustment of payments is authorized to any Subdivision until the close of the fiscal year. Any Subdivision which is more than sixty days delinquent in its payments to the COMMISSION shall stand suspended from membership on the COMMISSION until such delinquency is paid in full. During the period of any suspension, the members of the COMMISSION representing such Subdivision shall stand suspended from office and may not speak or vote on any matter before the COMMISSION. Any Subdivision that is more than six months delinquent in its payments to the COMMISSION shall automatically cease to be a member of the COMMISSION. Nothing contained herein shall be construed as a relieving an expelled Subdivision of the obligation to pay its pro rata share of the COMMISSION'S budget which is the basis for its expulsion.

3. Contracts. The COMMISSION shall have no authority or power to obligate in any manner any participating Subdivision beyond those funds duly appropriated by such Subdivision for the use of the COMMISSION.

ARTICLE VIII

AMENDMENTS

1. Approval. This Charter Agreement may be amended, supplemented or superseded only after concurring resolutions have been adopted by the Governing Bodies of two-thirds of the Subdivisions.

2. Procedure. Any proposal to amend, supplement or supersede this Charter Agreement must be submitted in writing to the COMMISSION and to each Governing Body. Thereafter, the COMMISSION shall review the proposal and submit its comments and recommendations thereon to each Governing Body. After comments and recommendations, each Governing Body may proceed to consider a resolution concurring in the proposed change.

LOCAL JURSDICTION CONTRIBUTIONS

	Isle of Wight	Smithfield	TOTAL
2014 Population	35,457	0	35,457
Dues	\$28,366	\$0	\$28,366
Construction	1,135	0	1,135
MMRS	7,091	0	7,091
Water Programs	10,638	4,421	15,059
Storm Water Prog	4,000	0	4,000
HR CLEAN	<u>1,721</u>	<u>0</u>	<u>1,721</u>
TOTAL	\$52,951	\$4,421	\$57,372
2015 Population	28,050	8,130	36,180
Dues	\$22,440	\$6,504	\$28,944
Construction	1,960	447	2,407
MMRS	5,610	1,626	7,236
Water Programs	11,526	2,412	13,938
Storm Water Prog	3,919	2,244	6,163
HR CLEAN	<u>1,721</u>	<u>0</u>	<u>1,721</u>
TOTAL	\$47,176	\$13,233	\$60,409

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-H: VRS RESOLUTION

SUBJECT:

The HRPDC must approve a resolution regarding VRS employer contribution rates.

BACKGROUND:

Legislation passed by the General Assembly calls for localities and political subdivisions to make certain decisions by July 1, 2014 regarding employer contribution rates. The HRPDC has elected to pay the certified rate of 8.87%. The governing body must approve the resolution by July 1, 2014 and VRS must receive the resolution no later than July 10, 2014.

Attachment 8-H

RECOMMENDED ACTION:

Authorize the Chairman and Executive Director to execute the attached resolution pertaining to the HRPDC employer contribution rates to VRS.

Employer Contribution Rates for Counties, Cities,
Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2014 Appropriation Act Item 468(H))

Resolution

BE IT RESOLVED, that the Hampton Roads Planning District Commission (55449) does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2014, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Hampton Roads Planning District Commission (55449), does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

- The Certified Rate of 8.87% The Alternate Rate of _____%; and

BE IT ALSO RESOLVED, that the Hampton Roads Planning District Commission (55449) does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of Hampton Roads Planning District Commission (55449), are hereby authorized and directed in the name of the Hampton Roads Planning District Commission to carry out the provisions of this resolution, and said officers of the Hampton Roads Planning District Commission are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Hampton Roads Planning District Commission for this purpose.

Governing Body/School Division Chairman

CERTIFICATE

I, Dwight L. Farmer, Executive Director/Secretary of the Hampton Roads Planning District Commission certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Hampton Roads Planning District Commission held at 723 Woodlake Drive, Chesapeake, Virginia at 9:30 AM on June 19, 2014. Given under my hand and seal of the Hampton Roads Planning District Commission this 19th day of June, 2014.

Executive Director/Secretary

**This resolution must be passed prior to July 1, 2014 and
received by VRS no later than July 10, 2014.**

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-I: DEQ'S LONG RANGE PLANNING INITIATIVE

SUBJECT:

The Department of Environmental Quality (DEQ) is seeking assistance and cooperation from HRPDC to implement a pilot project for long range environmental planning.

BACKGROUND:

DEQ has statutory responsibility for the Commonwealth's long range environmental planning. DEQ is in the process of implementing pilot projects to carry out this responsibility.

Rather than the traditional "top-down" method of a Statewide Commission preparing a Statewide plan, DEQ envisions a "bottom-up," regionally-based, collaborative model that is coordinated by DEQ and led by Planning District Commissions (PDCs). This model will build on the effective work already being done by many PDCs. Eventually, it is envisioned that the approach will be adopted in all regions of the State.

DEQ staff, under the leadership of its Director and with participation by its Regional Directors, would facilitate regional long-range efforts by performing the following tasks:

- Work with regional PDCs and other local and regional leaders to convene and facilitate regional stakeholder meetings to address long range environmental and energy priorities.
- Encourage collaborative identification and implementation by these local/regional leaders of
 - (1) Highest long-range priorities in each respective region.
 - (2) Programs and projects to address those priorities.
- Assist regions in elevating and bringing priority needs to the attention of the Administration and General Assembly, in securing cooperation and support from state and federal agencies, in obtaining needed research, and in obtaining grants and other funding

This item and related attachment was discussed in workshop item #3

RECOMMENDED ACTION:

The HRPDC supports DEQ's proposal to implement long range planning and directs the HRPDC staff to work with DEQ to refine its approach in cooperation with the Secretary of Natural Resources, the PDC staffs of the other two pilot project areas, and other stakeholders, in the hope of launching the pilot project in 2015.

AGENDA NOTE - HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-J: "LET'S OPEN DOORS RESOLUTION"

SUBJECT:

The HRPDC has been requested to approve a resolution supporting "Let's Open Doors", and their campaign to improve accessibility for all citizens.

BACKGROUND:

Let's Open Doors is an organization dedicated to advocating for equal access to all facilities. President Gail Mottola spoke at the HRPDC meeting in April about the need to make entry doors more accessible for persons with disabilities and/or age related problems. The organization has requested support for their campaign by adoption of the enclosed resolution.

Attachment 8-J

RECOMMENDED ACTION:

Authorize the Chairman and Executive Director to execute the attached resolution pertaining to the HRPDC supporting "Let's Open Doors".



**HAMPTON ROADS PLANNING DISTRICT COMMISSION
RESOLUTION 2014-01**

**A RESOLUTION OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION
SUPPORTING "LET'S OPEN DOORS"**

WHEREAS, It is the civil right of persons with disabilities to have equal access to public accommodations as defined by the Act; and

WHEREAS, this right was established with the Americans with Disabilities Act of 1990; and

WHEREAS, entry doors of many existing buildings are outdated and heavy for patrons with disabilities and/or age related problems; and

WHEREAS, the retrofit of entry doors will accommodate persons with disabilities and the approximately 77% projected population needing increased home health/personal health care, allowing their longer participation in community life as consumers; and

WHEREAS, Lets Open Doors is an organization dedicated to advocating for equal access to all facilities;

NOW THEREFORE BE IT RESOLVED, that the Hampton Roads Planning District Commission hereby expresses its support for, Let's Open Doors, and their campaign to improve accessibility for all citizens.

APPROVED AND ADOPTED by the Hampton Roads Planning District Commission this 19th day of June 2014.

Kenneth I. Wright
Chairman

Dwight L. Farmer
Executive Director/Secretary

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM#8-K: ENVISION HAMPTON ROADS SURVEY RESULTS

SUBJECT:

Envision Hampton Roads Community Values Survey Results.

BACKGROUND:

As part of the regional strategic planning process, the HRPDC conducted marketing research to engage residents to participate in the establishment of shared Regional Values. During this process Christopher Newport University (CNU) used input from the HRPDC and assisted the HRPDC in:

- Analysis of feedback from a series of community values listening sessions
- Designed a standardized 12 minute survey questionnaire
- Conducted a statistically valid telephone survey of 1,216 Hampton Roads residents
- Analyzed the findings using statistical modeling.

This item and related enclosure was discussed in workshop item #4

RECOMMENDED ACTION:

Approve the report for distribution.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-L: REGIONAL EMERGENCY MANAGEMENT COLLABORATION AND SUSTAINMENT

SUBJECT:

The Department of Homeland Security (DHS) has released Fiscal Year 2014 Preparedness Grant Allocations. This year, Hampton Roads will receive \$1 million in Urban Areas Security Initiative (UASI) funding. Consolidated, regionally focused emergency management planning and support will enable Hampton Roads communities to build resiliency and strengthen their ability to prepare, respond, recover, and mitigate all hazards that may threaten the area.

BACKGROUND:

Hampton Roads was designated a high risk urban area eligible to receive UASI funding in Fiscal Year 2007. In Fiscal Year 2012, the Hampton Roads region was removed from the UASI eligibility list and remained ineligible to apply for UASI grants thru Fiscal Year 2013. However, the region has been reinstated and allocated \$1 million for fiscal year 2014. While these funds will greatly assist preparedness efforts in the Hampton Roads region, the funding is still insufficient to meet regional preparedness needs.

In addition to the UASI funds, Hampton Roads has benefited from grants for Homeland Security Grants and Sub-Grants, including Regional Catastrophic Planning Grants, Port Security Grants and Communications and Interoperability Program Grants. These programs have been successful in fostering communication and greater coordination among local, state and federal representatives to improve the region's capacity to plan, coordinate, equip and ultimately respond and recover from natural and manmade threats and disasters.

Many of these grants have been reduced, eliminated or will be closed within the next twelve months. They have resulted in the acquisition of millions of dollars of assets that have depreciated service life and need to be maintained and replaced over time. In addition, multiple regional Emergency Planning Organizations, created for various programs over time resulted in duplication of effort, requiring many hours of staff time and creating unintended program inefficiencies.

Consolidating and sustaining these highly effective grant program capabilities and assets will improve efficiencies and produce many tangible benefits for member jurisdictions and the region.

This item was discussed in workshop item #5

RECOMMENDED ACTION:

Direct the Hampton Roads Urban Area Working Group to draft a consolidation and funding plan to support sustainment of regional homeland security capabilities and promote efficiency. The plan will be due no later than October 2014.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-M: CONSULTANT SERVICES CONTRACT TASK ORDER – PERMIT ADMINISTRATION AND REVIEW SYSTEM (PARS)

SUBJECT:

Authorize issuance of a task order under the existing URS Corporation Continuing Services Contract for maintenance of the Permit Administration and Review System (PARS).

BACKGROUND:

The web-based PARS database was developed in 2007 to help localities comply with data reporting requirements of Municipal Separate Stormwater Sewer System (MS4) permits. The database tracks the construction of stormwater management facilities (BMPs). PARS data may also be used to provide documentation for the Chesapeake Bay TMDL implementation.

This project is funded by the localities through the Regional Stormwater Management Program.

Contract Amount: Up to \$15,000.

Period of Performance: July 1, 2014 through June 30, 2015

General Scope of Work: URS shall provide the following:

- Ensure the database and webpage are working properly.
- Assist users with calls for help with procedures such as entering reports and generally troubleshooting.
- Proactively monitor the database to predict and solve problems, such as data corruption and storage problems on the server.
- Work with end users, time permitting, to troubleshoot client-side problems such as over-restrictive spam and anti-virus filters and firewall problems.

In April 2010, the HRPDC entered into a Continuing Services Agreement with URS to provide assistance, on a Task Order basis, in the areas of water supply, wastewater and stormwater and associated activities. The contract may be renewed per agreement by both parties for up to four (4) successive one year periods, under the terms of the current contract.

RECOMMENDED ACTION:

Authorize the Executive Director to issue a task order to maintain PARS under the Continuing Services Contract through FY 15 with URS Corporation for water resources projects.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-N: CONSULTANT SERVICES CONTRACT TASK ORDER – SANITARY SEWER OVERFLOW REPORTING SYSTEM (SSORS)

SUBJECT:

Authorize issuance of a task order under the existing URS Corporation Continuing Services Contract for maintenance of the Sanitary Sewer Overflow Reporting System (SSORS).

BACKGROUND:

SSORS is a web-based spill reporting and tracking system that assists localities with the initial notification and 5-day letter reporting requirements for sanitary sewer overflows. The Virginia Department of Environmental Quality, the Hampton Roads Sanitation District, HRPDC, and participating Hampton Roads localities have privileges within SSORS.

This project is funded by the localities through the Regional Wastewater Program by a special local assessment.

Contract Amount: Up to \$25,000.

Period of Performance: July 1, 2014 through June 30, 2015.

General Scope of Work: URS shall provide the following:

- Coordinate and manage the project.
- Ensure the SSORS system is working properly, and take steps to minimize disruption to the end users if problems are found.
- Assist users with calls for help involving forgotten passwords or procedures, entering reports, and general troubleshooting issues.
- Proactively monitor the reporting database to predict and solve potential problems, such as data corruption and potential attachment storage problems generated by users on the host server.
- Work with end users; time and budget permitting, to troubleshoot their client-side problems, such as over-restrictive spam and anti-virus filters, and firewall-related problems.

In April 2010, the HRPDC entered into a Continuing Services Agreement with URS to provide assistance, on a Task Order basis, in the areas of water supply, wastewater and stormwater and associated activities. The contract may be renewed per agreement by both parties for up to four (4) successive one year periods, under the terms of the current contract.

RECOMMENDED ACTION:

Authorize the Executive Director to issue a task order to maintain SSORS under the Continuing Services Contract through FY 15 with URS Corporation for water resources projects.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-0: CONSULTANT SERVICES CONTRACT – SPECIAL LEGAL CONSULTANT ON STORMWATER MATTERS

SUBJECT:

Authorize a contract for McGuire Woods LLP to provide legal consulting services on stormwater matters.

BACKGROUND:

At the June 16, 2011 Executive Committee Meeting, the HRPDC authorized the Executive Director to contract with Mr. Dave Evans, McGuire Woods, for legal consultant services to the HRPDC. This was a continuation of work for the previous two years, which focused on advising the region and the MS4 localities on permit renewals and evaluating the Chesapeake Bay TMDL and Virginia's Phase I Watershed Implementation Plan.

The contract includes an optional task to work with Mr. Evans and Mr. Preston Bryant, McGuire Woods Consulting, on legislative assistance.

Contract Amount: Up to \$95,000.

Period of Performance: July 1, 2014 through June 30, 2015

General Scope of Work: To provide legal consulting and legislative assistance services in the areas of stormwater permits, TMDL requirements and associated activities.

This project is funded by the localities through the Regional Stormwater Management Program.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract with McGuire Woods LLP to provide legal counsel, as needed in FY 2015.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-P: CONSULTANT SERVICES CONTRACTS – CONTINUING SERVICES AGREEMENTS FOR WATER RESOURCES PROJECTS

SUBJECT:

Renew continuing services agreements with CH2M Hill and URS Corporation to provide assistance, on a Task Order basis, in the areas of water supply, wastewater and stormwater and associated activities.

BACKGROUND:

In April 2010, the HRPDC entered into Continuing Services Agreements with the firms CH2M Hill and URS Corporation to provide assistance, on a Task Order basis, in the areas of water supply, wastewater and stormwater and associated activities. The HRPDC authorized the execution of a Continuing Services Agreement, in accordance with a Request for Proposal approved and issued on December 17, 2008. These contracts may be renewed by the Commission upon written agreement of both parties for up to four (4) successive one year periods, under the terms of the current contract. Following a formal selection process, two firms – CH2M HILL and URS Corporation – were selected and appropriate contracts executed. In past years, task orders were issued to support the development of the Chesapeake Bay Phase II Watershed Implementation Plan and for the maintenance of the Permit Administration and Review System (PARS) and the Sanitary Sewer Overflow Reporting System (SSORS).

Contract Amount: To be determined. If assistance is required, a task order will be developed and the proposed budget will be presented to the Commission for approval.

Period of Performance: July 1, 2014 to June 30, 2015. The time of performance for specific tasks will be documented in the individual task orders as they are developed.

General Scope of Work: To provide assistance, on a Task Order basis, in the areas of water supply, wastewater and stormwater and associated activities. Individual localities may utilize these contracts through the HRPDC, if appropriate.

Generally, work has been funded by the localities through the Regional Water, Wastewater or Stormwater Program budgets.

RECOMMENDED ACTION:

Authorize the Executive Director to execute amendments to contracts with CH2M Hill and URS Corporation to renew existing Continuing Services Agreements.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #8-Q: COASTAL ZONE MANAGEMENT PROGRAM – FY 2015 GRANTS

SUBJECT:

The Virginia Coastal Zone Management Program (VCZMP), part of the Virginia Department of Environmental Quality, regularly makes available competitive and non-competitive grant opportunities to Planning District Commissions (PDC) in Tidewater Virginia. The VCZMP has announced two grant opportunities, competitive grants and Section 309 grants, for Coastal Zone PDCs for the federal fiscal year beginning October 1, 2014.

BACKGROUND:

In October 1986, Virginia received its first grant from the National Oceanic and Atmospheric Administration (NOAA) for the Virginia Coastal Zone Management Program. Since that time, the HRPDC and its predecessors have received over \$2.5 million through this program to provide technical assistance on environmental issues to local governments and to complete a variety of technical studies.

VCZMP has announced the availability of competitive and Section 309 grants for Coastal Zone PDCs for the federal fiscal year beginning October 1, 2014. Each PDC is allowed to apply for up to two individual projects for each grant type, with the combined requested funding for each pool no greater than \$40,000. Matching funds for competitive grants will be required at a ratio of 3.5:1 (federal to local). No matching funds are required for Section 309 grant. These grants will begin October 1, 2014, and end September 30, 2015.

Applications are due to VCZMP staff by 5:00 pm Friday, July 11, 2014. The Regional Environmental Committee will review proposals at its July 3, 2014, meeting.

RECOMMENDED ACTION:

Authorize the Regional Environmental Committee to select grant proposals at its July 3 meeting. Permit the Executive Director to submit grant proposals to DEQ by July 11, 2014, and accept grant offers if and when they are made.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9: HRPDC 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.

July 2014

Regional Benchmarking Study

Housing Study

Hurricane Preparedness

Dutch Dialogues

HRPDC 2014-2015 Officer Elections: Nominating Committee

FY 2015 Budget – Staff Performance Compensation

August 2014

Meeting Cancelled

September 2014

askHRgreen campaign results

After Action Reports from retreat

Healing Place

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #10: ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The summary minutes of the June 4, 2014 Directors of Utilities Meeting are attached.

Attachment 10-A

B. REGIONAL ENVIRONMENTAL COMMITTEE MEETINGS SUMMARIES

The summaries of the May 1, 2014 and June 5, 2014 meetings of the Regional Environmental Committee are attached.

Attachment 10-B1

Attachment 10-B2

**JOINT MEETING OF THE
DIRECTORS OF UTILITIES COMMITTEE,
HEALTH DIRECTORS AND EMERGENCY MANAGERS**

To enhance coordination and information sharing, a joint meeting of the HRPDC Directors of Utilities Committee, Health Directors, and Emergency Managers was held on June 4, 2014. The following items were addressed during the meeting:

- Mr. Robb Braidwood, Chesapeake Emergency Management, and Mr. David Jurgens, Chesapeake Public Utilities Director briefed the group on the coordination of the emergency management sector and public utilities sector in the City of Chesapeake and led a discussion of best practices applied by localities.
- The HRPDC staff reviewed priority initiatives for utility preparedness and response and presented two implementation proposals for fiscal year 2015: creation of an operations level working group and creating of a utility-specific WebEOC board.
- Ms. Erin Sutton, Virginia Beach Health Department, briefed the group on the four-year update of the Regional Hazard Mitigation Plan. July's project kick-off efforts will include the formation of an executive committee and a larger group of partners. Utilities are encouraged to participate.
- Mr. Matthew Skiljo, Virginia Department of Health (VDH) Waterborne Pathogens Control Program Coordinator, provided a briefing on the 2013 Beach Monitoring qPCR Demonstration Project, which involved project partners HRSD and the City of Virginia Beach. Mr. Stephen Land, Newport News Public Works Administrator, presented a summary of cooperative efforts by the City of Newport News, HRSD, VDH, and Virginia Tech to investigate high bacteria levels at Hilton Beach and the City's follow-up actions.
- Mr. Brent Waters, Golder Associates Inc., briefed the group on VDH's efforts to assist small communities in the development of Source Water Protection Programs (SWPPs), including VDH's community-based planning approach and available technical assistance.
- Mr. Dan Horne, VDH Office of Drinking Water (ODW), updated the Committee on the development of proposed revisions to the VDH Waterworks Regulations, implementation of the final revised Total Coliform Rule, and round two surface water monitoring for the Long Term 2 Enhanced Surface Water Treatment Rule.
- HRPDC staff provided a briefing on the reinstatement of non-profit status for the H2O – Help to Others – Program. The Committee authorized the submittal of necessary tax forms for 2011, 2012, and 2013.
- The Committee discussed the next steps related to the Consent Decree (CD) and Special Order by Consent (SOC). The modification of the federal CD, lodged in federal district

court on May 30, 2014, describes the “hybrid” approach and HRSD’s responsibility for capacity in the regional sanitary sewer system. DEQ is currently preparing a modification of the SOC.

- HRPDC staff reports included the status of the annual update of the Emergency Contact List for the Hampton Roads Water Quality Response Plan.

**THE DRAFT SUMMARY OF THE MEETING OF THE
REGIONAL ENVIRONMENTAL COMMITTEE
May 1, 2014**

1. Summary of the April 3, 2014 Meeting of the Hampton Roads Regional Environmental Committee

The Summary of the April 3, 2014 Meeting of the Hampton Roads Regional Environmental Committee was approved as distributed.

2. Public Comments

There were no public comments.

3. Briefing on the Clean Water Act Definition of the “Waters of the U.S.”

Mr. David Mergen, Chesapeake, gave a presentation to the Committee on proposed changes to the definition of “waters of the United States.” The proposed changes stem from a series of recent Supreme Court cases, specifically *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers* (2001) and *Rapanos v. United States* (2006). The *SWANCC* decision overturned the use of the “migratory bird rule” by the Corps and EPA to assert control over some isolated waters, while the *Rapanos* decision defined “waters of the United States” to have (in part) relative permanent flow; waters with a “significant nexus” to “navigable waters” were also considered to be covered by the Clean Water Act. In response to these rulings, the U.S. Environmental Protection Agency proposed a change to the definition of “waters of the United States” in 2014.

One of the biggest changes is a shift from “other wetlands” to “other waters,” which appears to be driven by the significant nexus test established by *Rapanos*. “Significant nexus” is now defined and appears to include more categories of waters; however, some categories of waters are explicitly excluded from being considered “waters of the U.S.” The definition of tributaries is a major component of the proposal.

Ms. Ellen Roberts, Poquoson, asked about the definition of floodplain in the proposed rule. The definition of floodplain within the rule is not the same as FEMA’s definition.

There appear to be potential issues with prior converted cropland. Jurisdiction under the Clean Water Act over prior converted cropland is determined by EPA.

A committee member proposed adding purpose built stormwater management ponds and other best management practices to the list of exempt artificial lakes or ponds.

Mr. Kevin DuBois, Norfolk, asked if the list of exemptions was set in stone and if sea level rise and other changes in future conditions were accounted for in the proposed rule. There was no discussion of sea level rise in the rule.

Concerning ditches, “uplands” are not defined in the rule. The proposed rule uses the phrase “less than intermittent flow,” while Chesapeake supports using “less than perennial flow.”

Ms. Barbara Brumbaugh, Chesapeake, stated that ditches with perennial flow are considered tributaries.

Jurisdictional ditches are defined in the proposed rule, and include connected BMPs and “treatment trains.”

The proposed rule could have significant impacts on local government. There is the potential for inconsistent application of the rules since they rely on “best professional judgment.”

Comments on the proposed rule are due to EPA by July 21, 2014. Ms. Jenny Tribo, HRPDC, asked the Committee if HRPDC staff should compile regional comments to submit to EPA on behalf of the Commission. She proposed to present draft comments at the June Committee and final comments at the July Committee. The final comments would then be presented to the Commission at its meeting on July 17 for a final vote of approval. She asked that Committee members submit initial comments to her by May 15, 2014.

Ms. Roberts suggested that someone from the U.S. Army Corps of Engineers be invited to speak to the Committee about how the proposed change will affect their work. Ms. Tribo stated she would try to get someone for the June REC meeting.

4. Living Shorelines BMP Panel Report

Mr. Kevin DuBois, Norfolk, briefed the Committee on recommendations of the expert panel on shoreline management for the Chesapeake Bay Program. The panel was needed to update pollutant removal rates based on the best available science. The panel consisted of representatives from local governments, state and federal agencies, the private sector, and academic institutions. The BMP expert panel is the first step in the process. The recommendations will go next to the urban stormwater workgroup, then to the watershed technical group, and then to the water quality goal implementation team. The expert panel had three charges:

- 1) Evaluate how shoreline practices are modeled, review literature, develop pollutant removal, and reporting units
- 2) Provide a definition, geographic boundary, and qualifying conditions
- 3) Recommend reporting, tracking, and verification procedures

Four protocols were developed:

- 1) Prevent erosion and associated sediment and nutrients from entering the Bay (Sediment Prevention)
- 2) Promote denitrification and remove nitrogen (Denitrification)

- 3) Promote accretion and sedimentation that remove sediment and phosphorus (Sedimentation)
- 4) Promote vegetative uptake and associated nutrient removal (Marsh Redfield Ratio)

Each protocol has a formula for determining the amount of credit achieved for the BMP.

The expert panel definition of shoreline management includes all tidal shoreline practices that prevent and/or reduce tidal sediments to the Bay, including both non-structural practices, such as living shorelines, and structural practices, such as bulkheads. The panel also identified several basic qualifying conditions that must be met to get credit. Practices must also be accounted for, verified, and tracked for local governments to get credit. To help ensure accountability, the duration of credit for shoreline management is only five years; BMPs must be re-certified after five years.

Due to concerns about overuse of shoreline management as a BMP, a pollutant load reduction cap was established; each state-basin can only use shoreline management to achieve one-third of its required load reductions. Any state-basin exceeding this cap will be assessed on a case by case basis by the Chesapeake Bay Program.

The expert panel was not unanimous in its recommendations. A dissenting document was included that argues against the first protocol. The concerns expressed in the dissenting document are related to tidal wetland losses, the impacts of hardened shorelines on ecological communities, and the benefits of some sediment erosion.

The panel identified several future research and management needs, including narrowing gaps in the scientific knowledge of shoreline management (erosion rates, practice effectiveness, habitat protection and restoration), a proposed timeline for recommendations and updates, and proposed refinements for the Chesapeake Bay Watershed Model.

The next steps are a preliminary presentation to the Watershed Technical Workgroup on May 8, a formal presentation with a vote by the workgroup on June 5, and a future presentation to the Water Quality Goal Implementation Team to get approval for incorporating shoreline management into the Bay model.

Mr. DuBois advised Committee members to look at the executive summary of the report and the dissenting document and then weigh in on the proposal. Mr. DuBois also suggested that Committee members contact Ms. Sadie Drescher and Mr. Bill Stack at the Center for Watershed Protection with questions and support.

HRPDC staff suggests Committee members contact Virginia's representatives on the Watershed Technical Workgroup and Water Quality Goal Implementation Team, Bill Keeling and James Davis Marin, with their support for the proposal.

Mr. Bill Johnston, Virginia Beach, stated that restoring all shorelines is not realistic. Mr. DuBois agreed, stating that some shoreline stabilization will happen anyway, and that the CBP should be incentivizing living shorelines as opposed to hardened shorelines.

Mr. Tim Hare, CH2MHill, asked about limiting the BMP to urban areas since it is an “urban” workgroup. There was some discussion of this, but “urban” was removed from the workgroup’s name. Also, the original proposal was limited to erosion control but was changed to shoreline management.

Mr. Justin Shafer, Norfolk, asked about credit for past projects. Mr. DuBois stated that the proposal allows for projects constructed in the last five years if they conform to the new standards.

Mr. Weston Young, Hampton, suggested that the region should fight the cap since other BMPs do not work well here due to the high water table. Since the 1/3 cap is a state-basin cap, one possible tactic could be to get the majority of that allocated to Hampton Roads or coastal areas. Ms. Tribo stated that there have been discussions with Mr. Davis Martin about this.

Mr. DuBois stated that overall the experience on the panel was a good one and encouraged Committee members to volunteer for future panels.

5. Sea Level Rise Update

Mr. Ben McFarlane, HRPDC, updated the Committee on developments related to sea level rise and recurrent flooding. The LIDAR contractor is still fixing minor issues and will hopefully deliver the data to VGIN by May 15. HRPDC staff briefed the CAOs in April on the Special Committee on Recurrent Flooding and Sea Level Rise; the CAOs recommended keeping the new committee as only local staff for now and letting the committee identify additional stakeholders to involve. To date, appointees have been received from eleven of sixteen HRPDC localities.

6. Coastal Zone Program Update

Mr. McFarlane updated the Committee on developments related to the Virginia Coastal Zone Management Program. There are two grant opportunities available to Coastal PDCs for FY15: Section 309 grants and PDC Competitive grants. For Section 309 grants, approximately \$138,000 is available, and no match is required. These proposals will build on work done by MPPDC and HRPDC from 2011 to 2014. For the competitive grants, approximately \$140,000 is available, and some match will be required (previous years required between \$1:\$1 and \$1:\$3). Eligible topics include water quality, coastal resiliency, working waterfronts, habitat restoration, and public access. There will likely be limitations on the number of projects each PDC can apply for and the amount of money each PDC can receive.

In the past, the process for developing and selecting proposals for submission to CZM was staff-driven and ad hoc. HRPDC staff is proposing to engage the Committee more in this process. Mr. McFarlane proposed to solicit proposals from REC members and HRPDC staff, with concepts due by May 27. The REC will then discuss and select proposals, based on CZM-provided guidance, at the June REC meeting.

7. Discussion on forming subcommittees

Ms. Tribo stated that the vote on establishing subcommittees would be postponed until the June REC meeting. The presentation on the shoreline management expert panel is an example of the sort of material that would ideally be discussed at subcommittee meetings. A technical subcommittee would also allow for more technical staff to be involved in the process. Ms. Tribo stated that she will send out a more detailed proposal for the June meeting.

8. Status Reports

Ms. Julia Hillegass, HRPDC, announced that the Hampton Roads Watershed Roundtable will meet on May 19 and that a stakeholders meeting for HRPDC's Native Plants grant will be held on May 28.

Ms. Erin Rountree, Suffolk, asked about testing for e-permitting. Ms. Brumbaugh stated that testing for e-permitting would begin next Monday, and she would bring it up at the next stormwater workgroup meeting. E-permitting training for Tidewater will be rescheduled.

9. Other Matters

The next meeting of the Regional Environmental Committee is scheduled for June 5, 2014 at the HRPDC office in Chesapeake, Virginia. Materials will be sent in advance for review.

MEETING SUMMARY
REGIONAL ENVIRONMENTAL COMMITTEE

The Regional Environmental Committee met on June 5, 2014. The following items were discussed.

- Ms. Katie Cullipher, HRPDC, briefed the Committee on a proposal to allocate stormwater program reserve funds to the regional pet waste station program. The Committee voted to allocate \$10,000.00 to the program.
- Mr. Ben McFarlane, HRPDC, briefed the Committee on Hazard Mitigation Assistance Grants for FY14, including Pre-Disaster Mitigation grants and Flood Mitigation Assistance grants. Applications are due to the Virginia Department of Emergency Management by June 27, 2014.
- Ms. Jenny Tribo, HRPDC, led a discussion of regional comments on the proposed definition of “waters of the United States” in the Clean Water Act.
- Ms. Tribo led a discussion by the Committee on a proposal to create official subcommittees for the Committee. The Committee voted to recommend that the HRPDC dissolve the Elizabeth River Steering Committee. The Committee voted to create a technical working group.
- Ms. Julia Hillegass, HRPDC, updated the Committee on regional environmental education efforts, including the Hampton Roads Watershed Roundtable and a grant project promoting native plants.
- Mr. Ben McFarlane, HRPDC, updated the Committee on the status of various projects and efforts related to sea level rise and recurrent flooding.
- Mr. McFarlane briefed the Committee on grant opportunities for Coastal Zone PDCs through the Virginia Coastal Zone Management Program, including PDC Competitive Grants and Section 309 Grants. Proposals should be submitted to HRPDC staff by Friday, June 20, and the Committee will vote on the proposals at the July 3rd meeting.
- Mr. Randy Keaton, HRPDC, briefed the Committee on the HRPDC retreat held in May.
- Several committee members and guests provided status reports.

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #11: CORRESPONDENCE OF INTEREST

A. Letter of Appreciation

Attached is a letter of appreciation from April 19, 2014 to Mr. Randy Keaton, HRPDC Deputy Executive Director, and HRPDC staff from Ms. Susan Gaston, Principal of Gaston Group for their informative presentation to the Virginia Peninsula Association of Realtors meeting.

Attachment 11-A

B. Thank you Letter

Attached is a letter dated April 22, 2014 to Mr. Ben McFarlane, HRPDC Senior Regional Planner from Major Amy Dehart, Virginia Military Institute thanking him for his participation at the 25th Annual Environmental Virginia Symposium, Collective Impact: Working Together to Create a Positive Environmental Legacy.

Attachment 11-B

C. Thank you Letter

Attached is a letter dated April 29, 2014 to Mr. Curtis Brown, HRPDC Regional Emergency Management Administrator from Ms. Susan Mongold and Erica Bernstein of the Virginia Department of Emergency Management stating their appreciation for his involvement in the 2014 Healthcare Organizations Emergency Preparedness Seminar (HOEPS).

Attachment 11-C

D. Thank you Letter

Attached is a letter dated April 29, 2014 to Ms. Dawn Brantley, HRPDC Special Needs Planner from Ms. Susan Mongold and Erica Bernstein from the Virginia Department of Emergency Management commending her participation in the 2014 Healthcare Organizations Emergency Preparedness Seminar and HOEPS Committee.

Attachment 11-D

E. U.S. Navy Invitation to Old Dominion University Mitigation and Adaptation Research Institute Program Debut

Attached is a letter dated May 20, 2014 to the HRPDC Executive Director informing him of the new Mitigation and Adaptation Research Institute program at Old Dominion University and extending an invitation to the June 3, 2014 event.

Attachment 11-E

F. Support for the Old Dominion University Mitigation and Adaptation Research Institute

Attached is a letter dated May 29, 2014 to U.S. Navy Assistant Secretary of Energy, Installations and Environment from HRPDC Executive Director Mr. Dwight Farmer indicating the HRPDC supports the Institute and stated the newly formed Recurrent Flooding and Sea Level Rise Committee will coordinate with ODU to accomplish the Committees objectives.

Attachment 11-F



A VIRGINIA-BASED GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS FIRM

April 19, 2014

Dear Randy,

Many thanks for traversing the tarmac to our side of the water for the Virginia Peninsula Association of Realtors' General Membership Meeting last Tuesday. Everyone in attendance has commented on how much they enjoyed the visiting procedure with your staff! It was insightful, thought provoking and fun, and the

205 Par Drive • Williamsburg, Virginia 23188 • susan@gastongroup.com • www.gastongroup.com

feedback has been extraordinarily positive. Once the details are compiled and digested, and hopefully used in the regional comprehensive plans development, we would enjoy the opportunity to provide feedback and learn of where the aggregated comments and data were deployed. In a nutshell, the morning was very valuable, highly positive and so well received! Kudos to HRPDC!

Thank you again for your time and your interest. If ever we can be of assistance to you or your staff, please do not hesitate to contact me.
Warmest regards, (Susan)

RECEIVED

APR 23 2014

HRPDC

Environment Virginia
25th Annual Symposium
April 8-10, 2014

Collective Impact:
Working Together to Create a Positive Environmental Legacy

April 22, 2014

Ben McFarlane
Hampton Roads Planning District Commission
723 Woodlake Dr.
Chesapeake, VA 23320

Dear Ben McFarlane,

On behalf of the Virginia Military Institute, I would like to thank you for presenting at the 25th Annual Environment Virginia Symposium, *Collective Impact: Working Together to Create a Positive Environmental Legacy*.

We are grateful to you for the time and expertise you contributed to the symposium program. I know that the attendees gained important information and understanding from your participation.

We welcome ideas you may have on how to increase the value of the symposium to environmental efforts in the commonwealth. I invite you to participate in the online survey and/or contact me directly.

I hope that you enjoyed your visit to Lexington and the VMI Post.

Sincerely,



Amy K. DeHart
Major, Virginia Militia
Assistant Director

RECEIVED

APR 23 2014

HRPDC



COMMONWEALTH of VIRGINIA
Department of Emergency Management

BRETT A. BURDICK
Acting State Coordinator

JACK E. KING
Chief Deputy Coordinator

10501 Trade Court
North Chesterfield, Virginia 23236-3713
(804) 897-6500
(TDD) 674-2417
FAX (804) 897-6506

April 29, 2014

Curtis Brown
Emergency Management Administrator
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Mr. Brown,

We want you to know how much we appreciate you taking the time to be at this year's Healthcare Organizations Emergency Preparedness Seminar. We understand what a time commitment this was in addition to your already demanding schedule.

Your knowledge and experience was valuable in helping local healthcare providers understand the Hampton Roads Behavioral Study and how that study was significant to preparedness. Your material was well researched and engaging in presentation style. Sharing the resources and trainings that are available to local healthcare providers is exactly what makes these seminars successful and beneficial to all participants.

Thank you again for participating in making HOEPS 2014 a success!

Kind Regards,

Handwritten signature of Susan Mongold in cursive.

Susan Mongold
Director, Training & Exercises

Handwritten signature of Erica Bernstein in cursive.

Erica Bernstein
RCPT Training Coordinator

RECEIVED

APR 30 2014

HRPDC

"Working to Protect People, Property and Our Communities"

Attachment 11-C



COMMONWEALTH of VIRGINIA
Department of Emergency Management

BRETT A. BURDICK
Acting State Coordinator

JACK E. KING
Chief Deputy Coordinator

10501 Trade Court
North Chesterfield, Virginia 23236-3713
(804) 897-6500
(TDD) 674-2417
FAX (804) 897-6506

April 29, 2014

Dawn Brantley
Regional Inclusive Emergency Planner
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Dawn,

We had such a great time working with you on the HOEPS Committee. We think the turnout was fantastic and we were very happy with our track. We appreciate you presenting during the Include Planning for EMs and Providers and we understand what a time commitment this was in addition to all your other HOEPS responsibilities.

Your knowledge and experience was valuable in helping local healthcare providers have an even better understanding of how to address functional needs populations in emergency planning. Your material was informative and compelling and that is exactly the type of presentation that helps make these seminars successful and beneficial to attendees.

Thank you again for participating in making HOEPS 2014 a success!

Kind Regards,

Susan Mongold
Director, Training & Exercises

Erica Bernstein
RCPT Training Coordinator

RECEIVED

APR 30 2014

HRPDC

"Working to Protect People, Property and Our Communities"

Attachment 11-D



DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(ENERGY, INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MAY 20 2014

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

Dear Executive Director:

Old Dominion University (ODU) is proposing to lead an effort in the Hampton Roads area to study "sea-level rise" and climate change. ODU proposes to involve federal, state, local governments as well as industry groups to collectively assess sea-level rise vulnerabilities and devise adaptive measures. The ODU program will be called the "Mitigation and Adaptation Research Institute (MARI)." ODU envisions a two to three year effort with the first year focused on developing a baseline approach and regional template. The succeeding years would focus on developing the tools to address specific mitigation and adaptation measures. The "rollout" of this program is scheduled for June 3, 2014 at ODU.

While the Department of the Navy is not endorsing any particular program at this time, I am seeking more information about ODU's program to see if it may be useful in the Hampton Roads area. I'm working my schedule in an attempt to attend the pilot rollout in June and thought you might be interested as well. In the meantime, the Navy will continue to work with Universities and academia, among others, nationwide to help us address these important issues.

If you are interested in attending or just learning more about the Mitigation and Adaptation Research Institute, you can contact either VADM (Retired) Dave Architzel or Mr. Ray Toll at email address: rtoll@odu.edu, or telephone: 757-635-0831. A similar letter has been sent to The Honorable John Harvey and The Honorable Molly Ward.

Sincerely,

Dennis V. McGinn

RECEIVED

MAY 27 2014

HRPLC



MEMBER
JURISDICTIONS

May 29, 2014

The Honorable Dennis V. McGinn
Assistant Secretary of the Navy
Energy, Installations and Environment
1000 Navy Pentagon
Washington, DC 20350-1000

RE: Old Dominion University Mitigation and Adaptation Research
Institute

Dear Assistant Secretary McGinn:

Thank you for your letter of May 20, 2014 advising me of the Department of the Navy's interest in Old Dominion University's "Mitigation and Adaptation Research Institute (MARI)." It is my understanding that this new institute will study sea-level rise in the Hampton Roads area and develop tools and specific mitigation and adaptation measures. The staff of the Hampton Roads Planning District Commission has been working with Old Dominion University on this and related issues for several years. Sea-level rise is a major concern for Hampton Roads localities, and this past March the Hampton Roads Planning District Commission voted to create a special Committee with three objectives:

- 1) Develop specific recommendations related to recurrent flooding and sea level rise adaptation and mitigation for local governments.
- 2) Advocate for support and action by the state government and federal government.
- 3) Serve as the primary regional contact to coordinate efforts with federal agencies and academic institutions.

We look forward to working with Old Dominion in coordination with our new Committee on this important topic for the Hampton Roads region. I will be attending the June 3rd program at Old Dominion University and our Deputy Executive Director, Randy Keaton, will be on the panel due to my impending retirement on June 30th.

Thank you again for your letter, and I look forward to meeting you on June 3rd.

Sincerely,

Dwight L. Farmer
Executive Director/Secretary

BJM/RRK/jc

MAILED

MAY 29 2014

HRPDC

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #12: OLD/NEW BUSINESS

SUBJECT:

Report from Retreat.

BACKGROUND:

The HRPDC staff has compiled a list of the second discussion items from the retreat. This discussion focused on the best use of HRPDC meetings. Due to the length of today's meeting, these items will be discussed in more detail with the Commission during July or September's meeting. Attached is a list of the items as summarized by staff for review by the Commission. The HRPDC Staff will begin to implement some of the items that were identified on a trial basis over the next few months. Additionally, attached is the list of priorities that was generated by each table in the first discussion.

Attachment 12-A

Attachment 12-B

RECOMMENDED ACTION:

For information only.

Summary of 2nd Discussion:

What's the best use of HRPDC meetings?

On topics for discussion/presentations:

- Topics need to be relevant and timely
- Bring in people from other regions to discuss their issues/successes
- Topics should be gleaned from the list of priorities discussed during the first half of the retreat
- Educate legislators on regional issues
- Conduct surveys of the Board to determine topics
- Focus should be on why the topic is relevant to the Board
- Presentations are currently succinct and of high quality
- Have a presentation on how things have improved or progress has been made as a result of action that has been taken
- Present 2 – 3 sides of an issue and let the Board decide
- Outside experts should be brought in to discuss relevant issues
- Use pre-briefings for hot topics or complex issues (perhaps prior to meeting)
- “Connect the dots” for Board members on complex issues, do not assume that they will draw the correct conclusion

On cultivating an environment for better discussion among members:

- Facilitate Board discussions by asking direct questions following presentations
- Change set-up to a better environment for asking questions
- Provide Board with presentation information before meetings so that they come prepared to discuss topics
- Small group discussions allow Board members to “test the waters” on questions.
- Knowing that the Board meetings are recorded is a disincentive to have an open dialogue
- Some Board members may be apprehensive about asking questions
- Use Board subcommittees to tackle issues that can be brought back to the Board
- Meetings should run much longer if there was more discussion and result in a better return on investment for those traveling from further out
- PDC meetings should be a regional forum for discussion
- Board does not need consensus on every issue, try pushing the envelope a little

On seating:

- Use classroom style seating
- Use “family reunion” style seating
- Use UN style seating
- Change the location of where Board members sit
- Allow Board members to collect their own tent tags and choose where they sit
- Board members want to be able to see eye-to-eye
- Have Board members sit in small groups akin to the retreat every other month
- Maintain the status quo
- Meet on the Peninsula

Other General Comments:

- Board members would like to get to know staff
- Use of electronic voting
- Use the PDC to host discussions on issues such as sea level rise
- PDC should highlight topics, concerns, or things of interest from the localities
- Don't provide any handouts
- Agendas are too overwhelming, provide a “cliff's notes” version
- Provide a review or a list of highlights from each meeting that Board members can bring back to their councils/Boards

Results

Top 5 Priorities

Table 1

Stormwater/TMDLs
 Unfunded Mandates /Leg Agenda Coord.
 Affordable Housing
 Transport. Coord / Tourism Promotion
 Shared Services

Table 4

Evacuation Planning
 Port Security
 Econ Development
 Reg Tourism Hub
 Regional Flood Mitigation

Table 2

Branding–EconDev
 EM Prep/Comm
 Regional Lobbying
 Sea Level Rise
 Housing/EconDev
 Unfunded Mandates

Table 5

Reg Competitiveness
 Sea Level Rise
 Regional Forum
 Water Quality
 Supplemental Servcs
 Vulnerable Pop

Table 3

Infrastruct vs. Dev
 Housing
 Workforce Ed/Train
 Reality Check/EHR
 Coastal Resources

Table 6

Sea Level Rise	Storm-water
Emergency Mgmt	Diversify EconDev
Solid Waste	Homelessness
TMDL	Shared Services
Customize Econ Reports	Long Range Planning

Overall

EconDev/Housing & Homeless
 EM Preparedness
 Unfunded Mandates/Lobbying
 Sea Level Rise/ Flood Mitigation
 Regional Branding/ Competitiveness

Other Common Priorities:

- Shared Services
- Stormwater/TMDLs