

AGENDA
HAMPTON ROADS PLANNING DISTRICT COMMISSION
QUARTERLY COMMISSION MEETING
January 19, 2012

- 9:30 1. Call to Order
2. Public Comment
3. Submittal of Public Comments
4. Approval/Modification of Agenda
5. Resolutions of Appreciation

CONSENT AGENDA

- 9:35 6. Minutes of December 15, 2011 Meeting
7. Treasurer's Report
8. Regional Reviews – Monthly Status Report
 A. PNRS Reviews
 B. Environmental Impact Assessment/Statement Review
9. Emergency Management – Jail Assessment Contract
10. Urban Areas Security Initiatives (UASI) Funding
11. Litter Control Funding Letter-HR Clean
12. Amendment – Legal Consultant – Legislative Representation

REGULAR AGENDA

- 9:45 13. Chesapeake Bay Total Maximum Daily Load (TMDL)
9:55 14. 2012 Economic Forecast
10:05 15. HRPDC Three-Month Tentative Schedule
16. Project Status Reports and Advisory Committee Summaries
17. Correspondence of Interest
18. For Your Information
19. Old/New Business

ADJOURNMENT

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #1: CALL TO ORDER

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

ITEM #2: 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 #3: 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 #4: APPROVAL/MODIFICATION OF AGENDA

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

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #5: RESOLUTIONS OF APPRECIATION

The HRPDC Board will recognize Commissioner Gregory Woodard from Gloucester County and HRPDC General Services Manager Robert Jacobs for their contributions to the Hampton Roads Planning District.

Hampton Roads Planning District Commission

Executive Committee Meeting

Minutes of December 15, 2011

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

EXECUTIVE COMMITTEE:

Stan D. Clark, Chairman (IW)	Marcus Jones (NO)
Thomas Shepperd, Vice Chairman (YK)	McKinley Price (NN)
James O. McReynolds, Treasurer (YK)	J. Randall Wheeler (PQ)
Alan Krasnoff (CH)*	Kenneth Wright (PO)*
Barry Cheatham (FR)	Selena Cuffee-Glenn (SU)
Brenda Garton (GL)	Tyrone Franklin (SY)
Ross A. Kearney (HA)	James K. Spore (VB)
Bruce Goodson (JC)	Clyde Haulman (WM)

Executive Director:

Dwight L. Farmer

EXECUTIVE COMMITTEE (ABSENT)

June Fleming (FR)	Louis R. Jones (VB)
Molly Joseph Ward (HA)	Michael W. Johnson (SH)
Paul D. Fraim (NO)	

OTHER COMMISSIONERS:

William E. Harrell (CH)*	Sharon Scott (NN)*
Ella P. Ward (CH)	Kenneth L. Chandler (PO)*
Amar Dwarkanath (CH)	John Seward (SY)
Gregory Woodard (GL)	Barbara Henley (VB)
Douglas Caskey (IW)	Jackson C. Tuttle, II (WM)
Neil Morgan (NN)	

*Late arrival or early departure.

OTHERS RECORDED ATTENDING:

Eunice Woodard (Citizen); Earl Sorey, Rachel Friend, Sam Sawan (CH); Bryan Pennington, Jeff Raliski (NO); Eric Nielsen, (SU); Brian DeProfio (HA); Joann Hall, Beverly Walkup (IW); Michael King, Brian Lewis, Jerri Wilson (NN); Sherri Neil (PO); Sheila Noll (YK); Bob Matthias (VB); Adam Jack, Stephany Hanshaw (VDOT); Jim Oliver, Patticis Ctute (HRCC); Dana Dickens (HRP); Anthony Livingston (CABT); Rob Sinclair, Dorian Scott (Branscome Infrastructure); Ellis James (Sierra Club Observer); Brett Crable, Max Bartholomew, (Dominion Virginia Power); Peter Huber (Willcox & Savage), Germaine Fleet (Biggs & Fleet); Staff: John M. Carlock, Camelia Ravanbakht, Shernita Bethea, Rick Case, James Clary, Jennifer Coleman, Nancy Collins, Natalie Easterday, Kathlene Grauberger, Greg Grootendorst, Lisa Hardy, Julia Hillegass, Frances Hughey, Jim Hummer, Robert Jacobs, Whitney Katchmark, Sara Kidd, Robert Lawrence, Mike Long, Benjamin McFarlane, Jai McBride, Brain Miller, Keith Nichols, Kelli Peterson, John Sadler, Tiffany Smith, Jenny Tribo, Joe Turner, Chris Vaigneur.

Chairman Clark called the Hampton Roads Planning District Commission Executive Committee meeting to order and welcomed Ms. Joann Hall from Isle of Wight County and also stated it was Mr. Goodson's last day as a member of the Commission.

(Commissioner Scott arrives)

PUBLIC COMMENT

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

Ellis W. James

Thank you Mr. Chairman, members of the Commission my name is Ellis W. James and I am a lifelong resident of Norfolk. I would like to talk about something that is breaking very rapidly. I do not know whether all of you saw the statement by the Governor in the Daily Press and the Richmond Times Dispatch yesterday, but it is rather interesting, safety first on uranium mining, McDonnell says. It goes on to enumerate the aspects of this issue, which are extremely important. It deals with the areas that some of us who are very much opposed to moving forward at this time on uranium mining are concerned about. Contamination of groundwater coming from Lake Gaston would be a disaster. I do not think I have to beat that drum very much, but there is something happening right now that I want to be sure each of you and each of the localities are aware of. Number one, there have been two significant meetings this week. Monday the legislative send off with the delegation from Norfolk and Virginia Beach was held at the Half Moone Cruise Terminal in Norfolk. Uranium mining was one of the major issues that is included in the package from Norfolk for opposition in the current General Assembly. The second meeting was Wednesday, and that meeting was the legislative send off specifically for Norfolk. We had the Norfolk delegates there, and there were a number of people from a number of areas. There is a deliberate attempt at this moment to suggest that the NACP has abandoned their position of opposing lifting the moratorium. That is blatantly false, it is not true and it is outrageous. But I want to be sure that you are aware of it. The people who are spreading this have a perfect right to free speech in our society but they do not have the right to distort or change the facts on the ground. I would like to mention one other aspect of this. The industry is relying upon regulation. This body has discussed often the burdens of regulation. But I would like to call your attention to the fact that the budget of Virginia provides less than one percent of the funding necessary for being able to promulgate and to effectively enforce the regulations that we need to protect the public. In this instance, the question of contamination of our drinking water is a very serious matter and I hope that each of you in the localities will pay close attention to it. Thank you, Mr. Chairman.

(Commissioners Chandler, Wright and Harrell arrive)

Anthony Livingston

Good morning everyone. My name is Anthony Livingston I am the State Director for the Coalition Against Bigger Trucks, we are a nationwide nonprofit interest organization. We are based out of Old Town Alexandria. We work with highway transportation safety issues. I was in the area this week meeting with local government, law enforcement, first responders, highway safety groups around the issue of truck size and weight. Congress is currently working on the highway authorization as we all are watching anxiously and hoping that something will happen pretty soon, there have been several attempts to insert language that would increase the weight capacity of tractor trailer vehicles. We are opposed to it for the obvious safety concerns to our passenger vehicles as well as more importantly for this meeting the infrastructure damage that heavier and longer trucks will create. Just to give you an idea of what we are talking about. This

is one of the proposals currently being sought out in Congress. From our standpoint, we work at the local level, statewide level to educate and inform various highway safety groups and local government, again to bring attention, to these small amendments and bills that are being supported in this huge transportation omnibus. I just found out about this particular meeting while I was here this week so pardon me for barging in and a little under dressed here but I wanted to at least bring this issue to your attention in hopes of having you to also weigh in with those members of Congress who serve on the committees of your jurisdiction. For those who may not be aware, Senator Warner is actually on the Senate Commerce Committee who is actually this week as we speak, yesterday and today they are actually discussing this particular issue now. This is something we have been working on all year. We have known since about this time last year that the (ATA), the American Trucking Association, along with several major shippers have been pushing these attempts at the national level in hopes of allowing state legislators the ability to impose that weight increase. So I wanted to share this information with you this morning in hopes of ultimately having this added to your agenda item at some point in the very near future; again, time is of the essence. However, on the House side in Congress the Transportation Infrastructure Committee has postponed their hearings until the first quarter of the year in hopes of passing the highway funding bill. So with that, I would love to take any questions you might have.

Chairman Clark stated that questions are not allowed at this particular time. He indicated Mr. Livingston could stay and after the meeting answer questions or Board members could contact him personally.

Mr. Livingston stated he would leave his contact information and thanked Chairman Clark.

APPROVAL/MODIFICATION OF AGENDA

Chairman Clark asked if there were any modification or additions/deletions to the agenda.

Mr. Farmer stated under the New Business Item #21 an appointment to the HRMMRS Oversight Committee is necessary to replace a current member on the Metropolitan Medical Response System Oversight Committee.

Chairman Clark stated there was one modifications to the agenda - Item #21 Old/New Business. He then asked for a motion to approve the agenda with the modification.

Commissioner Cuffee-Glenn Moved to approve the agenda with the modification; seconded by Commissioner Ward. The Motion carried.

CONSENT AGENDA

The Consent Agenda contained the following Items:

Minutes of November 17, 2011 Executive Committee Meeting

Treasurer's Report

Regional Reviews

A. PNRS Items Reviews

Assistance Proposal for Abex Corporation (RIFS-OU-2) – Portsmouth

B. Environmental Impact Assessment/Statement Review

Heron’s Landing Apartments – U. S. Department of Housing and Urban Development

Force Structure Change, Langley Air Force Base – DOD/U. S. Air Force

Oceana Salvage Yard Access Road and Burial Unit, Naval Air Station Oceana -
DOD/U. S. Navy

Sea Grant Application – Hampton Roads Adaptation Forum

Hampton Roads Watershed Roundtable Grant

Urban Area Security Initiative Contract for WebEOC Mapper

Urban Area Security Initiative Contract Amendment for Upgrades to the Hampton Roads
Medical Special Needs Registry

Chairman Clark asked for a motion to approve the Consent Agenda.

Commissioner Goodson Moved to approve the Consent Agenda; seconded by Commissioner
Price. The Motion carried.

HAMPTON ROADS REGIONAL BENCHMARKING STUDY

Chairman Clark introduced Greg Grootendorst to present the Hampton Roads Regional
Benchmarking Study.

Mr. Grootendorst stated he would present the Benchmarking Study for 2011. The
Benchmarking Study started out of a federal grant from the Office of Economic Adjustment
in 2005. This is the seventh edition of the document. The purpose of this publication is to
continue to provide a comprehensive view of the regional economy in Hampton Roads and
help inform the decision-making process.

The benchmarking study consists of eight chapters. The introduction includes a data
snapshot for each of the member localities; economy section has charts on topics such as
gross product, employment and income; industry section includes some important regional
economic employment bases; demographics section is about population trends; housing
section is on sales prices and affordability; transportation section was done with help from
the TPO staff; quality of life section covers topics such as cost of living, education, patents
and poverty; and the last section is the data section which has data tables on each indicator.

Mr. Grootendorst showed a chart that compares Hampton Roads to the other top 100
metro areas for a number of statistics from the American Community Survey. In terms of

percent of population that are veterans, Hampton Roads ranks first. Hampton Roads ranks fifth for the number of people who work outside their jurisdiction of residence, which indicated a high degree of regional interaction. Hampton Roads ranks 21st for high school completion rate. Hampton Roads also ranks 56th in terms of people with bachelor's degrees in education which is indicative of the employment by industry. Hampton Roads has a relatively low percentage of foreign born population and a low poverty rate placing Hampton Roads 93rd among the top metro areas.

Mr. Grootendorst showed a chart on the annual percent change in gross product which showed how Hampton Roads has tracked with the nation. Hampton Roads has tracked very well except for in the mid 90s when the nation was expanding, and also cutting military as a percent of GDP. This is important because the regional experience would be similar to the national experience. Over the past five years the region maintained an economic growth rate close to the average experience. Growth has slowed substantially in the past two years. On a comparative level, the annualized growth rate between 2001 and 2006 was over three percent instead of less than one percent in the last five years.

Mr. Grootendorst stated Hampton Roads began losing jobs in the region in July 2007 which is approximately six months before the actual recession began. Starting in 2007, 2008 and continuing over 50,000 jobs were lost in the region. Employment levels in the region now are at the same level as they were September 2001. Regional job growth over the past three years has not compared favorably to other metro areas. Hampton Roads has declined an average of .83% and over the past three years the average decline was .4%.

The Federal government as well as education and health services have provided a modicum of growth. Hampton Roads lost significantly from construction, retail, and manufacturing. Those industries were hit extremely hard and they account for approximately 28,000 lost jobs in the region. Currently, Hampton Roads is 2% below the national average in terms of unemployment rate.

Mr. Grootendorst stated the Hampton Roads per capita income in 2010 was ranked against competing metro area mostly in the southeast. Being below the national average of the metropolitan areas, Hampton Roads compares favorably to other metro areas in the southeast. Hampton Roads has a relatively high cost of living. The region's housing costs are 20% above average. If you take the per capita income and adjust them for the cost of living, our region does not compare favorably to other southeast metro areas. Part of the increased cost of living comes from growth in income in the region.

Mr. Grootendorst stated over the past decade, Hampton Roads has made great strides at closing the gap in income with them and other metro areas. The defense pay raises, increased housing allowances, along with increase in procurement dollars has provided a big boost to the regional income.

Chairman Clark asked for questions.

Chairman Clark asked for a motion to approve the release of the Hampton Roads Regional Benchmarking Study.

Commissioner Harrell Moved to approve the release of the Hampton Roads Regional Benchmarking Study; seconded by Commissioner Cuffee-Glenn. The Motion carried.

HAMPTON ROADS ENERGY CORRIDOR AND ENERGY FORECAST

Chairman Clark stated this item on the agenda is a report on Hampton Roads Energy Corridor and Energy Forecast.

Mr. Farmer stated during a recent HRMFFA meeting with Dana Dickens, Craig Quigley and Dr. Roy Whitney, Mayor Sessoms suggested the HRPDC have a regional discussion on energy corridor concept. Mr. Crable, is here from Dominion Virginia Power and will discuss their view of energy and give their perspective of supply and demand and crossover points.

Mr. Crable stated he hoped this discussion is a platform for further dialog with the Hampton Roads Planning District Commission. He would like to talk about our energy forecast and working with regional entities and finding solutions. Dominion is committed to providing safe, reliable electric service to their customers' homes and businesses now and in the future.

Mr. Crable stated Dominion has had their challenges this year, tornados, earthquake and hurricane, but they are interested in providing responsible power for the environment as well as competitive rates so that they can retain and attract business and jobs, to Hampton Roads and the State of Virginia. They also want to offer innovative solutions and work with regional entities and customers.

Mr. Crable stated Virginia is a great state to do business as is the Hampton Roads area. As stated by Mr. Grootendorst earlier, the unemployment rate in Virginia is well below the national average which created further demand for energy that fuels the economy. Even though it is down nationally, Virginia is seeing an increase in demand for electricity. July of this year Dominion set an all time peak of 20,000 megawatts, and in order to supply that need, Dominion had to either generate it, or purchase and import that power into the area. Virginia is the second largest importer of electricity in the United States; they are only behind California for the amount of power capacity that is brought into the state.

Mr. Crable stated for the demand forecast or capacity, Dominion measures in megawatts. Dominion is a member of a regional transmission organization called PJM; it is a thirteen state body which runs the largest competitive wholesale electric market in the world. They forecast in different zones of this thirteen state area. Dominion has a zone it is called the Dominion Zone. We are the highest projected demand growth in this thirteen state region. Dominion is predicting a 4,500 megawatt increase over the 20,000 peak that was set this year.

Hampton Roads' Yorktown, Surry nuclear, and Chesapeake coal units are important facilities to Dominion and it looks for the right balance and type of fuel to generate electricity. The type of fuel sources Dominion generates is 40% nuclear, which is emission free, coal is 43%, natural gas is 13% and that will be increasing, and other renewable energy will make up the other percentage that is outside what is imported.

Mr. Crable stated each year Dominion files in Virginia or North Carolina a plan to meet the forecast demands in the state. In Virginia, the plan is called an Integrated Resource Plan (IRP) and Dominion looks at the right balance of new generation, transmission projects and demand-side management programs to help meet the 30% demand increase that is forecasted. Dominion has announced and is committed in supporting the development of further renewable where it is economically viable and also expanding its energy efficiency and demand management programs. They have also preserved the option of building another nuclear unit at North Anna, and Dominion is committed to continue this investment in transmission and distribution delivery systems. Examples of two new generating plants that are completed or soon to be completed are Bear Garden which is a natural gas fueled plant, we call it a combined cycle plant in Buckingham County it went online this summer and is saving ratepayers money due to the low prices of natural gas and the efficiency of that plant, and next year will open a state of the art coal facility and biomass facility in southwest Virginia.

Dominion can retrofit facilities or retire them or in some cases repurpose and change the fuel type. For Hampton Roads, Dominion plans to close the coal facility in Chesapeake as well as a unit in Yorktown, and the other unit Dominion plans to retrofit and change the fuel. Dominion has challenges in meeting the demand and environmental objectives and economics plays a part in the decision-making process of what to do with facilities. Economics obviously comes into play as part of these decisions. An area that Dominion is working with the Hampton Roads Energy Corridor Initiative is looking for alternative solutions with renewables being one of those items. As part of our IRP, we do have what we call a community solar program and this is 33 megawatts that we are waiting for approval. The 30 megawatts will be solar panels; Dominion owns the solar panels but is going to rent roof space out in the communities to generate electricity. To put back on the grid Dominion hopes to have approval of that next year and will be taking applications for those localities or customers interested in hosting some solar units on their roof. There is also three megawatt proposal where the customer would own the solar panels and Dominion would buy the electricity at an enhanced rate.

Mr. Crable stated Dominion is committed to bringing transmission facilities and upgrading to bring power to the area if needed. The Hampton Roads area has \$658 million in investment to improve reliability and meet capacity. Some specific projects are a 500 kV line coming into Suffolk that was just completed. A 230 kV line is under construction in Virginia Beach and Yorktown; and we just announced recently another 500 kV line from the Chickahominy area into Newport News and Hampton area. Community Outreach Programs have started with those projects.

Dominion is committed to delivering power to your homes and is spending roughly \$50 million a year in Hampton Roads area for improvements for our distribution system. Reliability is constantly improving with these investments. Dominion is committed to making those improvements in what is called the last mile to your home. The other key element in sustainability is not just new power stations, renewables, cost effective fuels, bringing in transmission, it is also effective demand side management. This is where we use electricity more wisely, more efficiently as we move the existing use to off-peak periods

and we have five programs in place. Dominion has filed six additional programs; in over five years those additional programs should save enough power for 100,000 homes a year.

Mr. Crable stated he wanted to express Dominion's commitment to the area to provide reliable service, reasonable prices, and to do so at a cost that the rate payers and businesses and the military need.

Chairman Clark asked for questions.

Commissioner Shepperd stated with the recent announcement from President Obama, he believed he was going to waive one of the requirements under the Clean Air Act, how is that affecting Dominion Power sub plant?

Mr. Crable stated Dominion is very focused on the air regulations and it is his understanding there has not been a change to the IRP Plan at this time due to the regulations. It is something Dominion is studying and has not heard of any change.

Commissioner Kearney stated he thought it was very interesting the release of the facts on how much Virginia has to purchase from outside the state and he thought that as an average citizen may think we are producing what we need from the nuclear power plant in Surry and North Anna and not having to actually go outside. He thought Dominion should work hard getting that message out on the needs we have with electricity, especially with the military here in the Hampton Roads region, and the necessity of making sure we do not have a brownout.

Chairman Clark asked if we export anything from Virginia to other locations or does everything in Virginia stay here.

Mr. Crable stated as far as importing, there is a good balance. Dominion tries to find the optimum costs and some imports are good. That means if we can buy electricity cheaper than we can produce it you want that healthy mix, but if you go too far you are committed and subject to the volatility of markets which he did not think for long term planning we want to be in. Dominion can export out but he did not think we would do that very often based on the healthy load that we have in the state and our capacity.

Chairman Clark stated the concern is not so much we are purchasing it and costing more for us, matter of fact it might be a little cheaper for us to import but it is the dependence issue that you are concerned about.

Mr. Crable stated it is the long term viability and our nuclear units for example are very low cost producers. Dominion feels it can generate its own at a much long term cheaper cost than continuing our reliance on imported power.

Chairman Clark thanked Mr. Crable.

Mr. Farmer stated there was no action. This is a matter of whether the Commission wanted the PDC staff to pursue this. He would continue to work with Dana Dickens and Craig Quigley on the Energy Corridor project and if anything changes he will make sure everybody is informed.

CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL)

Chairman Clark introduced Whitney Katchmark to present an update of the Chesapeake Bay Total Maximum Daily Load (TMDL).

Ms. Katchmark stated the deadline for developing local information for the Phase II Watershed Implementation Plan is approaching. The information needs to be sent to the state by February 1st. In November, the Commission discussed the letter from DCR which outlined five types of input the state wants from each locality. The request included: 1) develop a current BMP inventory; 2) evaluate the land use/land cover information; 3) review the 2017 and 2025 BMP scenarios as identified in the Phase I WIP and develop preferred local scenarios that provide a similar level of treatment; 4) develop strategies to implement the preferred BMP scenarios; 5) identify any resource needs to implement the strategies and BMP scenarios.

Ms. Katchmark stated she will focus on item number 3; the HRPDC will provide a report that covers item number 3 but the localities need to work on information for numbers one, two, four and five. Today we are talking about the details and the schedule.

Ms. Katchmark stated after the Commission meeting last month, the Regional Steering Committee met and they decided that localities would send HRPDC staff BMP scenarios based on realistic financial commitments. The committee expected that those BMP scenarios would be less than the target. The target is the nutrient reduction in the Phase I Watershed Implementation Plan. The plan as a region was HRPDC staff would create a regional BMP input file and describe the gap between the target and the local plans. A letter was sent to the CAOs on December 8th with these recommendations; however since that time we have received some additional information. HRPDC was copied on an e-mail from DCR which said they did not want a financially constrained BMP scenario; they want a scenario that meets the entire target.

HRPDC staff called DCR staff to confirm their position and DCR said if the regional BMP scenarios do not meet the Phase I level of implementation they may disregard the local input and stick with the original Phase I BMP scenario. DCR said they would work with localities to fill the gap if they did not send scenarios that reached the target, but they were not optimistic about the timeline needed to submit something to the EPA by the end of March. DCR have made it clear they are going to submit BMP scenarios that equal the target and the only issue is whether or not those scenarios include local input, or if they will stay with the state's original implementation strategy.

The state and the EPA have recognized that most localities cannot commit to reaching the entire target, but they want localities to identify all the BMPs that would be required to get to that target and list the constraints and the qualifications. For example, they want to know what your funding limitations are, if this is not enough time, are we lacking state programs and authority, and if there is not enough research to include all the BMPs that you would actually consider using.

Ms. Katchmark stated based on that information HRPDC has a couple of recommendations. Localities would send their preferred scenarios to the HRPDC and they would try and equal the level of treatment in the Phase I WIP to equal the target. In that submittal they would try to identify the portion of BMPs that realistically could be funded and then describe these conditions and the things they lacking to get to the actual target.

The second part would be if the sum of BMPs from all the localities input to HRPDC does not equal the target then HRPDC staff would select BMPs to fill the gap. If some localities do not provide any BMP scenarios, HRPDC staff would add BMPs so that they would have basin level input files that meet the target. The goal is to provide the state with the description of the type and number of BMP's that would meet the target for that portion of the James and York basins in our region.

Ms. Katchmark stated the state and EPA are not asking for information at the local scale and everyone has agreed to work at the basin scale so that is part of reason why the HRPDC is trying to roll this altogether instead of every locality doing it themselves.

HRPDC are asking localities to send corrected BMP data of what they have on the ground now and corrected land use data, and secondly send the number of acres that they would treat with each type of BMP. If localities cannot get to that level of specificity then send us a prioritized list of BMPs and rate the implementation level for each one as high, medium or low. To make this data collection process easier, HRPDC created a spreadsheet which was sent to the Regional Steering Committee and Stormwater Committee on December 6th which shows a list of different BMPs and other factors and a column that needs to be filled in. There are BMP's that may be more realistic or feasible for your locality and maybe cheaper that is already in the bay model and there are alternate BMPs listed that have not been approved but HRPDC thinks are good solutions for nutrient reductions.

Ms. Katchmark stated the timelines are a little tight. HRPDC is asking localities to send this information by December 28th, and we will have a week to put together a draft BMP input file so the Regional Steering Committee can review it on January 5th to get their input and make revisions. There will be an input file and a report that HRPDC will distribute to the Commission before the January 19th meeting in hopes that it can be approved and sent to localities. Because the Commission voted in November that each locality would submit a report to the state, HRPDC is not submitting anything directly to the state. We need to get this information to you to include it in your submittals.

Ms. Katchmark stated there is one question remaining. What happens if localities do not provide any information to the state? The state has been very clear what they are going to do. The state said they are going to use the Phase I Implementation Plan scenarios. There are three possible consequences: 1) bad public relations for the localities if you do not participate then you know as far as commitment to cleaning the bay and finding solution it shifts a little bit from the state to the localities for not providing information; 2) EPA thinks Virginia's Phase I WIP does not demonstrate that localities are engaged in the process, EPA have said they might implement back stops; 3) there may be no consequences if localities do not submit data, EPA may be happy with Virginia's plan even with very little information from localities. We do not really know what or where EPA is on that scale.

EPA has warned the state throughout this whole process if they do not show that they are making progress, EPA could force the nutrient reductions through the federally required permits for urban stormwater, which are the MS4 permits. EPA could push additional reductions through the MS4 permits. The backstops require three times as much nitrogen reductions than the state plan for urban stormwater and HRPDC estimated it could cost \$6 billion more than the state plan. We do not know what the EPA would consider an adequate Phase II WIP. It is to our benefit to demonstrate the work all the local governments have done and efforts to find solutions to the Chesapeake Bay clean up.

Commissioner Harrell stated the Chesapeake is working diligently and he wanted to be clear that whatever we try to get in by the December 28th has to be preliminary. We want the opportunity to be concerned about the plan, we are also concerned about the financial implications that it will have on our citizens, and we are not going to over promise something we cannot deliver. He was pleased to hear the HRPDC was not going to make a commitment on behalf of localities, because he thought it would have been a concern, he appreciates that amendment.

Mr. Farmer stated HRPDC staff have been in consultation with the attorney and his advice about some language that Ms. Katchmark used in her presentation about conditions and qualifications, if we find that the submittals do not do the job, Mr. Dave Evans' opinion is those conditions and qualifications, at least for the moment, put us in a good position to say, we know there are financial constraints and maybe technological constraints, and we recognize that this is what it takes but in order for this to happen, other things have to happen or more money needs to come to the table

Mr. Harrell stated we needed that regional plan. He just want to be careful that HRPDC does not commit to something that the local governing board has not approved.

Mr. Farmer stated HRPDC is not submitting. HRPDC is giving the localities materials to put with their submittal.

Commissioner Goodson asked if there were any change on the guidance for determining the base lines for communities that have stepped up for years, are they going to get credit for what we have done.

Ms. Katchmark stated EPA wants the corrected baseline data so, yes, localities will get credit for what they have done and there are ways to sort of trick the model into showing more accurate land use data and also you can enter corrected BMPs. So there is an opportunity to set the record straight.

Commissioner Goodson asked what is the time frame, and are they going back ten years for the baselines?

Ms. Katchmark stated the baseline is 2006. There will be an opportunity to go further back.

Commissioner Goodson stated his locality has not been able to afford to do anything since 2006, 2007; all the work James City did was in the early 2000's. The communities like James City that stepped up in the late 90's and early 2000's, are not going to get credit for all the work they did.

Ms. Katchmark stated EPA has said they will allow us to go back and correct all of the BMP data, but not at this time. When they recalibrate the model for 2017 deadlines, EPA will make all of those changes and they are going to send us the data for all the BMPs the state knows about going back about as far as they have records. It is a little disappointing that process and that data has been slow to come out, but there is still an opportunity to get it all right.

Commissioner Shepperd expressed in the presentation it was stated what HRPDC will do if localities do not provide input, that HRPDC staff will select the BMPs. He was not sure what that means, that HRPDC will select BMPs. Considering localities have thirteen days before the submission is due, he recommend that If the HRPDC is not getting the information that Mr. Farmer inform the member of this Commission so that they can make sure they are fully aware of any shortfall because being surprised by this and having somebody submit something on behalf of the local government obviously has a problem.

Mr. Farmer stated if it happens we will let you know immediately.

Commissioner Shepperd we kept hearing this \$94 million figure for fourteen years and then he saw that VACO came out recently with an announcement the cost of the TMDL will be double for the State of Virginia. It was \$6.7 billion for the State of Virginia and now they are talking about a \$15 billion bill. He was assuming some of that rolls down into the localities, and Mr. Goodson's comments about the getting credit, a lot of York County's focus has been on sewers, which York County thinks is one of the largest polluters along the bay, and not so much on what we are doing with BMP but we want credit for millions of dollars we are doing for the sewer system. To reduce our bill, we want to make sure that is getting in the mix somehow.

Ms. Katchmark stated that is included in the spreadsheet. In addition, we have made an estimate of the impacts of reducing or eliminating sewer overflows. There is a way to capture that in the submittal. It will be awhile before it will be incorporated into the actual model, but we have made some progress.

Commissioner Wheeler stated he agreed with the last three speakers and the City of Poquoson has been working hard on this, and in the middle of December, two weeks from Christmas, they change the rules again. The reason we are having trouble with some of their timelines is EPA continues to change the requirements and at the same time the end games and the strategies to achieve that remain unclear, vague and shifting. EPA changed it again to require more data, more specificity to hit a moving target that few of us or none of us understand and their backdrop is the HRPDC to fill in the hole. He heard what was said about the HRPDC not committing localities, and if we do not somehow miraculously do that, the backstops are back in play. He felt as though we have gone through an entire year of process with the state and Feds continuing to move the ball and move the goal, and we

are right back where we started which is if we do not do what they say, they will implement the backstop. We still do not know what it is we are supposed to do and we are all frustrated. One more point, Mr. Shepperd stated about keeping governing bodies informed is critically important. It was so important to us that Poquoson had another work session, it

is their fifth one this year on this subject in which the plans were laid out before the Council for the December submission and went through it in detail. The Council was very interested and had a lot of input and the information changed again. He cannot get back before his Council. By the time he has an opportunity to do so, HRPDC will be two weeks into their review and two weeks away from our submittal deadline, there is not enough time.

Mr. Farmer stated the HRPDC staff completely agrees with Mr. Wheeler. The attorney has given us the advice that I mentioned earlier to go with those things that we think technically will get you where you need to be but, we know those conditions and qualifications are critical in transmitting that message. We are saying we can get there and at least puts it back with them and says give us the tools, revenue resources, etc. and we can get there. That is not going to last forever, but it gets us at least to the point where we need to be right now.

Chairman Clark stated its lets us say we are not in default and this is a fail-safe, although inadequate.

Ms. Katchmark stated one of the points that Mr. Shepperd brought up there is report from the Senate Finance Committee on the TMDL and the cost and who pays. If you have not looked at that report definitely worth reading because it outlines by sector what state funds are available, what things they expect localities to pay for and which things will be paid for by private property owners or users. It gives a very good idea of who pays for this and what options there are and if you are looking at funding limitations and want something different from the state that is a good place to look at baseline assumptions

Chairman Clark asked for a motion to endorse the staff data submittal process which includes if a jurisdiction does not submit the required information or it is inadequate, it allows staff to fill in the gaps to at least meet a baseline level.

Commissioner Harrell Moved to endorse the staff data submittal process; seconded by Commissioner McReynolds. The Motion carried.

Commissioner Wheeler opposed.

(Mayor Krasnoff arrives)

(Commissioner Henley Departed)

2012 LEGISLATIVE AGENDA

Mr. Farmer stated Mr. Carlock is here to give an update on the 2012 Legislative Agenda. He will be going over the changes that were discussed at the November meeting.

Mr. Carlock stated based on the discussions at the November 17, 2011 meeting, the HRPDC staff has revised the draft Legislative Agenda for 2012. In the HRPDC agenda package there are two versions of the Legislative Agenda, revised draft and a redline version to facilitate review of the changes that have been made. The new language was to address things that happened last month and address the comments and changes the Commission made.

Mr. Carlock stated under the Funding Items on water quality funding a new initiative was developed by VML, VACO and waste water industry to pursue a bond issue to allow the state to finish its commitment on waste water treatment plants. That was added under water quality funding which includes some of the discussions on TMDL.

Under BRAC related Land Acquisition, HRPDC added the language supporting land acquisition at Langley and added a new initiative on sea level rise. The Commission has talked about this a number of times. The City of Norfolk is pursuing a study of the effectiveness of measures to adapt to sea level. The scope of that study is being developed and HRPDC staff is working with Norfolk to put it together. HRPDC think it would benefit the region as we continue to go forward with that issue.

Mr. Carlock stated under the Environmental Initiatives, HRPDC has changed the language amending the CBPA to keep the state in business of regulating and enforcing rather than localities and to clarify on the agricultural programs emphasize the cost share assistance which is really designed to assist the agricultural community in meeting the TMDL work. The new initiative was added on nutrient credit expansion. There is an effort by the administration to develop enabling legislation to allow localities and the stormwater program in particular to participate in the current nutrient credit expansion, and it will also assist in addressing the TMDL discussions.

Mr. Carlock stated under the State Government Administration, there is a proposal coming out of the Governor's Reform Commission to move the stormwater program from DCR back to DEQ. HRPDC does not have enough information to know whether that is a good or bad move for the region so recommendation there was we monitor and evaluate that proposal. HRPDC changed the last item from city services to local government.

Mr. Carlock stated under the State Government Administration, HRPDC added the item about eminent domain, concern about the new changes, the new rights being created and potential impact of those issues of lost access and lost profits for public infrastructure projects and the recommendation there is not to support that in its current form.

Mr. Carlock stated the recommended action is to approve the HRPDC Legislative Agenda and authorize the Chairman to transmit the Legislative Agenda to the Hampton Roads General Assembly Delegation.

Chairman Clark asked for a motion to approve the HRPDC 2012 Legislative Agenda.

Commissioner Kearney Moved to approve the HRPDC 2012 Legislative Agenda and authorize Chairman to transmit Legislative Agenda to the Hampton Roads General Assembly Delegation; seconded by Commissioner Cheatham. The Motion carried. Commissioner Seward opposed.

NOMINATING COMMITTEE REPORT/ELECTION OF VICE CHAIR

Commissioner Shepperd expressed his thanks to the representatives of the Nominating Committee. The committee recommendation per the By-Laws is Vice-Chairman Shepperd will serve as Chair and Mayor Wright, City of Portsmouth was elected to Vice-Chair for the Commission.

Chairman Clark asked for a motion to approve the newly elected Vice Chair Mayor Wright.

Commissioner Goodson Moved to approve Mayor Wright as the new Vice Chair; seconded by Commissioner Ward. The Motion carried.

RESOLUTIONS OF APPRECIATION

Commissioner Shepperd stated there were three members leaving the Commission after many years of service Mr. Stan Clark, Mr. Bruce Goodson and Ms. Anita Felts.

Commissioner Shepperd presented Mr. Goodson with a Resolution of Appreciation for his contribution to the Hampton Roads Planning District Commission.

Commissioner Goodson stated he has enjoyed working with exceptional people and the legacy he leave behind in participating with the reorganization of the MPO/TPO. Commissioner Goodson thanked the Commission.

The Commission and staff recognized with applause.

Commissioner Shepperd stated Mr. Clark has been a good leader and appreciate all the things he had done for the community and the region, and on behalf of the HRPDC he presented Mr. Clark with a Resolution of Appreciation.

Chairman Clark thanked the Commission and stated the TMDL issue is one that will face us for a while and one we will struggle with. He thought this organization does what he thinks it is designed to do, and that is to avoid the shoals and chart your path through the shoals and get where you need to be, but to do that you need to know where the shoals are and wind and tides and whether to speed up or slow down or sail out or lighten your load to go over your shoals if you cannot get around it, and this organization has the staff and expertise to do that. It is the only resource in our region to help chart our course for the future and the staff we work with here is just the most qualified to chart a regional course into the future. We have the rocket scientists that we need, great people and great to work with. For those who sit at this table, he believes each jurisdiction sends to this table its brightest and to do the work and chart that course. He stated it has been an honor to come on with Mr. Goodson they have worked together on many things and now leave together. HRPDC is the one that is committed and engaged and we have to have to chart that course. Thank you very much.

The Commission and staff recognized with applause.

HRPDC ACTION ITEMS: THREE MONTH TENTATIVE SCHEDULE

No questions or comments were noted.

PROJECT STATUS REPORTS

No questions or comments were noted.

CORRESPONDENCE OF INTEREST

No questions or comments were noted.

OLD/NEW BUSINESS

Mr. Farmer stated there is a new Business Item 21, two members representing HRPDC on Metropolitan Medical Response System; from the Peninsula Mr. James McReynolds, and from Southside Mr. William Harrell. Mr. Farmer stated Mr. Cliff Hayes has agreed to fill Mr. Harrell's term that has expired. The HRPDC staff recommendation is approve Mr. Cliff Hayes of Chesapeake to replace Mr. Harrell as one of the two members on the HRMMRS Oversight Committee.

Commissioner Ward Moved to appoint Mr. Cliff Hayes for a two-year term to the HRMMRS Oversight Committee; seconded by Commissioner Cheatam. The Motion carried.

Mr. Farmer stated for your information the HRPDC staff is planning the Annual Retreat in February on the third Thursday. He is planning on cancelling the TPO meeting and the HRPDC meeting will be from 11:30 to 1:30 with lunch to make it a working lunch meeting.

ADJOURNMENT

With no further business to come before the Hampton Roads Planning District Commission, the meeting adjourned at 10:40 a.m.

Thomas G. Shepperd
Chairman

Dwight L. Farmer
Executive Director/Secretary

AGENDA NOTE - HRPDC QUARTERLY COMMISSION MEETING

ITEM #7: TREASURER'S REPORT

**FISCAL YEAR 2012
12/31/2011
BALANCE SHEET**

ASSETS		LIABILITIES & NET ASSETS	
Cash & Cash Equivalents	330,912	Current Liabilities	1,049,274
Accounts Receivables	173,633	Net Assets	4,510,472
Investments	3,737,965		
Other Current Assets	664		
Net Capital Assets	<u>1,316,572</u>		
Total Assets	<u>5,559,746</u>	Total Liabilities & Equity	<u>5,559,746</u>

STATEMENT OF REVENUES AND EXPENDITURES

REVENUES	Annual Budget	Current Month	YTD
Grant and Contract Revenue	6,967,682	1,500	1,999,944
VDHCD State Allocation	151,943	-	75,971
Interest Income	15,000	865	3,432
Local Jurisdiction Contributions	1,362,766	-	682,594
Other Local Assessment	1,696,891	-	706,994
Sales and Miscellaneous Revenue	551,150	4,899	19,919
Special Contracts	1,723,517	-	1,189,517
Total Revenue	<u>12,468,949</u>	<u>7,264</u>	<u>3,488,853</u>
EXPENDITURES			
Personnel	4,334,115	374,268	2,040,159
Standard Contracts	215,905	14,368	100,634
Special Contracts / Pass-Through	7,147,491	177,863	1,625,805
Office Services	771,438	37,372	262,671
Capital Assets		-	-
Total Expenses	<u>12,468,949</u>	<u>603,871</u>	<u>4,029,269</u>
Agency Balance	<u>-</u>	<u>(596,607)</u>	<u>(540,416)</u>

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #8: REGIONAL REVIEWS – MONTHLY STATUS REPORT

A. PNRS Items (Initial Review)

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 are no outstanding comments as of January 12, 2012 on this project.

Attachment 8A - PNRS

B. Environmental Impact Assessment / Statement Review

The HRPDC staff is routinely involved in the review of environmental impact assessments and statements for projects involving federal funding or permits as well as state development projects. To ensure that all Commissioners are aware of projects being reviewed, brief summaries of these projects and anticipated review schedules are included in the Agenda. The HRPDC staff will continue to request comments directly from staff in localities that appear to be directly affected by a project. Attached is a listing and summary of projects that are presently under review.

Attachment 8B – Environmental Impact Assessment/Statement Review

RECOMMENDED ACTION:

None required.

Project Notification and Reviews

Date 1/4/2012 **CH #** VA121222-1123xxx

Title Chesapeake Media Service - Bay Journal

Applicant Chesapeake Media Service, Inc.

State/Federal Program Chesapeake Bay Program

Type of Impact Statewide

Project Staff Sara Kidd

Project Description

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

Federal	\$327,000.00	Local	\$0.00
Applicant	\$81,900.00	Other	\$0.00
State	\$0.00	Income	\$0.00
TOTAL			\$408,900.00

Environmental Impact Reviews

Received 12/8/2011

Number 11-204S

Name Demolition of the Aircraft Landing Dynamics Facility Complex, Langley Research Center

Sponsor National Aeronautics & Space Administration

Description

NASA is proposing to demolish nine buildings and the track associated with the Aircraft Landing Dynamics Facility Complex at Langley Research Center in Hampton. The complex is closed and no longer operational. Demolition activities would begin in 2013 and would involve a deconstruction approach, whereby building materials and debris would be recycled to the maximum extent practicable. The proposed project would reduce the footprint of Langley by more than 8,000 square feet. The submitted environmental assessment (EA) evaluates the proposed action and the no-action alternative.

Affected Localities Hampton

Finding

Comments Sent

Final State Comments Received

Received 12/8/2011

Number 11-200S

Name Community Solar Power Program and Certification of Proposed Distributed Solar Generati

Sponsor State Corporation Commission

Description

Virginia Electric and Power Company (Dominion) has submitted an application to the State Corporation Commission for approval of a community solar power program. Dominion is proposing to construct up to 30 megawatts (MW) of company-owned distributed solar generation facilities consisting of installed solar electric panels on existing structures and previously developed sites throughout the company's Virginia service territory, as well as to purchase the solar energy power from up to 3 MW of customer-owned installations as an alternative to net energy metering. Specific sites for solar power development have not been identified.

Affected Localities HRPDC

Finding

Comments Sent

Final State Comments Received

Received 12/14/2011

Number 11-205F

Name Air Field Clear Zone Management Plan at Naval Air Station Oceana

Sponsor DOD/Department of the Navy

Description

The Department of the Navy proposes to establish an air field clear zone management plan for Naval Air Station Oceana in the City of Virginia Beach and submitted a federal consistency determination (FCD). The clear zone management plan addresses vegetation management around the runway complex, taxiways and ramp areas during a 10-year span. According to the FCD, the project would be consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Affected Localities Virginia Beach

Finding

Comments Sent

Final State Comments Received

Received 12/21/2011

Number 11-210F

Name Multidisciplinary Biomedical Research Center II, Hampton University

Sponsor DHHS/National Institutes of Health

Description

The National Institutes of Health (NIH) submitted an environmental assessment (EA) for the construction of a 25,000-square-foot Multidisciplinary Research Center at Hampton University. NIH plans to partially fund the center. The proposed project site contains a contractor staging area for the construction of a new dining facility and a maintained lawn. The EA considers the proposed action and the no action alternative.

Affected Localities Hampton

Finding

Comments Sent

Final State Comments Received

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #9: EMERGENCY MANAGEMENT - JAIL ASSESSMENT CONTRACT

SUBJECT:

Authorize contract for a Functional Jail Assessment.

BACKGROUND:

Since 2006, the Hampton Roads Inmate Evacuation Planning Committee (HRIEPC), which is represented by staff from the eleven local and regional jails in Hampton Roads, has been coming together to address the unique needs associated with planning for a jail evacuation or shelter-in-place response resulting from a local or regional disaster. The committee was awarded a FY 10 UASI grant to conduct a Functional Jail Assessment project designed to identify both the strengths and areas of improvement regarding evacuation and shelter-in-place planning at the local and regional jails.

The HRPDC staff released EM-RFP-2012-01 on behalf of the HRIEPC on October 19, 2011 with announcements appearing in The Virginian Pilot, Daily Press, and on the HRPDC website for a Functional Jail Assessment project. A pre-proposal conference was held as specified in the RFP with an addendum published. Proposals were received by the RFP deadline from three vendors. Each member of the HRIEPC selection committee was provided with one hard copy of each proposal received to review and evaluate against the evaluation criteria specified in the RFP. The HRIEPC met on December 6, 2011 to discuss and evaluate each proposal and opted to invite all three proposers for an interview. The HRIEPC conducted the interviews on December 19, 2011 and asked additional and/or clarifying questions. Following all interviews, the HRIEPC ranked the three proposers in order and approved the HRPDC to move forward with contract negotiations.

Contract Amount: To Be Determined within grant limits, based on contract negotiations

Period of Performance: January 2012 through December 2012

General Scope of Work: To identify strengths and areas of improvement regarding evacuation and shelter-in-place planning at the local and regional jails.

Source of Funds: FY 10 UASI Grant

The HRPDC is currently conducting final contract negotiations. The overall Functional Jail Assessment project has an aggressive one-year timeline with a kick-off meeting expected by the end of January 2012 and project wrap-up by December 2012. The final price for the contract will be based on grant funding limitations.

RECOMMENDED ACTION:

Authorize the Executive Director to execute a contract with selected vendor to conduct a Functional Jail Assessment for the eleven local and regional jails in the Hampton Roads region.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #10: URBAN AREAS SECURITY INITIATIVE (UASI) FUNDING

SUBJECT:

Congress has passed The Consolidated Appropriations Act (HR 2055) for FY 2012 which has severely cut Department of Homeland Security (DHS) grant funding to state and local government, including the UASI grant.

BACKGROUND:

Hampton Roads was designated a high risk urban area eligible to receive UASI funding in Fiscal Year 2007. Since that time, these funds have been used to address unique planning, organization, equipment, training, and exercise needs of Hampton Roads, and assisted in building an enhanced and sustainable capacity to prevent, protect against, respond to, and recover from acts of terrorism.

While the DHS total allocation for FY 2012 was reduced from Fiscal Year 2011 by nearly \$111 million, DHS grants were reduced by roughly \$1 billion. HR 2055 calls for \$2.37 billion to be set aside for grants to state and local governments. However, after prescribed minimum funding for various programs, approximately \$1.35 billion is left to be divided among ten grant programs, including the UASI program. Congress has instructed Homeland Security Secretary Janet Napolitano to award the remaining \$1.35 billion based on threat, vulnerability and consequence.

In the event Hampton Roads does not receive further UASI funding, many of the capabilities built using these funds will not be able to be sustained. As such, the HRPDC staff has developed the attached letter for submittal to the Hampton Roads Congressional Delegation and the Governor regarding the sustainment of UASI funding at historic levels.

RECOMMENDED ACTION:

Authorize the Chairman to send the attached letter to the Hampton Roads Congressional Delegation and the Governor concerning the UASI funding for Hampton Roads.

Attachment

MEMBER JURISDICTIONS

January 19, 2012

CHESAPEAKE

FORM LETTER

FRANKLIN

RE: Norfolk (Hampton Roads) Urban Areas Security Grant Program

GLOUCESTER

Dear Senator/Congressman/Governor:

HAMPTON

The Consolidated Appropriations Act (HR 2055) severely cut state and local grant funding for the Department of Homeland Security (DHS) for Fiscal Year 2012 (see attached). At its January 19, 2012 Commission Meeting, the Hampton Roads Planning District Commission acted to urge you to relay the concerns of Hampton Roads stakeholders to Secretary Napolitano about losing Urban Areas Security Initiative (UASI) grant funding. We request your support with advocating for sustainment funding to ensure that regional preparedness capabilities are maintained.

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

NORFOLK

HR 2055 directs Secretary Janet Napolitano to award \$1.35 billion based on threat, vulnerability and consequence. In a December 7, 2011 Congressional hearing, the Chairman of the House Homeland Security Committee reported that the military is the number one target for terrorists within the United States. Hampton Roads is home to the world's largest military/industrial complex, which encompasses 22 military installations and multiple supporting defense contractors. Currently, there are approximately 115,000 active-duty military in the region. The total Department of Defense (DoD) population in Hampton Roads, including active-duty, reservists, retirees, and family members, totals more than 450,000. As this proves, Hampton Roads continues to face risks that UASI funding is needed to address.

POQUOSON

PORTSMOUTH

SOUTHAMPTON

SUFFOLK

SURRY

Since Hampton Roads was brought into the grant program in fiscal year 2007, UASI grant funds have significantly helped the sixteen jurisdictions of Hampton Roads to increase homeland security preparedness, response and recovery capabilities. For example, the majority of these funds have been utilized to build a regional, interoperable communications infrastructure that first responders rely on to save lives during day-to-day operations, special events, and major disasters.

VIRGINIA BEACH

WILLIAMSBURG

YORK

Provided by the Department of Homeland Security, these funds are sub-awarded to the agencies and localities that are directly responsible for preventing, protecting from, responding to and recovering from acts of terrorism. Unlike most preparedness grants, these funds are provided to directly benefit local first responders and security officials who serve as the front line for our nation's defense against terrorism. As demonstrated with the attached document which shows funded initiatives, the UASI grant continues to reduce risk and close capability gaps. Currently, several initiatives are being built and/or sustained with UASI funding. Removing these funds during a time of economic hardship will result in an inability of local stakeholders to sustain these initiatives and ultimately, a substantially decreased ability to protect the citizens of Hampton Roads.

Hampton Roads stakeholders have been good stewards of UASI funds. As required by DHS, a regional homeland security plan guides UASI investments. Additionally, a regional capabilities assessment and gap analysis has furthered efforts to prioritize and strategically utilize UASI funds. The strategic approach to grant investments ensures federal funds are maximized in the best way possible to increase terrorism preparedness capabilities and reduce risk in Hampton Roads.

The Hampton Roads Planning District Commission asks you for your support in maintaining this important Homeland Security Grant Program. Thank you for your consideration and assistance in helping ensure that Hampton Roads has the necessary resources to protect its citizens and property.

Sincerely,

Thomas G. Shepperd
Chairman

Attachments

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #11: LITTER CONTROL AND RECYCLING ADVISORY BOARD AND LITTER CONTROL AND RECYCLING FUND

SUBJECT:

Governor McDonnell's Commission on Government Reform and Restructuring proposes eliminating the Litter Control and Recycling Advisory Board. The Governor's Budget proposes cuts in litter control and recycling dollars going to Virginia localities in FY 2012, FY 2013, and FY 2014.

BACKGROUND:

The Litter Control and Recycling Fund (Fund) is supported by the Litter tax, Soft Drink tax and Beer tax. The Fund is used for litter prevention and recycling grants to localities under a non-competitive grant program. The Fund's annual budget is less than \$2 million, and for the past three years, the General Assembly has taken \$255,000 from the Fund each year. The current Governor's Budget proposes to continue cutting from the Fund by taking \$255,000 this fiscal year (Caboose Bill, Miscellaneous Transfers); and \$191,250 in FY 2013 and \$127,500 in FY 2014 (2012-2014 Biennial Budget, Miscellaneous Transfers).

The less than \$2 million distributed across the state annually multiplies into a value of more than \$18 million worth of value through matching local funds, volunteer hours and in-kind goods and services. The clean community and recycling segment of the Commonwealth are able to transform the modest grants received from the Fund into transformational projects that improve citizens' quality of life. The annual taking would have delivered an additional benefit to the communities throughout the Commonwealth at a return rate of \$8.40 for every \$1.00 of tax revenue received.

The Litter Control and Recycling Fund Board (Board) is a volunteer board. Its members do not receive compensation for their time or travel expenses. The Board is comprised of a representative from industries that pay the associated taxes, a local litter or recycling coordinator representative, and a representative from the general public. The Board ensures that applicants comply with the terms of the grants and that the taxes from industries that create litter and recyclables are appropriately distributed to local organizations and programs that accomplish the goals of reducing litter and increasing recycling.

Working with the local representatives on HR CLEAN, the HRPDC staff has prepared the attached letter to the Hampton Roads General Assembly Delegation urging them to oppose elimination of the Litter Control and Recycling Fund Board and to support continued funding for the Litter Control and Recycling Fund.

RECOMMENDED ACTION:

Staff recommends the Commission authorize the Chairman to send the attached letter to the Hampton Roads Members of the General Assembly.

Attachment

DRAFT LETTER

MEMBER
JURISDICTIONS

January 19, 2012

CHESAPEAKE

FRANKLIN

RE: Litter Control Funding

GLOUCESTER

Dear Hampton Roads General Assembly Delegation:

HAMPTON

At its January 19, 2012 Quarterly Commission Meeting, the Hampton Roads Planning District Commission (HRPDC) acted to urge that you oppose the elimination of the Virginia Litter Control and Recycling Fund Advisory Board as proposed by Governor McDonnell's Commission on Government Reform and Restructuring, and that you oppose the taking of any funds from the Litter Control and Recycling Fund.

ISLE OF WIGHT

JAMES CITY

NEWPORT NEWS

The Litter Control and Recycling Fund (Fund) is supported by the Litter tax, Soft Drink tax and Beer tax. The Fund is used for litter prevention and recycling grants to localities under a non-competitive grant program (VA Code Section 10.1-1422.01). The Litter Control and Recycling Fund Board (Board) is a volunteer board that does not receive compensation for their time or travel expenses (VA Code Section 10.1-1422.02).

NORFOLK

POQUOSON

PORTSMOUTH

The Board is comprised of a representative from industries that pay the associated taxes, a local litter or recycling coordinator representative, and a representative from the general public. It is an exemplary display of taxpayers having direct involvement in and oversight of programs that utilize tax revenues. The Board ensures that applicants comply with the terms of the grants and that the taxes from industries that create litter and recyclables are appropriately distributed to local organizations and programs that accomplish the goals of reducing litter and increasing recycling.

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

The effect of the Fund is the gold standard for budget efficiency. The less than \$2 million distributed across the state annually multiplies into a value of more than \$18 million through matching local funds, volunteer hours and in-kind goods and services. The clean community and recycling segment of the Commonwealth are active and caring citizens, working hard to keep Virginia clean and beautiful. They are able to transform the modest grants received from this Fund into transformational projects that improve citizens' quality of life.

WILLIAMSBURG

YORK

Attachment 11

January 19, 2012

Page 2

For the past three years, the General Assembly has taken \$255,000 each year from the Fund. The \$765,000 cut has hit localities across the Commonwealth hard, and Hampton Roads has been no exception. As localities struggle to do more with less, litter prevention education and awareness programs struggle to continue bringing programs into schools and the community. Volunteer cleanup programs such as Adopt-A-Spot and Clean the Bay Day programs also feel the pressure. That annual \$255,000 would have delivered an additional benefit to the communities throughout the Commonwealth at a return rate of \$8.40 for every \$1.00 of tax revenue received.

The Litter Control and Recycling Fund Advisory Board provides a level of transparency for the industries whose taxes makeup the Fund. During these austere budget times, the efficient use of funds is paramount, and the litter and recycling coordinators across the Commonwealth multiply the value of the Fund in unprecedented ways.

We ask that you strongly oppose the Governor's recommendation to eliminate the Litter Control and Recycling Fund Advisory Board. We further request that you support amendment to the Governor's proposed budget FY 2012 Caboose Bill and FY 2012-2014 Biennial Budget that would restore full funding to the Litter Control and Recycling Fund. and that you oppose the further taking of funds from the Litter Control and Recycling Fund. Please help us to keep Hampton Roads Beautiful.

Sincerely,

Thomas G. Shepperd
Chairman

LH/fh

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #12: CONTRACT AMENDMENT – LEGAL CONSULTANT – LEGISLATIVE REPRESENTATION

SUBJECT:

Authorize optional task under contract with McGuire Woods LLP to provide legislative representation for Nutrient Credit Exchange and related 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 Phase I MS4 localities on permit renewals and evaluating the Chesapeake Bay TMDL and Virginia's Phase I Watershed Implementation Plan.

The contract included an optional task to work with Mr. Evans and Mr. Preston Bryant, McGuire Woods Consulting, on the matter of nutrient credit exchange legislation. This effort will ensure that the interests of Hampton Roads are "at the table" during consideration of and negotiations on the pending legislation. Pursuing this optional task will require Mr. Bryant to register as a lobbyist on behalf of the HRPDC.

Contract Amount: Up to \$14,000, within current contract limits.

Period of Performance: January 1, 2012 through June 30, 2012

General Scope of Work: To provide legislative representation during consideration of Nutrient Credit Exchange legislation and related matters.

Source of Funds: Regional Stormwater Management Program

The HRPDC 2012 Legislative Agenda, approved in December 2011, includes support for Nutrient Credit Exchange legislation.

RECOMMENDED ACTION:

Authorize the Executive Director to direct McGuireWoods to proceed with the optional task for legislative representation within the existing contract for legal counsel on stormwater, Chesapeake Bay and related matters.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #13: CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL)

SUBJECT:

HRPDC staff has developed a report to address DCR's request for local preferred scenarios that provide a similar level of treatment as the Phase I Watershed Implementation Plan (WIP). The report also summarizes the regional process, resource needs, and other conditions and qualifications discussed by the Regional Steering Committee.

BACKGROUND:

The Director of the Department of Conservation and Recreation (DCR), Mr. David Johnson, sent a letter on November 9, 2011 to local governments identifying the state's data needs for the Chesapeake Bay TMDL Phase II Watershed Implementation Plan. The requests included:

1. Develop a current BMP inventory.
2. Evaluate the land use / land cover information.
3. Review the 2017 and 2025 BMP scenarios as identified in the Phase I WIP and develop preferred local scenarios that provide a similar level of treatment.
4. Develop strategies to implement the preferred BMP scenarios.
5. Identify any resource needs to implement the strategies and BMP scenarios.

The Hampton Roads Planning District Commission took the following actions at its meeting on December 15, 2011:

- By December 28, 2011 localities will send HRPDC:
 - Corrected baseline BMP and land use data.
 - Level of implementation for each BMP with conditions and qualifications.
- Authorize HRPDC staff to select BMPs to fill the gap between local scenarios and the Phase I WIP level of treatment. BMP scenarios for the James and York basins will be included in the regional report.
- Localities will each submit an individual plan to DCR that focuses on narrative strategies and includes the regional report as an appendix.

The regional report will be distributed to the Commission on January 17, 2012.

Water Resources staff will provide a presentation summarizing the Phase II WIP report.

RECOMMENDED ACTION:

Approve the report for distribution to local governments. Each locality will be responsible for their submittal to DCR; HRPDC is not submitting a report to DCR.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #14: 2012 ECONOMIC FORECAST

SUBJECT:

The annual HRPDC Regional Economic Forecast for 2012.

BACKGROUND:

Each January since 1990, HRPDC Economics Staff have delivered a regional economic forecast for the coming year. The forecast presentation includes a review of local and national trends and provides a forecast for gross regional product, employment, unemployment, retail sales, residential construction, and hotel revenues. Preparation of the HRPDC economic forecast was approved as part of the FY 12 HRPDC Unified Planning Work Program (UPWP).

Mr. Greg C. Grootendorst, Chief Economist, will present the 2012 Economic Forecast to the HRPDC Board.

RECOMMENDED ACTION:

Approve the release of the 2012 Economic Forecast.

STAFF COMMENTARY:

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

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #15: HRPDC ACTION ITEMS: THREE-MONTH TENTATIVE SCHEDULE

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

February 2012

Annual Retreat

March 2012

Chesapeake Bay TMDL

Housing Program Update

Sea Level Rise Report

Coastal Resources Management Program Report

Hazard Mitigation Plans

April 2012

FY 2013 HRPDC Budget

FY 2013 Unified Planning Work Program

UASI Program Report

Chesapeake Bay TMDL

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #16: PROJECT STATUS REPORTS AND ADVISORY COMMITTEE SUMMARIES

A. DIRECTORS OF UTILITIES COMMITTEE SUMMARY MINUTES

The summary minutes of the December 7, 2011 & January 4, 2012 Directors of Utilities Committee Meetings are attached.

Attachment 16A-1

Attachment 16A-2

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

The meeting summary of the January 5, 2012 Hampton Roads Chesapeake Bay Committee and Regional Stormwater Management Committee Meeting is attached.

Attachment 16B

C. SUMMARY MINUTES OF THE CHESAPEAKE BAY TMDL STEERING COMMITTEE MEETING

The summary minutes of the January 5, 2012 Chesapeake Bay TMDL Steering Committee are attached.

Attachment 16C

D. PROJECT STATUS REPORT

Attached are status reports on other HRPDC programs.

Attachment 16D

**Summary Minutes
Directors of Utilities Committee
Meeting of January 4, 2012**

The Directors of Utilities Committee met on January 4, 2012. The following items were addressed during the initial closed session portion of the meeting:

- The Directors of Utilities that are party to the Joint Defense Agreement discussed the status of Special Order by Consent (SOC) activities and next steps.

The following items were addressed during the public portion of the meeting:

- Mr. Richard Stahr, Brown and Caldwell, provided a briefing on the status of rehabilitation planning activities for the Special Order by Consent for sanitary sewer system overflows. Local government staffs are encouraged to complete their rehabilitation plans and cost estimates by May 1, 2012 so localities can compare approaches and work out any concerns before the rehabilitation plans are submitted to DEQ on November 26, 2012.
- The Annual Committee Retreat included discussion of program direction for FY 2012-13 and budget planning for the water and wastewater programs. The draft budget will be revised according to the comments received during the discussion and will be distributed to the Committee for final review and endorsement.

Summary Minutes
Joint Meeting of the Directors of Utilities Committee and Health Directors
December 7, 2011

The Directors of Utilities Committee and Health Directors met on December 7, 2011. The following items were addressed during the meeting:

- Mr. Joel Silverman, CNA, provided a project status update on the Urban Areas Security Initiative (UASI) Water Supply Assessment and Emergency Response Training project. Most data collection activities and interviews with utilities, public health, and emergency management sectors were completed in September and October 2011. Preliminary analysis of trends and interdependencies will be presented to the Committee for discussion in February. Tabletop exercises, currently being developed, will be held on May 23, 2011 for Southside utilities and on May 24, 201 for Peninsula utilities.
- Mr. Scott Kudlas, Director of the Office of Surface and Ground Water Supply Planning, Department of Environmental Quality (DEQ), briefed the Committee on 1) groundwater-related issues, and 2) development of the State Water Resources Plan. Under groundwater issues, Mr. Kudlas summarized Norfolk's draft groundwater withdrawal permit, and provided permit status updates for West Point and International Paper. Regarding the State Water Supply Plan, Mr. Kudlas indicated that all local and regional water supply plans were received in compliance with the regulatory deadline. Due to staff vacancies and the activities of the State plan advisory committee, DEQ's schedule to complete plan reviews and a cumulative impact analysis will be extended from 12 months to 18 months.
- Mr. Dan Horne, Virginia Department of Health, Office of Drinking Water (ODW), briefed the group on the status of state and federal regulatory actions pertaining to drinking water and water utilities. Mr. Horne also advised the Committee of projects that are seeking VDH permits for private wells/emergency wells for emergency water supply systems for hospitals. The ODW is urging utilities to contact local hospitals to check if facilities are implementing these systems and to ensure that the utility is protected from cross connections. The Committee had received a presentation on this effort from a representative of the Eastern Region of Virginia Hospital Emergency Preparedness Coordinating Group at the November 2, 2011 meeting, and the Committee had expressed similar concerns.
- Mr. Phil Hubbard, HRSD, provided a summary of upcoming milestones for the EPA Consent Decree and Special Order by Consent for sanitary sewer system overflows. In addition to interim milestones, the final Rehabilitation Plans are to be submitted to DEQ on November 26, 2012. Rehabilitation Plan peak flow commitments will be used to develop the Regional Wet Weather Management Plan (RWWMP) due November 26, 2013. The schedule for RWWMP implementation must be negotiated with EPA after plan submittal.

MEETING SUMMARY
CHESAPEAKE BAY AND REGIONAL STORMWATER MANAGEMENT COMMITTEES
January 5, 2012

The Chesapeake Bay and Regional Stormwater Management Committees met on January 5, 2012. The following items were discussed.

- Ms. Jenny Tribo, HRPDC, updated the Committee on the status of the Chesapeake Bay TMDL Phase II Watershed Implementation Plan.
- Ms. Peggy Sanner, Chesapeake Bay Foundation, gave a presentation to the Committee on local government authority to improve water quality and implement the Phase II Watershed Implementation Plan, specifically the authority found in VAC 15.2-1200.
- Mr. Clay Bernick, Virginia Beach, gave a presentation to the Committee on Virginia Beach's efforts to protect and improve water quality through new ordinances and city policies, ordinance revisions, and programs to involve the public.
- Ms. Julia Hillegass, HRPDC, led a roundtable discussion on the expected impacts to local programs from new stormwater regulations and the Chesapeake Bay TMDL. The Committee identified several specific impacts to consider as part of HRPDC's work program in 2012.
- Mr. Benjamin McFarlane, HRPDC, briefed the Committee on two environmental impact reviews of regional significance, the Proposed 5-Year Outer Continental Shelf Oil and Gas Leasing Program for 2012-2017 and a State Corporation Commission application by Virginia Electric and Power Company for a Community Solar Power Program and Certification of Proposed Distributed Solar Generation Facilities. The Committee expressed general support for increasing solar power generation in the region, but had some concerns about possible exclusivity or the lack of involvement with private parties and local governments.
- HRPDC staff briefed the Committee on the work program for 2012.

Summary Minutes
Meeting of the Regional Steering Committee for the Chesapeake Bay
Phase II Watershed Implementation Plan
January 5, 2012

The Regional Steering Committee for the Chesapeake Bay Phase II Watershed Implementation Plan (WIP) met on January 5, 2012. The following items were addressed during the meeting:

- HRPDC staff briefed the Committee on the latest developments in the Phase II WIP process. Virginia submitted the draft WIP report on December 15, 2011. Staff reviewed the schedule for completion of the regional report. Comments on the draft regional narrative are due to HRPDC staff on January 10, 2012. The revised regional appendix (narrative and preferred scenarios) will be provided for Committee review by noon on January 12, 2012; comments are due January 17, 2012 at 9 a.m. The final regional appendix will be distributed to HRPDC on January 17, 2012 by 3 p.m. for consideration at the January 19, 2012 Commission meeting. Pending any revisions per the Commission meeting, staff will provide the final package to localities on January 23, 2012. Local submittals are due to DCR on February 1, 2012. Committee members clarified the use of local submittals during question and answers with the DCR representative.
- The Committee discussed the review draft of the narrative portion of the regional appendix, which was distributed for review on January 4, 2012. HRPDC staff collected comments for incorporation in four key areas of the report. Additional written comments will be accepted by HRPDC staff until January 10, 2012.
- HRPDC staff updated the Committee on the effort toward developing a regional scenario which meets the Phase I WIP level of effort. Staff summarized the data received thus far from local governments. Staff will be following up with individual localities regarding questions or missing data. Staff reviewed the methodology and assumptions being applied in development of the regional scenario. Questions and clarifications were discussed, and the Committee provided feedback on decision points identified by HRPDC staff.
- Roundtable updates were provided by Committee members, and preliminary plans were made regarding the February meeting schedule.

PROJECT STATUS REPORTS

1. Regional Housing Program

Housing & Human Services Technical Assistance

The Housing & Human Services Staff continues to work with the South Hampton Roads Disability Services Board and facilitated a strategic planning work session with the committee in December to reevaluate the Board's workplan for 2012. While the actual state program was discontinued in 2009, the SHRDSB has worked diligently to continue to assist in identifying and addressing the needs of persons with physical and sensory disabilities in Norfolk, Portsmouth, Virginia Beach, Chesapeake, and Suffolk.

The staff is also working with the Hampton Roads Housing Consortium on an upcoming regional meeting to discuss the impact of the newly announced Rapid Re-housing initiative as it relates to homelessness. On November 17, 2011, Governor Bob McDonnell announced a new initiative to support communities in increasing Rapid Re-housing training and capacity in an effort to reduce rates of homelessness for children and their families. This initiative is aimed to assist the Commonwealth's goal of reducing homelessness by fifteen percent for children and their families in urban, suburban, and rural communities across Virginia. Staff members are assisting in organizing a regional discussion in January with the Virginia Coalition to End Homelessness to explore and discuss regional needs.

Hampton Roads Loan Fund Partnership

The staff is continuing to provide downpayment and closing cost assistance to qualified first-time homebuyer in the region through HOME Funding from the Virginia Department of Housing and Community Development (DHCD).

2. Regional Economics Program

Technical Assistance

Economics staff routinely provides technical assistance and support to member jurisdictions and regional organizations. Information from both the HRPDC Data Book and the Commission's Benchmarking Study provides easy access to a great deal of regional information. Staff also provides special reports on topics of timely significance. Over the past month, the staff has responded to information requests from individuals, member localities, regional organizations, and the media.

3. **Emergency Management Project Update**

Regional Emergency Management Technical Advisory Committee (REMTAC)

The Emergency Management staff continues to manage and support the Regional Emergency Management Technical Advisory Committee and its associated tasks and committees. While the REMTAC has not officially convened since September, 2011, staff continues to support ongoing projects and ancillary Committees and Workgroups. REMTAC electronically voted on December 7, 2011, to continue to support the following FY12 projects, if FY12 UASI grant funds are awarded:

The FY12 REMTAC Supported Urban Area Security Investments that moved forward include:

- WebEOC Support & Sustainment
- Special Needs Planning Sustainment
- Regional Exercise

Hampton Roads Tactical Regional Area Network (HRTacRAN)

HRPDC staff continues to work with Virginia Beach to begin HRTacRAN redundant system installation. In review, Virginia Beach (as recipient of the FY08 UASI Communication award) received approval from the Department of Homeland Security (DHS) to modify the FY08 UASI grant to support HRTacRAN. The intent was to utilize a preexisting contract. However, a contract to support this initiative could not be found requiring Virginia Beach to go out for bid. With the addition of the bid process, Virginia Beach requires additional time to expend the funds before the end of the FY08 performance period (currently extended to February 29, 2012). HRPDC staff and Virginia Beach continue to explore several options to utilize allocated FY08 UASI funds.

Since the October update, the HRPDC has formally requested an extension from DHS. The decision is still pending and would constitute an exception on the part of DHS as extension requests are usually not considered until the last 60 days of the performance period (January 1, 2012 for the fiscal year 2008) However, during the October 24, 2011, Urban Area Work Group (UAWG) meeting, the Virginia Department of Emergency Management (VDEM) indicated that work on the fiscal year 2008 project must be completed by February 29, 2012, but Virginia Beach would be allowed an additional 60 days to close out the project administratively. Based on this information, communications representatives from Virginia Beach indicated that it would be possible to release the bid without approval of the extension. Furthermore, a preexisting contract may have been discovered that could be utilized to install the redundant HRTacRan microwave ring.

On January 9, 2012, Virginia Department of Emergency Management advised the HRPDC staff that the time extension has been approved.

FY12 Healthcare Organization Emergency Preparedness Seminars (HOEPS)

The HOEPS committee formally met in December and further focused seminar content. Subsequently, venues have been evaluated and contracts agreed upon. The seminars will occur May 8th at the Point Plaza at City Center in Newport News and May 9th at the Virginia Beach Resort Hotel and Conference Center in Virginia Beach. The Tabletop Exercise is undergoing development with the assistance of Donna Brehm of CRA.

Hazard Mitigation Planning

The HRPDC and Hazard Mitigation Planning Committee plan updates (for the Southside Hampton Roads Hazard Mitigation Plan, the Franklin Hazard Mitigation Plan and the Southampton Hazard Mitigation Plan) are complete and have been adopted or are being scheduled for adoption.

Regional Catastrophic Planning Grant Program (RCPGP) Support

The Emergency Management staff continues to support the Regional Catastrophic Planning Team (RCPT) to ensure existing projects and data are integrated.

Urban Area Security Initiative (UASI)

The Emergency Management staff continues to manage and support the Hampton Roads Urban Areas Security Initiative (UASI) Grant Program for the Urban Area Working Group (UAWG). Currently the focus of the UAWG is ensuring that all FY08 funds are spent within the performance period of the grant, beginning closeout procedures for FY09, and sustainment planning in the event that UASI funds are no longer received. The UAWG has requested a project briefing in February, 2012 for initiatives funded with the fiscal year 2009 UASI grant. Lastly, Hampton Roads has not been awarded fiscal year 2011 funds as they are currently tied to the award of the State Homeland Security Grant Program (SHSGP), which is still going through the application process.

Hampton Roads Medical Special Needs

The Special Needs Subcommittee met in December and discussed the registry and its utilization and how best to survey the localities on it and the use of shelters during Irene. Hampton Roads Transit was engaged by the Subcommittee in a dialogue to better improve transportation and sheltering coordination as a result of Irene.

Hampton Roads Critical Infrastructure Protection Program (HR CIPP)

HRPDC staff is working with the Office of Homeland Security and Veterans Affairs to reengage stakeholders and the HR CIPP working group.

4. HR Green



The regional environmental education committees continue to promote a unified regional message on environmental concerns in Hampton Roads. Of particular note this month is the development of a spring newspaper insert in partnership with both The Virginian-Pilot and the Daily Press. The content will include messages about the value of tap water, containing fats, oil and grease, pollution prevention and reducing, reusing and recycling. Special features about the region's upcoming Great American Clean-Up and Help-to-Others program will provide calls to action for area residents.

Additional work on a special newspaper geared to area sixth grade students has begun, with a fall delivery date for the region's schools.

Recent online information regarding Christmas tree recycling received considerable coverage in area newspapers and news websites.

<http://askhrgreen.org/how-to-recycle-your-naturally-grown-christmas-tree-in-hampton-roads/>



5. Legislative Tracking

Several bills of interest are being tracked in the 2012 General Assembly session. Of note, HB 124—Plastic Bag Tax, HB 92—UDAs, HBs 69 and 70—Energy related matters, SB 77—Nutrient Trading, HJ 3, HB5 and SJ 3—Eminent Domain issues and HJ 2—JLARC study. Anticipated, but not yet filed, legislation regarding DCR program, Integration bill, WQIF bond authority and uranium mining.

6. Air Quality Regulations

On September 2, 2011, President Obama announced that he had requested the U.S. Environmental Protection Agency to withdraw the draft Ozone National Ambient

Air Quality Standards. Subsequently, EPA announced that it would proceed with implementation of the 2008 ozone standard of 75 parts per billion and requested state recommendations on designation of areas as attainment or nonattainment. In November, EPA gave preliminary approval to DEQ's recommendations.

In November 2011, the Virginia Department of Environmental Quality submitted its recommendations on nonattainment areas to EPA for approval. Based on improved air quality conditions, DEQ recommended that the Hampton Roads, Fredericksburg and Richmond areas be designated as attainment areas under the 2008 ozone standard. The Northern Virginia portion of the Washington D.C. Metropolitan Area would continue to be designated as a nonattainment area. In November 2011, EPA advised DEQ that the state's recommendations on attainment/nonattainment status were accepted.

In announcing withdrawal of the draft Ozone National Ambient Air Quality Standard in September, the Obama Administration and EPA indicated that EPA would proceed with further consideration of revisions to the ozone standard in 2013 following completion of the review of the scientific literature by the Clean Air Scientific Advisory Committee later in 2011. This would put the standards review on the normal five-year regulatory schedule. There remains the potential that EPA will propose a further downward revision to the standard again in 2014.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #17: CORRESPONDENCE OF INTEREST

- A. Letter to Mr. Michael Cline, Director, Virginia Department of Emergency Management from Mr. Eugene Gruber, Division Director, FEMA Region III, November 15, 2011.**

Attached is a letter to Mr. Michael Cline, Director, Virginia Department of Emergency Management from Mr. Eugene Gruber, Division Director, FEMA Region III, stating that FEMA has reviewed the Hazard Mitigation Plan for Southside Hampton Roads Planning District Commission. The letter also states that the plan received a satisfactory rating for all required criteria and is approvable.

Attachment 17A

- B. Letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from Alan Krasnoff, Mayor, City of Chesapeake, Virginia, December 13, 2011.**

Attached is a letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from Alan Krasnoff, Mayor, City of Chesapeake, Virginia thanking the Commission for informing the City of Chesapeake that Hampton Roads has been selected as a national kickoff location for the annual Great American Cleanup in April, 2012 and indicating he was happy to serve on the Honorary Board.

Attachment 17B

- C. Letter to Dwight L. Farmer, HRPDC Executive Director from Harry Lester, Co-Chairman; Andrew Fine, Co-Chairman; & Karne Forget, Executive Director of Lynnhaven River Now, December 23, 2011.**

Attached is a letter to Dwight L. Farmer, HRPDC Executive Director from Harry Lester, Co-Chairman; Andrew Fine, Co-Chairman; & Karne Forget, Executive Director all of Lynnhaven River Now stating the organization's 2011 accomplishments.

Attachment 17C

- D. Letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from the Honorable John Miller, Senator 1st District, Senate of Virginia, January 3, 2012.**

Attached is a letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from the Honorable John Miller, Senator 1st District, Senate of Virginia acknowledging the receipt of HRPDC's Legislative Agenda for 2012.

Attachment 17D

E. Letter to Dwight L. Farmer, HRPDC Executive Director from Honorable Rick Morris, Delegate-Elect, 64th District, December 6, 2011

Attached is a letter to Dwight L. Farmer, HRPDC Executive Director from Honorable Rick Morris, Delegate-Elect, 64th District, thanking Mr. Farmer for explaining the valuable work done by both the HRPDC and the HRTPO.

Attachment 17E

F. Letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from the Honorable Thomas Norment, Jr., Senator 3rd District, Senate of Virginia, December 27, 2011.

Attached is a letter to Mr. Stan D. Clark, Chairman, Hampton Roads Planning District Commission from the Honorable Honorable Thomas Norment, Jr., Senator 3rd District, Senate of Virginia acknowledging the receipt of HRPDC's Legislative Agenda for 2012.

Attachment 17F

G. Letter to Dwight L. Farmer, HRPDC Executive Director from Mr. John Broderick, President, Old Dominion University, December 8, 2011.

Attached is a letter to Dwight L. Farmer, HRPDC Executive Director from Mr. John Broderick, President, Old Dominion University (ODU), discussing ODU's Climate Change and Sea Level Rise Initiative.

Attachment 17G

H. Letter to Secretary of Natural Resources Douglas W. Domenech, from L. Preston Bryant, McGuire Woods Consulting. December 28, 2011.

Attached is a letter to Secretary of Natural Resources, Douglas W. Domenech from L. Preston Bryant on behalf of the HRPDC, providing the region's views on potential nutrient credit exchange legislation.

Attachment 17H

I. Letter from Brenda G. Garton, Gloucester County Administrator to Dwight L. Farmer, January 5, 2012.

Attached is a letter from Brenda G. Garton to Dwight L. Farmer advising that Gloucester Board of Supervisors appointed Mr. Ashley C. Chriscoe to the Hampton Roads Planning District Commission.

Attachment 171



FEMA

Mr. Michael M. Cline
Director
Virginia Department of Emergency Management
10501 Trade Court
Richmond, Virginia 23236-3713

NOV 15 2011

Dear Mr. Cline:

The Federal Emergency Management Agency (FEMA) has completed our review of the Southside Hampton Roads Planning District Commission, Virginia, Hazards Mitigation Plan, based on the standards contained in 44 CFR, Part 201, as authorized by the Disaster Mitigation Act of 2000 (DMA2K). These criteria address the planning process, hazard identification and risk assessment, mitigation strategy and plan maintenance requirements.

The plan received a "satisfactory" rating for all required criteria and is approvable. However prior to formal approval, each participating jurisdiction in the Planning District Commission is required to provide FEMA an adoption resolution.

We commend you for your dedication demonstrated in supporting the DMA2K and the Planning District Commission's commitment to reduce future disaster losses.

If you have questions, please contact Tess Grubb at (215) 931-5528.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene K. Gruber".

Eugene K. Gruber
Division Director

cc: Matthew Wall, Virginia State Hazard Mitigation Officer
Dwight Farmer, Executive Director, Southside Hampton Roads Planning District
Commission

RECEIVED

DEC 14 2011

HRPC



CITY OF CHESAPEAKE

OFFICE OF THE MAYOR
306 CEDAR ROAD
CHESAPEAKE, VA 23322

December 13, 2011

PHONE 1-757-382-6153
FAX 1-757-382-6678
PHONE MAIL 1-757-382-6974

Mr. Stan D. Clark, Chairman
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320

Dear Mr. Clark: *Stan*

Thank you for your letter of December 5, 2011 bringing to my attention that Hampton Roads has been selected as a national kickoff location for the annual Great American Cleanup in April, 2012. The City of Chesapeake has sponsored and participated in our own Great American Cleanup for well over twenty years, and the pride in our communities in keeping our City clean and beautiful is deep and strong.

I am honored to be considered and only too happy to accept your invitation to serve on the Honorary Board, and you can be certain that Chesapeake will take an active part in the Great American Cleanup. I look forward to the April 27-28, 2012 event and the active involvement and participation of the entire Hampton Roads region.

Again, thank you for sharing this exciting news with me. Please do not hesitate to call on me as the event draws near. I can be reached by telephone at 382-6153 or e-mail at akrasnoff@cityofchesapeake.net.

Sincerely,

Alan P. Krasnoff
Mayor

APK/rjc

xc: Mr. Bobby Glenn, Chairman, CEIC
Ms. Gladys Jones, Special Programs,
Parks and Recreation Department

RECEIVED

DEC 16 2011

HRPDC

Attachment 17B

December 23, 2011



Mr. Dwight Farmer
723 Woodlake Dr
Chesapeake, VA 23320-8909

Dear Mr. Dwight Farmer,

2011 has been another exciting year for Lynnhaven River NOW. Our book, *Lynnhaven River, Restoring a Legend*, was released in the spring and this fall we launched our new Pearl Home program. In addition, we added a new staff position, Restoration Project Coordinator, which will greatly increase our capacity to take on larger restoration projects and work directly with residents on shoreline management issues. Once again, the support and involvement of our community is the reason for the success of these projects.

One of our tasks at the end of each year is to gather the data needed to complete our annual State of the River report. As we compare where we are now with our first report from 2005, we are encouraged by the progress we have made. Let us share a few things with you. I think you will be impressed also.

- In 2005, 1% of the river met the water quality requirements for safe shellfish consumption; today over 40% of the river meets this rigorous water quality standard.
- In 2005, we had 5.5 acres of constructed oyster habitat, sanctuary reef. Today we have 58 acres of sanctuary oyster habitat.
- In 2005, the commercial oyster industry in the Lynnhaven was gone. Today we have a strong and growing commercial oyster industry.
- In 2005, Lynnhaven River NOW had 1,650 members and did sixteen programs. Today we have over 5,000 members and we did 133 programs in 2011.

This success is unparalleled and has happened because of you! The full State of the River report will be mailed to you in January, 2012, and you will be able to see for yourselves the great progress we are making in restoring and protecting the Lynnhaven River.

Even with this progress, our work will never be complete. During the next year, we are planning

- To construct, with our partners, twenty more acres of sanctuary oyster habitat.
- To work with property owners along the Lynnhaven to construct several model 'living shoreline' projects.
- For every school in Virginia Beach to be a Pearl School.
- To work with the City of Virginia Beach to meet the requirements of the Chesapeake Bay watershed implementation plan.
- To grow our Pearl Home program to 500 homes in Virginia Beach.

The Lynnhaven has long been legendary for its world famous oysters, its rich history, its scenic value and its environmental heritage. It is our hope that the Lynnhaven River NOW organization with your help will make the Lynnhaven River equally as legendary as an example to other watersheds around the Chesapeake for our community involvement in restoring water quality and fostering environmental stewardship and pride in our natural heritage.

As we enter our 10th year, we look back with pride on our accomplishments and look forward with excitement. With your continuing support, we will accomplish all of our goals.

Happy Holidays,

Harry Lester
Co-Chairman

Andrew Fine
Co-Chairman

Karen Forget
Executive Director

RECEIVED

DEC 22 2011

HRPDC



SENATE OF VIRGINIA

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



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

January 3, 2012

Stan Clark
Chairman
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Stan:

Thank you for sending me your Legislative Agenda for 2012. Knowing your priorities will help me as the General Assembly debates issues that are important to you.

You have addressed many critical issues important to the citizens of Hampton Roads. I look forward to working with you and your members in the days ahead. Please continue to keep in touch.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Miller', written over a large, stylized loop.

Senator John Miller
1st District

RECEIVED

JAN 04 2012

HRPDC

Attachment 17D

RICK MORRIS

Delegate-Elect

64th District

December 6, 2011

Dwight Farmer
723 Woodlake Drive
Chesapeake, Virginia 23320

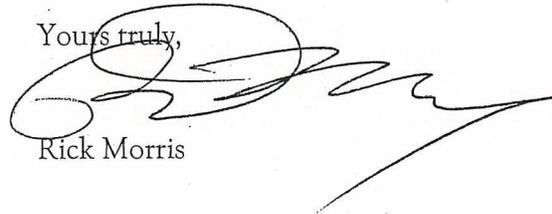
Dear Mr. Farmer,

Thank you for meeting with me yesterday. I appreciate you taking time out of your busy schedule to meet and explain the valuable work being done by both the HRTPO and the HRPDC. I found the information shared very insightful, and I look forward to working with you in the future.

Please do not hesitate to contact me if I may be of any service to you.

With kind personal regards, I am

Yours truly,



Rick Morris

RECEIVED

DEC 09 2011

HRPDC

Rick Morris
Delegate-Elect
(757) 733-1645
rickmorris@morrisfordelegate.com

P.O. Box 128
Carrollton, VA 23314

Sarah McCoy, Esq.
Legislative Aide
(757) 331-0628
sarahmccoy@morrisfordelegate.com

SENATE OF VIRGINIA

THOMAS K. NORMENT, JR.
3RD SENATORIAL DISTRICT
ALL OF GLOUCESTER, JAMES CITY, AND NEW KENT
COUNTIES; ALL OF THE CITY OF WILLIAMSBURG;
PART OF YORK COUNTY; AND PART OF THE
CITY OF NEWPORT NEWS
POST OFFICE BOX 6205
WILLIAMSBURG, VIRGINIA 23188
(804) 698-7503 RICHMOND
(757) 259-7810 WILLIAMSBURG
(800) 698-2027 TOLL FREE



COMMITTEE ASSIGNMENTS
COMMERCE AND LABOR
COURTS OF JUSTICE
FINANCE
RULES

December 27, 2011

The Honorable Stan Clark
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

Dear Stan,

Thank you for providing me with a copy of the Hampton Roads Planning District Commission's 2012 Legislative Agenda. I appreciate your taking the time to share with me the priorities of the localities within our region, and I am grateful for your service and leadership. The upcoming General Assembly session will present many challenges, both fiscal and otherwise, and I look forward to working with the members of the planning district commission to accomplish our mutual goals.

As always, if I may be of any assistance to you, please do not hesitate to contact me. I wish you and your family a happy new year and hope that you are enjoying a wonderful holiday season. With kindest regards, I remain

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas K. Norment, Jr.", written over a horizontal line.

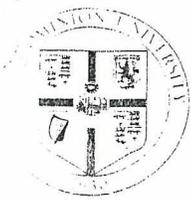
Thomas K. Norment, Jr.

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DEC 28 2011

HRPDC

Attachment 17F



OLD DOMINION UNIVERSITY

Office of the President

Koch Hall
Norfolk, Virginia 23529
Telephone: (757) 683-3159
FAX: (757) 683-5679

December 8, 2011

Mr. Dwight Farmer
Executive director
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, VA 23320

Dear Mr. Farmer,

Dwight

A year ago, Old Dominion University launched the Climate Change and Sea Level Rise Initiative to engage the university's experts and the region's leaders in a broad study of how global warming could affect our economy, housing, ports and infrastructure.

Under the direction of Larry Atkinson, Slover Professor of Oceanography, we have seen this initiative branch out in multiple directions, taking advantage of research and scholarship in all six ODU colleges. I can report that the foundation is now in place for a program of research, education and leadership to address the challenges a coastal metropolis such as ours can expect from sea level rise and other climate-related change.

As Dr. Atkinson has told me, measurements from Sewells Point on the lower Chesapeake Bay since 1927 show that the sea level has been rising about 1.7 inches per decade, and climate scientists say it is likely the rate will increase in the decades to come. Seas are rising because the water is warming (and expanding), land ice is melting and, locally, we are sinking. Prevailing scientific evidence today projects the sea level to go up by a least 2 feet by century's end, and possibly by 5 feet or more. Government and insurance company studies have identified Hampton Roads as a region among the top 30 in the world most vulnerable to property and infrastructure losses from sea level rise.

Even if the sea level rise here is no more than 2 feet by 2100, we must begin now to plan for a steady rise of waters and worsening flooding.

Our initiative has identified 60 faculty members at ODU with expertise that can be put to use in formulating this response. Many of these come from fields such as oceanography, marine science, environmental health, botany and coastal engineering in which ODU has a rich history of fundamental research related to climate change. Over the past year we have sought to expand that research to other fields, and to establish ODU as a leader in coastal urban adaptation to sea level rise and climate change.

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HRPDC

We already have taken concrete steps to promote multidisciplinary research in support of the initiative, none more important than the \$165,000 in project startup grants that the Office of Research awarded earlier this year. I'd like to extend a special thank you to longtime ODU supporters Doug and Patricia Perry, whose gift established the Perry Fund for the Study of Critical Issues and provided the funding for these startup grants.

Furthermore, ODU's six colleges are backing the initiative with special seminars, curriculum revisions and faculty-hiring decisions.

Here are the highlights of the initiative's first year:

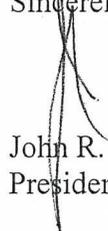
- A study is under way designed to generate a social marketing model that will help inform the public about climate science and engage a broad segment of the population in environmental-resiliency policymaking. This project team includes faculty members Maura Hametz in history, Poornima Madhavan in psychology, Leona Tam in marketing and Cynthia Tomovic in STEM education.
- A team of researchers at ODU's Virginia Modeling, Analysis and Simulation Center (VMASC) is developing a rolling simulation of how sea level rise in the future will affect 17 different interconnected sectors – from transportation, to agriculture, to population, to access to health facilities. The simulation, which accesses existing data on things such as sea rise forecasts and population migration, can act as a decision-making tool for local leaders, one that incorporates interconnected data generated by the interaction between the facets of the simulation. Team members are Saikou Diallo, Jose Padilla and Peter Foytik.
- Science Alliance Live, an outreach effort aimed at children, has been launched by a project team from communication and theatre arts, oceanography and education. In November, the debut event of the alliance featured two short stage plays and Web-based games designed to educate youngsters about climate science. This effort is led by Jenifer Alonzo in theatre arts and Victoria Hill in oceanography, and also includes Fred Dobbs in oceanography, Amy Adcock and Ginger Watson in STEM education, and Steven Pullen in theatre arts.
- A project headed by modeling and simulation experts from VMASC, ODU political scientists and an analyst from a private environmental communications company is looking at how governments should prioritize cleanups of contaminated coastal land sites before rising waters can spread the pollution. A primary goal is to make sure these decisions are made based on health risk, and not on political clout. Team members include Rafael Diaz and Joshua Behr from VMASC, and Hua Liu and visiting instructor Michael Finewood in political science and geography.
- A project in the planning stages involving a wetlands ecologist and a disease vectors researcher from biological sciences at ODU proposes to study changes in vegetation in Hampton Roads that global warming may bring and the related shifts this may cause in the insect population. Changes in wetland grasses, for example, could help a new species of ticks become established in the region. Frank Day and Holly Gaff from biological sciences are doing this research.
- A workshop hosted by ODU's Frank Batten College of Engineering and Technology brought together 30 engineers from area localities, companies and institutions to discuss the kind of research that should be done to help Hampton Roads protect its infrastructure

and property from rising seas. More similar technical workshops are planned, the next one being on storm water management. Engineering doctoral student David Pezza was the leader of the initial workshop.

- Initial activities related to the Climate Change and Sea Level Rise Initiative put ODU psychology faculty member Poornima Madhavan on the radar of the Chesapeake Bay Program's Science and Technology Advisory Committee (STAC). Her work on how people make difficult choices – such as whether to make sacrifices now in order to mitigate future environmental damages – won her the first-ever seat on STAC for a psychologist.
- A public forum planned for the spring will bring Lindene Patton, an executive with Zurich Financial Services, to ODU to discuss how the insurance industry assesses risk and creates new products in reaction to sea level rise and climate change.

I think you will agree that our initiative is off to an impressive start. You can be assured that as the initiative begins its second year, climate change/sea level rise remains a high-priority issue for me.

Sincerely,



John R. Broderick
President

McGuireWoods Consulting LLC

One James Center
901 East Cary Street
Richmond, VA 23219-4030
Phone: 804.775.1900
Fax: 804.775.1061
www.mwcllc.com

L. Preston Bryant, Jr.
Direct: 804.775.1923

McGUIREWOODS
CONSULTING
Public Affairs Solutions

pbyrant@mwcllc.com
Direct Fax: 804.698.2235

December 28, 2011

The Honorable Douglas W. Domenech
Secretary of Natural Resources
Office of the Governor
Patrick Henry Building, Fourth Floor
1111 East Broad Street
Richmond, Virginia 23219

Dear Secretary Domenech:

I have the pleasure of representing the Hampton Roads Planning District Commission on certain stormwater matters. One matter of particular interest to the HRPDC is the proposed framework for expansion of the nutrient credit exchange program, which has been developed by the Nutrient Credit Study Committee pursuant to SJR-334 (2011) and which I believe you are now considering.

The Hampton Roads Planning District Commission (HRPDC), as you know, is a regional organization comprised of 16 local governments who collectively represent 1.6 million people in southeastern Virginia. The HRPDC staff carries out planning, research, and analysis on many infrastructure-related fronts critical to this high-growth region, including transportation, water, wastewater, and stormwater.

Stormwater matters are of growing interest to the HRPDC and the local governments it represents. Local governments must meet MS4 permit requirements – requirements that are central to the Commonwealth's ability to successfully meet the Chesapeake Bay Total Maximum Daily Load (TMDL) allocations and milestones are recognized in the Watershed Improvement Plan (WIP) as important components of the Commonwealth's Bay clean-up strategy.

We believe the Nutrient Credit Study Committee did good work, and HRPDC wants to continue working with you and others to shape any legislation and regulations that may be on the horizon.

The HRPDC and its member localities are eager for innovative, flexible opportunities to meet stormwater management goals, and they very much want to work with you, the Department of Conservation and Recreation, and the Department of Environmental Quality to refine and promote an expanded nutrient credit exchange program. Indeed, HRPDC would like to encourage its 16 Hampton Roads localities to lend full support to a proposal to expand a market-based exchange program that helps both them and the Commonwealth meet the WIP's stormwater elements.

Toward that end, HRPDC offers up the following three items that we hope will be a part of any nutrient credit exchange program legislation to be considered by the 2012 General Assembly:

1. The framework should allow, but not require, MS4 permit holders to trade with all sectors and also allow credits to be part of MS4 compliance strategies. First, we believe that allowing localities to trade broadly will help develop and underpin the market, which will benefit everyone. We also believe that allowing credits to be part of MS4 compliance strategies gives even greater purpose to an expanded trading program and thus deepens the market. We believe that based on the U.S. EPA's acknowledged success of Virginia's existing trading program, federal regulators should approve allowing credits to be part of MS4 compliance strategies.
2. Localities should have the authority to establish local nutrient credit programs as well as banks to allow them to set priorities to improve and protect local water quality. The Commonwealth's nutrient credit exchange program has been successful. In fact, members of Congress have noted Virginia's success and, as you know, have proposed in the past establishing an interstate, Bay watershed-wide nutrient credit exchange program. If a trading program works at the state level and is thought to be worthy to pursue across six states, then we believe it is worthy to consider at the local level, too.

Additionally, localities should be consulted whenever banks are proposed within their jurisdictional boundaries. This will allow a local government early awareness and may allow them to possibly collaborate with a bank's owner as well as properly account for nutrient reductions associated with it.

3. Localities should be notified of credits generated and certified on private property, ideally allowing a locality to purchase the credits before they are offered to other entities in the exchange. Given that localities will be on the front lines in meeting additional stormwater management goals (so that they can be maximally responsive to the state's WIP), we believe that providing them with an opportunity to purchase credits will be of great assistance as they weigh costs to various compliance options.

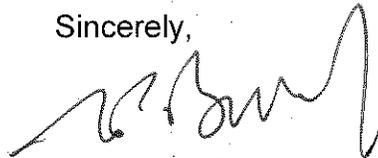
Additionally, there are details about an expanded nutrient credit exchange program that we would like to discuss that could be considered as part of legislation or later in the regulatory process. For example:

1. Adequately fund the program. An expanded nutrient credit exchange program can be successful only if nutrients are effectively tracked. Thus, we believe an expanded program must be adequately staffed and funded.
2. Define the watershed scale where credit trading may occur and allow localities to restrict trades to a smaller scale to meet local water quality goals. As you know, the TMDL and WIP place considerable emphasis on improving local water quality. When push comes to shove, improving local water quality is inherently a local government matter. We believe it is in the Commonwealth's overall water quality interests to enlist localities and allow them to work in a way that achieves everyone's ends.
3. Program should, at a minimum, track phosphorus and sediment reductions associated with nitrogen credits and eventually allow phosphorus and sediment credit trading. We believe good tracking now of phosphorus and sediment reductions stemming from nitrogen credits may allow the exchange program to grow to include phosphorus and sediment trading.
4. Localities should be allowed to create and sell credits even if the total TMDL target reductions for the MS4 have not been met. For example, localities might increase street sweeping, sell the credits, and use the payments for credits to build regional BMPs. As MS4 permits are to be dynamic and iterative from one five-year permit cycle to the next, we believe it would be prudent to include creative ways to capitalize upon progress as such progress is being realized so that additional work and benefits can be sparked.
5. Program should allow trades from different sectors at a 1:1 ratio. When the original nutrient credit exchange program was put in place, a 2:1 ratio was instituted to address scientific unknowns at the time. Today, we have better evidence on BMP efficiencies. Simply put, a 2:1 ratio is not needed – and, in fact, we believe it has been detrimental to the market development. The current 2:1 ratio is so high that agriculture-to-treatment plant trades just are not happening.
6. State agency should be required to review credit certification application within 60 days. Efficiency in the credit trading system is important to its market development. It is our hope that a stipulation will be included that requires the state agency designated to review credit certification applications do so in a reasonably quick period of time.

Again, HRPDC would like to lend its on-the-ground expertise to you and your team so that the nutrient credit exchange program is expanded in a way that allows those arguably most responsible for carrying out stormwater management programs – local governments – can do so most effectively and in ways that allow the Commonwealth to best meet the TMDL allocations and milestones that make up the WIP.

We would be pleased to meet with you and your agency leaders to discuss our suggestions.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Preston Bryant, Jr.", written in a cursive style.

L. Preston Bryant, Jr.

cc: David Johnson, director, Department of Conservation and Recreation
David Paylor, director, Department of Environmental Quality
Russ Baxter, Nutrient Credit Study Committee, Department of Environmental
Quality



**Gloucester County
Administrator's Office**

Telephone 804-693-4042

P. O. Box 329, Gloucester, Virginia 23061

Fax 804-693-6004

January 5, 2012

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

Dear Mr. Farmer:

The Gloucester County Board of Supervisors has reorganized for the 2012 year. As a part of this reorganization, the Board's representation on the Hampton Roads Planning District Commission has changed. Mr. Chriscoe will represent the County on the Commission. His contact information is:

Ashley C. Chriscoe
(H) 804-693-0471
P. O. Box 1691
Gloucester, VA 23061
Email achriscoe@gloucesterva.info

If further information is needed, please let me know.

Respectfully yours,

Brenda G. Garton
County Administrator

BGG:djb
Enclosure: Resolution

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HRPDC

Attachment 171

AT THE ORGANIZATIONAL MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS, HELD ON TUESDAY, JANUARY 3, 2012, AT 7:00 P.M., IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET, GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY MS. THEBERGE AND SECONDED BY MR. NORTHSTEIN, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

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

HAMPTON ROADS PLANNING DISTRICT COMMISSION

WHEREAS, it has been brought to the attention of the Gloucester County Board of Supervisors that a member is needed to represent the Board on the Hampton Roads Planning District Commission; and

WHEREAS, the Gloucester County Board of Supervisors has organized its membership for the 2012 year; and

WHEREAS, the Gloucester County Board of Supervisors has considered this appointment and now wishes to act.

NOW, THEREFORE, BE IT RESOLVED by the Gloucester County Board of Supervisors that Ashley C. Chriscoe is hereby appointed for the year 2012 to the Hampton Roads Planning District Commission.

A Copy Teste:


Brenda G. Garton, County Administrator

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #18: FOR YOUR INFORMATION

HRPDC Retreat

The Hampton Roads Planning District Commission will be held on February 16, 2012 from 11:30 a.m. to 1:30 p.m. It will include a working lunch.

AGENDA NOTE – HRPDC QUARTERLY COMMISSION MEETING

ITEM #19: OLD/NEW BUSINESS