

**Scope of Service
 Virginia Chesapeake Bay Phase III
 Watershed Implementation Planning Assistance**

A. CONTACT INFORMATION

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City, State, Zip:	Chesapeake, VA 23320	Checks Payable To:	
Project Title:	Hampton Roads PDC Phase III WIP Planning Assistance		
Localities represented:	Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Poquoson, Suffolk, Virginia Beach, Williamsburg, and Gloucester, Isle of Wight, James City, Surry, and York Counties, and the Town of Smithfield		
Other local partners:	Hampton Roads Sanitation District, VA Department of Transportation, DoD, VA Dept. of Health, USGS, Chesapeake Bay Foundation, The Elizabeth River Project, Lynnhaven River Now, James River Association		

Contract Period:	Start:	July 2, 2018	Interim Report Due:	September 15, 2018	End:	December 14, 2018
DEQ Project Manager:	_____		CBRAP Federal Funds:	Up to \$50,000		
Project Manager Email:	_____@deq.virginia.gov		Match Funds:	Not required		

B. PROJECT OVERVIEW

Note: References to “Grant”/“grant”/ “grant funds” within section “B” are defined as pertaining strictly to the the federal grant awarded to DEQ; the contract awarded by DEQ to the PDC is not a grant contract.

The intent of this funding opportunity is to gather information, identify gaps, and offer solutions for voluntary reductions in total nitrogen and phosphorus on unregulated urban, forest, and septic lands. DEQ will not assign local area planning goals or numeric targets to areas and facilities covered by an MS4 permit.

In support of the Chesapeake Bay Phase III Watershed Implementation Planning (WIP) efforts, the Virginia Department of Environmental Quality, in cooperation with the Chesapeake Bay Program Partnership and other state and federal partners, has made grant funds available as authorized in the federally-funded 2017 Commonwealth of Virginia Chesapeake Bay Regulatory and Accountability Program (CBRAP) Work Plan approved by EPA. Virginia’s Planning District Commissions (PDCs), as authorized in the Code of Virginia (§15.2-4207), encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance, specifically in the functional area of environmental management. The Virginia PDCs are

accustomed to undertaking technical assistance grant projects and regularly providing coordination with local government representatives. Their work typically focuses on data and information exchanges between local, state and federal partners and analyses of resource management issues resulting in an informational end product such as reports, maps, data inputs and outreach tools. PDCs also have specifically provided process facilitation, data scenario and strategy development in Virginia's previous processes of Chesapeake Bay WIP development.

The intent of this project initiative is for the Hampton Roads Planning District Commission ("the PDC") to convene locality and regional officials, staff and stakeholders within the Chesapeake Bay watershed, to provide input and recommendations for meeting unregulated urban, forest, and septic Local Area Planning Goals (LAPGs) in accordance with the DEQ-provided "Outline for Local Area Planning Goal Initiative". The PDC may choose to collaborate or partner with adjacent PDCs in this planning effort, but template BMP input decks will be required for each PDC. DEQ will issue payment to the PDC upon completion of deliverables as categorized by each of the three Activities in Section C below.

Local area planning goals are defined as pounds of nitrogen and phosphorous to be reduced in the unregulated urban, forest, and septic sectors. DEQ will develop unregulated urban, forest and septic local area planning goals and associated template BMP input decks that meet those goals at the Planning District Commission (PDC) boundaries. These planning goals will incorporate tree canopy and any forestlands not included with SWCD boundaries. Agricultural and forest LAPGs and input decks will be provided to Soil and Water Conservation District Areas for a parallel planning effort. The template BMP input decks contain mixes of nonpoint source pollution controls that meet the local area planning goals. Template BMP input decks will be based on input decks developed during the WIP II process to initiate discussions. The template BMP input decks will be adjusted by DEQ to reflect implementation that has already exceeded WIP II goals. Template BMP input decks can be provided as a shared Chesapeake Assessment Scenario Training (CAST) scenario or as a preformatted Excel spreadsheet and are the primary tools to determine if local area planning goals are met.

DEQ will provide the PDC with the unregulated urban, forest, and septic LAPGs, the template BMP input decks and a Recommendation Template to use across the PDC area during the planning process. DEQ will provide the PDC with the unregulated urban, forest, and septic loads already reduced by sector and BMPs implemented for those reductions. DEQ will also provide training on the Chesapeake Assessment Scenario Training (CAST) modeling tool and other input deck formats for PDC staff along with localities and other stakeholders to help inform the scenario development format and submission process. Supporting materials will provide examples of implementation strategies that local and regional partners may use to develop their implementation recommendations. DEQ will also provide tools such as:

- a. the Chesapeake Bay Program's data analysis and mapping tools,

- b. mapping of locally impaired streams and local TMDLs,
- c. information on the co-benefits of WIP implementation,
- d. costs of implementation,
- e. information about the Chesapeake Bay-model nitrogen and phosphorous reductions through 2017
- f. information about BMP implementation within the PDC
- g. basic communications documents to explain the Phase III WIP and Bay TMDL

As DEQ will not assign LAPGs to areas and facilities covered by a permit, this contract will not fund planning or implementation of regulatory permit requirements. Reductions achieved through State permitting requirements (e.g., waste load allocations,) will be included as separate strategies in the Phase III WIP and DEQ will be responsible for ensuring that such reductions are achieved.

Eligible activities included in this project reflect priorities of Virginia and the Chesapeake Bay Program partnership. DEQ will incorporate the BMPs selected by local and regional partners into the statewide input deck that DEQ will build as part of the Phase III WIP development process. DEQ will also incorporate submitted BMP implementation strategies into the Phase III WIP. DEQ will append all PDC reports to the draft and final Phase III WIP.

C. PROJECT METHODOLOGY AND DELIVERABLES

(A corresponding timeline will become contract Attachment C, Milestone Table)

Payment will be provided by DEQ upon satisfactory completion, in accordance with the “Project Budget Summary and Payment Process” below. Evaluation of satisfactory completion will be based on progress detailed in an Interim Project Report, a Final Project Report and the project deliverables for each activity.

Activity 1: Facilitation with localities and other partners

This activity will involve the PDC convening local and regional officials, staff and stakeholders to review the LAPGs developed for the PDC area and unregulated urban, forest, and septic sectors’ template BMP “input decks” provided by DEQ. Working with their local partners, the PDC will identify any changes that would improve the template input decks based on local conditions and knowledge. The PDC will also work with the local and regional representatives to identify gaps in state and federal funding, opportunities for local strategies or actions, revisions to state code, regulation or guidance, and policy or programmatic recommendations that would incentivize or accelerate voluntary reductions in nitrogen and phosphorus in the unregulated urban, forest, and septic sectors for meeting local area planning goals. In conducting these meetings, the PDC will also invite representatives from local health departments and state agencies such as the Departments of Forestry, Conservation and Recreation, Transportation, Agriculture & Consumer Services and local non-governmental organizations (NGOs) to participate in the discussions. These

entities can offer input on BMPs and strategies for the unregulated urban, septic and forestry sectors.

Deliverables

- a) Letter of commitment to participate from the HRPDC Commissioners on behalf of the participating localities listed in Section A. This letter would state that the HRPDC took action(s) to engage all partners, and will provide proof (i.e. sign-in sheets, locality data, etc.) that demonstrate that a variety of the identified stakeholders participated in the process and the activities listed in this Scope of Services. Participation does not represent a commitment to implement Best Management Practices, programmatic actions, or strategies resulting from the PDC meetings. HRPDC must provide this letter with an Interim Project Report by 9/15/18.
- b) Meet with DEQ staff to review template documents and other available tools.
- c) Augment DEQ data and tools with any additional local information.
- d) Plan and conduct at least three meetings with localities, state agency staff and local NGOs to 1) identify any changes that would improve the template BMP input decks based on local conditions and knowledge, and 2) identify gaps in state and federal funding, opportunities for local strategies or actions, revisions to state code, regulation or guidance, and policy or programmatic recommendations that would incentivize or accelerate voluntary reductions in nitrogen and phosphorus in the unregulated urban, forest, and septic sectors for meeting local area planning goals. Discussions should also consider estimated implementation and maintenance costs and locally-identified co-benefits.
- e) Plan and conduct at least one joint meeting with Soil and Water Conservation District representatives, locality government staff and local NGOs to discuss outcomes of the two parallel evaluation efforts, compare recommendations and needs, share information and tools, and identify any gaps and opportunities for collaboration.
- f) For all meetings, ensure sufficient notification, including coordination with DEQ at least 14 days in advance of each meeting for posting meeting announcements to the Virginia Regulatory Town Hall.
- g) For all meetings, the PDC will provide time on the agenda for public comment.
- h) Provide an Interim and a Final Report on Activity progress.

Activity 2: Revision of BMP Input Decks

The PDC, with the input from its local partners, will develop revisions to the BMP input deck, as necessary, based on local knowledge and local needs. The PDC should make sure that revised input decks still meet local area planning goals. Implementation challenges should be addressed in the Recommendations deliverable (Activity 3). Revised input decks should be provided to DEQ by using the Bay Program's Chesapeake Assessment Scenario

Tool (CAST) or other DEQ-provided formats. Additional information on CAST can be found at: <https://cast.chesapeakebay.net/> DEQ will provide a combined BMP input deck including the selected mixes of BMPs from both the agricultural and non-agricultural source sectors that result for the PDC and SWCD parallel LAPG initiatives and that collectively meet the local area planning goals.

Deliverables

- a) Use of tools provided by DEQ including the CAST tool, other DEQ-provided input deck formats and supporting materials.
- b) An updated template BMP input deck that reflects the selected mix of structural and/or programmatic BMPs that meet the non-agricultural Local Area Planning Goal for the PDC.
- c) A review and update (as necessary) of the combined agricultural and non-agricultural BMP input deck provided by DEQ.
- d) A description of local co-benefits achieved through the BMP input deck such as improving local water quality, advancing economic development opportunities, enhancing outdoor recreation, climate resiliency, flood control.
- e) The PDC will encourage necessary locality updates of BMP information in the BMP Warehouse, such as uploading most recent BMP inspections. The DEQ BMP Warehouse can be accessed at: <https://apps.deq.virginia.gov/BMP/Home/>
- f) Provide an Interim and a Final Report on Activity progress.

Activity 3: Identifying Programmatic Actions for Phase III WIP Implementation

The PDC will compile the identified gaps in state and federal funding, opportunities for local strategies or actions, revisions to state code, regulation or guidance, and policy or programmatic recommendations that would incentivize or accelerate voluntary reductions in nitrogen and phosphorus in the unregulated urban, forest, and septic sectors for meeting local area planning goals. . The PDC will compile descriptions of local co-benefits achieved through programmatic actions such as improving local water quality, enhancing outdoor recreation, advancing economic development opportunities, climate resiliency, and flood control.

The PDC will inform the facilitation process on this topic by collecting appropriate information from their local partners, DEQ, the Chesapeake Bay Program Office, NGOs and other available sources, facilitating the programmatic action development process, finalizing programmatic language and providing the required information in the format provided by DEQ.

Deliverables

- a) Table, narrative and supporting information identifying the following needs and recommended actions to meet the unregulated urban, forest, and septic local area planning goals:
 - i. State and federal gaps in capacity and funding needs,

- ii. revisions to statutory and regulatory authorities,
 - iii. opportunities for local programmatic strategies or actions,
 - iv. necessary policy and programmatic recommendations that would incentivize or accelerate voluntary reductions in nitrogen and phosphorus for meeting local area planning goals, and
 - v. any other constraints not already addressed in i) through iv).
- b) Provide an Interim and a Final Report on Activity progress.

D. PROJECT BUDGET SUMMARY AND PAYMENT PROCESS

A total not-to-exceed price of \$50,000 will be provided for satisfactory completion of all the deliverables in each Activity group as specified below. DEQ will issue payment to the PDC upon completion of deliverables as categorized by each of the three Activities in Section C above.

DEQ will provide reporting forms to the PDC when the contract is finalized as attachments to the contract. For the Interim and Final Project Reports, the PDC shall submit supporting documentation of the invoiced amount to include a narrative summary (contract Attachment A), an invoice (contract Attachment B) and an updated Milestone Table (contract Attachment C) documenting and describing satisfactory completion of deliverables. The Interim Project Report invoice may be submitted by the PDC upon completion of all the deliverables for the Activity, or upon completion of some of the Activity's deliverables, as a percentage of the total fixed (not-to-exceed) contract price. In the event the PDC submits an invoice for some of the Activity's deliverables, DEQ, in its sole discretion will determine if the invoiced amount represents an appropriate value for those deliverables.

The Interim Project Report will be due September 15, 2018. Updates on Activities will still be required, whether an invoice accompanies the report or not. The Final Project Report will be due no later than December 15, 2018 and must include all of the completed deliverables, data and information submissions to DEQ, along with a final invoice for payment. DEQ may revise the contract by extending the project end date pending changes in the overall Chesapeake Bay Program time line for the Phase III WIP.

Satisfactory completion will be determined by DEQ.