

HRSD Commission Meeting Agenda
9:00 a.m. – August 22, 2023

In-person for Commissioners and essential staff at
1434 Air Rail Avenue, Virginia Beach, VA 23455

Reservations are required for both in-person and virtual public participation and observation of all HRSD Commission and Committee meetings. Reservations to observe a meeting, address the Commission, or submit written comments to be read into the minutes are accepted via the following link https://www.hrzd.com/contact/commission_meeting and must be completed by noon one business day prior to the meeting.

<u>No.</u>	<u>Topic</u>	<u>Resource</u>
	Call to Order	Rodriguez
1.	Awards and Recognition	Bernas
2.	Public Comments Not Related to the Agenda	Cascio
3.	Consent Agenda	Bernas
4.	Boat Harbor Transmission Force Main Land Acquisition Public Hearing on Determination of Public Need for Acquisitions and Resolution	Husselbee
5.	Nutrient Compliance Plan Update	Mitchell
6.	Virginia Resources Authority (VRA) Debt to Subordinate Lien Migration	de Mik
7.	Bank of America Line of Credit (LOC) Limit Increase	de Mik
8.	Bethel-Poquoson Force Main Phase II (Wythe Creek Road) Replacement Additional Appropriation	Husselbee
9.	Capital Improvement Program Internal Labor FY-2024 Initial Appropriation	de Mik
10.	James River Treatment Plant Automation Improvements Phase I Additional Appropriation, Contract Award and Task Order	Husselbee
11.	James River Treatment Plant Outfall Modifications Initial Appropriation	Husselbee
12.	Middle Peninsula Wastewater Master Plan Initial Appropriation and Task Order	Husselbee
13.	Town of Dendron Discharge Force Main Replacement Initial Appropriation	Husselbee

<u>No.</u>	<u>Topic</u>	<u>Resource</u>
14.	<u>Virginia Initiative Plant Motor Control Center Replacements Additional Appropriation, Contract Award, and Task Order</u>	Husselbee
15.	<u>Jefferson Avenue Interceptor Force Main Replacement Phase III Easement Acquisition 900 Bland Boulevard, Newport News, VA 23602</u>	Husselbee
16.	<u>Water Technology and Research Annual Update</u>	Bott
17.	<u>Commission Governance Guidelines Revisions</u>	Bernas
18.	<u>Procurement Policy Revisions</u>	Bernas
19.	<u>Ethics Policy Revisions</u>	Bernas
20.	<u>Freedom of Information Act – Public Records Policy Revisions</u>	Bernas
21.	<u>Finance Committee Appointment Fiscal Year 2024</u>	Bernas
22.	<u>New Business</u>	Bernas
23.	<u>Unfinished Business</u>	Bernas
24.	<u>Commissioner Comments</u>	
25.	<u>Informational Items</u>	Bernas
26.	<u>Closed Meeting</u>	Bernas
27.	<u>Reconvened Meeting</u>	

Next Regular Commission Meeting: September 26, 2023

AGENDA ITEM 1. – August 22, 2023

Subject: Awards and Recognition

Recommended Action: No action is required.

Brief: HRSD is pleased to announce the following Service Award:

Donavon Martin marked his 40th year of service with HRSD on June 27, 2023. Don was hired in 1983 as a Maintenance Operator at the Atlantic Treatment Plant, was promoted to Plant Operator in 1984, and then transferred back to Maintenance Operator, the position he holds today.

With over 40 years of experience at the Atlantic Treatment Plant, Don knows everything there is to know about this treatment plant! Don's attention to detail has endeared him with his colleagues as a reliable mechanic. If you want a job done right, you give it to Don. He takes the time to prepare, research, and ensure that when he is finished with a project, it is done the best way possible. Don is very dedicated and genuinely wants to do his job well. Throughout his career with HRSD, he has become a veritable trove of information on pumps and piping systems. He has helped the work center prepare the incoming generation for a successful career with his knowledge.

AGENDA ITEM 2. – August 22, 2023

Subject: Public Comments Not Related to Agenda

AGENDA ITEM 3. – August 22, 2023

Subject: Consent Agenda**Recommended Action:** Approve the Consent Agenda.**Brief:** The items listed below are presented on the following pages for Commission action.

- a. Approval of Minutes - The draft minutes of the previous Commission Meeting were distributed electronically prior to the meeting.
- b. Contract Awards
 1. [Hach Controllers, Sensors and Probes Service Contract](#) \$1,035,195
 2. [Muriatic Acid Blanket Purchase Agreement](#) [Dominion Chemical](#) \$378,096
[Univar USA, Inc.](#) \$473,604
- c. Contract Change Orders
 1. [Liquid Oxygen Blanket Purchase Agreement](#) \$160,525
- d. Sole Source
 1. [AA500 Segmented Flow Analyzer Preventative Maintenance](#)
 2. [Bio-Rad QX600™ Auto DG Droplet Digital Polymerase Chain Reaction \(ddPCR™\) System, Annual Preventative Maintenance and Replacement Parts](#)
 3. [FlowServe Centrifugal Pumps, Parts and Service](#)
 4. [HyperClassic® Mixer and Parts](#)
 5. [Lakeside Equipment Corporation Hydraulic Power Pack](#)
- e. HRSD Use of Existing Competitively Awarded Contract Vehicle and Contract Award
 1. [Cisco Based Converged Infrastructure Support](#) \$250,000
- f. Vacation of Easement
 1. [Coliseum Townes VA, LLC](#)
[Deed of Vacation and Quitclaim \(Freeman Drive and Armistead Avenue/LRSN 13001179\)](#)

CONSENT AGENDA ITEM 3.b.1. – August 22, 2023

Subject: Hach Controllers, Sensors and Probes Service Contract
Contract Award (>\$200,000)

Recommended Actions: Award a contract to Hach Company in the amount of \$194,979 for one year with four annual renewal options and an estimated cumulative value of \$1,035,195.

Regulatory Requirement: None

Type of Procurement: Sole Source

All parts and services were previously approved as a sole source with Hach Company in August 2020.

HRSD Estimate: \$194,979

Contract Description and Analysis of Cost: This contract is an agreement for services of Hach controllers, sensors and probes used throughout HRSD. Services include instrument preventative maintenance, calibration, technical support, emergency field repair, operator training, parts, labor, and travel costs. Costs are considered fair and reasonable based on Hach's previous service contract.

This work is in accordance with the Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.b.2. – August 22, 2023

Subject: Muriatic Acid Blanket Purchase Agreement
Contract Award (>\$200,000)

Recommended Actions:

- a. Award a blanket purchase contract for Muriatic Acid to Dominion Chemical Company in the estimated amount of \$75,619 for year one with four annual renewal options and an estimated cumulative value in the amount of \$378,096.
- b. Award a blanket purchase contract for Muriatic Acid to Univar USA Inc. in the estimated amount of \$94,720 for year one with four annual renewal options and an estimated cumulative value in the amount of \$473,604.

Regulatory Requirement: None

Type of Procurement: Competitive Bid

In accordance with HRSD's competitive sealed bidding procedures, the Procurement Department advertised and solicited bids directly from potential bidders. The project was advertised on July 7, 2023 and two bids were received on July 24, 2023 as listed below:

Bidder	Bid Amount
Dominion Chemical Company	\$75,619
Univar USA Inc.	\$94,720

Total 1 Year Award: \$170,340
HRSD 1 Year Estimate: \$221,534

Total 5 Year Award: \$851,700
HRSD 5 Year Estimate: \$1,107,671

Contract Description and Analysis of Cost: This contract is an agreement to supply and deliver Muriatic Acid, 30-33 percent solution for multiple treatment plants. Muriatic Acid is primarily used for descaling chemical odor scrubbers. There are other miscellaneous uses such as for pH reduction and struvite control in the centrate feed line to the struvite recovery facility at the Nansmond Treatment Plant.

Univar did not provide a bid for the 500-1,000 gallon size deliveries. The unit rate from Univar is significantly lower than Dominion Chemical and the FY-2024 budget projection for the 4,500 gallon size delivery. A split award between Univar and Dominion Chemical was evaluated and determined to be in HRSD's best interest in order to take advantage of the cost savings with minimal impact to ordering process at the treatment plants.

This work is in accordance with the Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.c.1. – August 22, 2023

Subject: Liquid Oxygen Blanket Purchase Agreement
Contract Change Order (>25% or \$50,000)

Recommended Action: Approve a change order with Matheson Tri-Gas Inc. in the amount of \$160,525.

Regulatory Requirement: None

Contract Status:	Amount	Cumulative % of Contract
Original Contract with Matheson Tri-Gas Inc.	\$173,710	
Total Value of Previous Change Orders	\$0	%
Requested Change Order No. 1	\$160,525	
Total Value of All Change Orders	\$160,525	92.41%
Revised Contract Value	\$334,235	

Time (Additional Calendar Days)		1,092
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Change Order Description: This change order includes a three-year extension of the existing Agreement to supply and deliver liquid oxygen (LOX) and monthly rental of the storage tank and equipment at the SWIFT Research Center. LOX is stored and vaporized on site in equipment that is currently rented from the Matheson. LOX is vaporized to gaseous oxygen, which is used to generate ozone. Ozone is applied to the water during advanced treatment to breakdown complex compounds prior to biofiltration.

Analysis of Cost: The cost for liquid oxygen blanket agreement is calculated using a pre-determined market index formula from Matheson Tri-Gas and the Producer Price Index for Oxygen. This formula will remain the same for the three-year extension.

This work is in accordance with Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.d.1. – August 22, 2023

Subject: AA500 Segmented Flow Analyzer Preventative Maintenance
Sole Source (>\$10,000)

Recommended Action: Approve SEAL Analytical Inc. as the provider of AA500 Segmented Flow Analyzer Preventative Maintenance for the Central Environmental Laboratory.

Regulatory Requirement: None

Sole Source Justification:

- Compatibility with existing equipment or systems is required
- Support of a special program in which the product or service has unique characteristics essential to the needs of the program
- Product or service is covered by a patent or copyright
- Product or service is part of standardization program to minimize training for maintenance and operation, and parts inventory

Details: Services include annual preventative maintenance for the AA500 (Auto Analyzer) Segmented Flow Analyzer. The AA500 Segmented Flow Analyzer is used to analyze Total Phosphorus of the final effluent and processes control samples to support VPDES permit compliance. The preventative maintenance includes software updates, replacement parts, and on-site assistance.

This work is in accordance with Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.d.2. – August 22, 2023

Subject: Bio-Rad QX600™ Auto DG Droplet Digital Polymerase Chain Reaction (ddPCR™) System, Annual Preventative Maintenance and Replacement Parts
Sole Source (>\$10,000)

Recommended Action: Approve the use of Bio-Rad QX600™ Auto DG Droplet Digital Polymerase Chain Reaction (ddPCR™) System by the Bio Rad Laboratories, Inc. for the Technical Services Division.

Regulatory Requirement: None

Sole Source Justification:

- Compatibility with existing equipment or systems is required
- Support of a special program in which the product or service has unique characteristics essential to the needs of the program
- Product or service is covered by a patent or copyright
- Product or service is part of standardization program to minimize training for maintenance and operation, and parts inventory

Details: Product includes the purchase of the Bio-Rad QX600™ Auto DG Droplet Digital Polymerase Chain Reaction (ddPCR™) System, Annual Preventative Maintenance, and replacement parts. The Bio-Rad droplet digital PCR system provides microbial data in support of SWIFT, wastewater surveillance efforts to include HRSD-based COVID-19 monitoring, local health department pathogen monitoring, and statewide surveillance efforts, HRSD's Microbial Source Tracking program, and various HRSD operational-related projects. Bio-Rad QX600™ Auto DG Droplet Digital Polymerase Chain Reaction (ddPCR™) System is replacing the Bio-Rad QX200™ Auto DG Droplet Digital Polymerase Chain Reaction (ddPCR™) System. The parts, reagents, and consumables are only sold directly through Bio Rad Laboratories Inc.

This work is in accordance with Procurement Commission Adopted Policy.

CONSENT AGENDA ITEM 3.d.3. – August 22, 2023

Subject: FlowServe Centrifugal Pumps, Parts and Service
Sole Source (>\$10,000)

Recommended Actions: Approve the use of FlowServe centrifugal pumps, parts and service by Commonwealth Engineering and Sales Inc. at all HRSD facilities.

Regulatory Requirement: None

Sole Source Justification:

- Compatibility with existing equipment or systems is required
- Support of a special program in which the product or service has unique characteristics essential to the needs of the program
- Product or service is covered by a patent or copyright
- Product or service is part of standardization program to minimize training for maintenance and operation, and parts inventory

Details: Product includes the purchase of FlowServe centrifugal pumps and parts. The pumps are used throughout the treatment plants for intermediate pumping stations, primary drain pumps, return pumps, and small booster pumps to move raw influent and non-potable water.

The Commission previously approved a sole source for FlowServe centrifugal pump service and replacement parts only. This action supersedes previous actions and expands the scope to include FlowServe Centrifugal pumps, parts, and service.

This work is in accordance with Procurement Commission Adopted Policy.

CONSENT AGENDA ITEM 3.d.4. – August 22, 2023

Subject: HyperClassic® Mixer and Parts
Sole Source (>\$10,000)

Recommended Action: Approve the use of HyperClassic® mixer and parts by Invent Environmental Technologies at all HRSD facilities.

Regulatory Requirement: None

Sole Source Justification:

- Compatibility with existing equipment or systems is required
- Support of a special program in which the product or service has unique characteristics essential to the needs of the program
- Product or service is covered by a patent or copyright
- Product or service is part of standardization program to minimize training for maintenance and operation, and parts inventory

Details: Product includes the purchase of a replacement HyperClassic® mixer and parts. The mixers are installed at the Virginia Initiative Plant in the aerobic anoxic tanks. The mixers keep the solids from settling to the bottom of the tank and provides increased mixing in each tank zone.

This work is in accordance with Procurement Policy Commission Adopted Policy.

CONSENT AGENDA ITEM 3.d.5. – August 22, 2023

Subject: Lakeside Equipment Corporation Hydraulic Power Pack
Sole Source (>\$10,000)

Recommended Action: Approve the use of Hydraulic Power Pack and Parts by Lakeside Equipment Corporation at the Onancock Treatment Plant.

Sole Source Justification:

- Compatibility with existing equipment or systems is required
- Support of a special program in which the product or service has unique characteristics essential to the needs of the program
- Product or service is covered by a patent or copyright
- Product or service is part of standardization program to minimize training for maintenance and operation, and parts inventory

Details: Product includes the purchase of a Lakeside Equipment Corporation Hydraulic Power Pack. The hydraulic power pack is utilized to power a customized Rake-O-Matic system installed at Onancock Treatment Plant. The hydraulic power pack provides greater lifting capabilities. The Rake-O-Matic is installed directly prior to the influent pump station. This rake helps to protect these pumps from collecting rags and clogging up. Due to the customization of the Rake-O-Matic system, the Hydraulic Power Pack by Lakeside Equipment Corporation is the only equipment that meets both the required operating and system specifications.

This work is in accordance with the Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.e.1. – August 22, 2023

Subject: Cisco Based Converged Infrastructure Support
HRSD Use of Existing Competitively Awarded Contract Vehicle and Contract Award
(>\$200,000)

Recommended Actions:

- a. Approve the use of the Virginia Information Technology Agency (VITA) Contract No. VA-211201-SHI for Network Product and Services.
- b. Award a blanket purchase contract for Cisco Based Converged Infrastructure Support to SHI International Corp in the estimated amount of \$50,000 for year one with four annual renewal options and an estimated cumulative value in the amount of \$250,000.

HRSD Estimate: \$50,000

Regulatory Requirement: None

Contract Description and Analysis of Cost: This contract is for purchase of Cisco hardware, software and services (including 4g surveys) for use by the HRSD Information Technology Department utilizing the cooperative contract competitively solicited by VITA in support of ongoing converged infrastructure. Converged infrastructure bundles hardware components with management software to arrange the resources as a single integrated system. The goal is to reduce complexity in data center management and eliminate issues of hardware incompatibility.

SHI International is an authorized partners/resellers for Cisco. The contract is comprised of several product and service categories which include discount pricing for the full line of Cisco products, maintenance and services on the most current version of the Cisco Systems, Inc. Global Price List. The authorized partners are also able to provide professional IT services for projects related to the purchase of Cisco products from the contract.

Upon evaluation of VITA's contract terms and conditions, as a public agency, HRSD is eligible to use the contract awarded to Cisco, LLC and its authorized partners.

This work is in accordance with the Commission Adopted Procurement Policy.

CONSENT AGENDA ITEM 3.f.1. – August 22, 2023

Subject: Coliseum Townes VA, LLC
Deed of Vacation and Quitclaim (Freeman Drive and Armistead Avenue/LRSN
13001179)

Recommended Actions:

- a. Accept the terms and conditions of the Deed of Vacation and Quitclaim with Coliseum Townes VA, LLC. and authorize the General Manager to execute same, substantially as presented, together with such changes, modifications and deletions as the General Manager may deem necessary.
- b. Authorize Vacation of a variable width sanitary sewer easement and accompanying infrastructure in connection with planned development by Coliseum Townes VA, LLC between Freeman Drive and Armistead Avenue/LRSN 13001179.

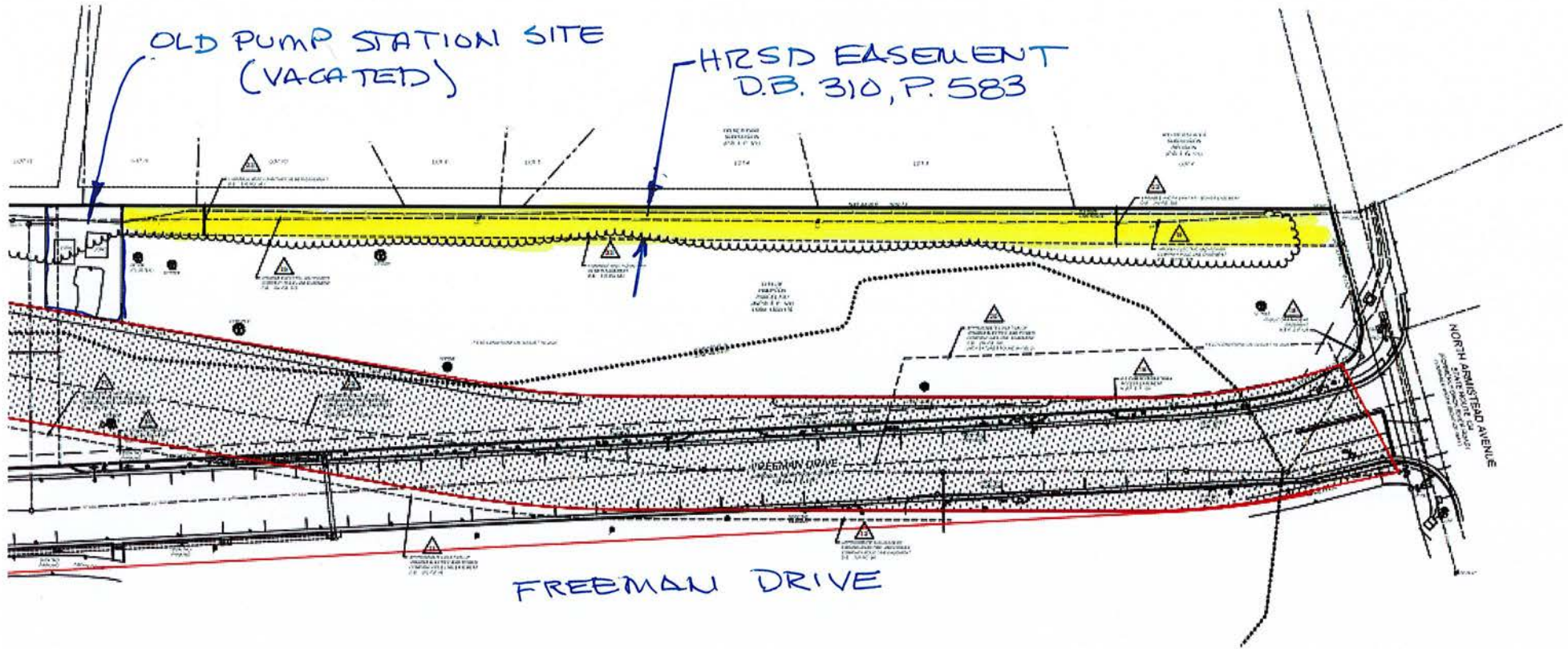
Project Description: Coliseum Townes VA, LLC, recently acquired 5.21 acres of land from the Hampton Redevelopment and Housing Authority. The property is located on Freeman Drive and Armistead Avenue and its LRSN number is 13001179. HRSD obtained this easement along with other infrastructure and the pump station (PS #11/Freeman Drive) from the [City of Hampton in 1961](#) who obtained the same from the Federal Housing Commissioner/Federal Works in 1953. The related infrastructure was abandoned in the 1980's and is no longer active. Because of planned future development, the Coliseum Townes VA, LLC has requested that HRSD formally vacate and extinguish the variable width easement in place. This request has been reviewed by HRSD staff and because the easement is no longer needed by HRSD, this request is acceptable.

Funding Description: No funding required.

Agreement Description: The attached [Deed of Vacation of Easement](#) has been reviewed by HRSD legal counsel. The attached [map](#) depicts the project location.

OLD PUMP STATION SITE
(VACATED)

HRSD EASEMENT
D.B. 310, P. 583



VACATED PORTION OF
FREEMAN DRIVE

Coliseum Townes
Hampton, VA

PREPARED BY AND RETURN TO:
Conway H. Sheild, III VSB: 06893
Jones, Blechman, Woltz & Kelly, P.C.
701 Town Center Drive, Suite 800
Newport News, Va. 23606

LRSN: 13001179

EXEMPTION CLAIMED PURSUANT TO VA CODE § 58.1-811(A)(3)
DEED OF VACATION OF EASEMENT

THIS DEED OF VACATION OF EASEMENT made this ____ day of _____, 2023, by and between **HAMPTON ROADS SANITATION DISTRICT**, a political subdivision of the Commonwealth of Virginia, hereinafter known as the **GRANTOR** and **COLISEUM TOWNES VA, LLC**, a Virginia limited liability company, hereinafter known as the **GRANTEE**, and, whose mailing address is: _____.

WHEREAS, previously The City of Hampton, Virginia, a municipal corporation, conveyed to **GRANTOR** a certain sewer line easement by Deed of Easement (“Easement”) dated July 29, 1961, and recorded in the Clerk’s Office of the Circuit Court for the City of Hampton, Virginia, on September 12, 1961 in Deed Book 310, page number 583, and assigned a right-of-way over the land hereinafter described and the right to construct, maintain and operate thereon pipe lines for sewage purposes, said right of way being through, upon, and under that certain tract of land located in the City of Hampton, Virginia; and

WHEREAS, the real property burdened by the Easement is now titled in the **GRANTEE**, and

WHEREAS, it is the desire of **GRANTOR** and **GRANTEE** that the Easement be abandoned, vacated, released of record, and of no further force and effect.

NOW, THEREFORE, the **GRANTOR** hereby releases, surrenders, and vacates the Easement hereinafter described to **GRANTEE** as follows:

A sewer line easement beginning at the point on Armistead Avenue, formerly known as Back River Road, where the Northerly boundary line of the property of Pine Corporation Section I (as said line is located in the description contained in that certain Deed of Trust executed by Pine Corporation Section I on March 11, 1949, in favor of Jno. D. Brown and A.R. Melton, now recorded in Deed of Trust Book 158, page 454, of the records in the Clerk’s Office for the Circuit Court of the City of Hampton, Virginia, and as reflected in the Plat described in said Deed of Trust) intersects the Northwesternly boundary line of said Armistead Avenue, formerly known as Back River Road, and running thence, along said Northerly boundary line of said Pine Corporation Section I property, South 52 degrees, 56 minutes and 15 seconds West, a distance of 637.59 feet to a point being the Northeastly corner of the pumping station site; thence South 37 degrees 3 minutes 45 seconds East, along the Easterly boundary of the pumping station site a distance of 15 feet; thence in a straight line, in a Northeastly direction, to the Westerly boundary line of Armistead Avenue, formerly known as Back River Road, a distance at a right angle of 20 feet from the said Northerly boundary line (extended) of said Pine Corporation Section I property; thence along the Westerly boundary line of said Armistead Avenue, formerly known as Back River Road, to the point of beginning of this parcel.

Together with that certain 18-inch gravity interceptor sewer line and that certain 10-inch force main sewer line located within the aforescribed easement.

WITNESS the following signature and seal all as of the day and year first above written:

GRANTOR

HAMPTON ROADS SANITATION DISTRICT

By: _____
Ayanna R. Williams, Real Estate Manager

STATE/Commonwealth of VIRGINIA
CITY OF _____, to wit:

The foregoing instrument was acknowledged before me this _____ day _____, 2023, by Ayanna R. Willilams, Real Estate Manager, Hampton Roads Sanitation District.

Notary Public
My commission expires:
Notary Public Registration No.: 668674

DEED NO. 1991 S. TAX — C. TAX —

THIS DEED, made this 29th day of July 1961, between the CITY OF HAMPTON, VIRGINIA, a municipal corporation, hereinafter known as the Grantor, and the HAMPTON ROADS SANITATION DISTRICT COMMISSION, hereinafter known as the Grantee.

WITNESSETH, That in consideration of One Dollar (\$1.00) and other valuable consideration paid by the Grantee to the Grantor, the said Grantor doth grant, bargain, sell and convey unto the Grantee all its right, title and interest in and to those certain lands and premises located in the City of Hampton, Virginia, described as follows:

A pumping station parcel, beginning at a point on Armistead Avenue, formerly known as Back River Road, where the Northerly boundary line of Pine Corporation, Section I (as said line is located in the description contained in that certain deed of trust executed by Pine Corporation, Section (I) on March 11, 1949, in favor of Jno. D. Brown and A. R. Melton, now recorded in Deed of Trust Book 158, page 454, in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, and as reflected by the plat described in said deed of trust) intersects the Northwesterly boundary line of said Armistead Avenue, formerly known as Back River Road, and running thence, along said Northerly boundary line, South 52 degrees, 56 minutes and 15 seconds West, a distance of 637.59 feet to a point designated as the Northeasterly corner of the pumping station parcel for a point of beginning of said pumping station parcel description; thence, South 37 degrees, 3 minutes, 45 seconds East, a distance of 61.48 feet to the Northerly boundary line of Freeman Drive; thence, along the Northerly boundary line of Freeman Drive, South 62 degrees, 44 minutes, and 31 seconds West, a distance of 40.59 feet; thence, North 37 degrees, 3 minutes, 45 seconds West, a distance of 54.57 feet to a point on the said Northerly boundary of the Pine Corporation Section (I) property, to a point designated as the Northwesterly corner of the pumping station parcel; thence, along said Northerly boundary line of the Pine Corporation Section (I) property, North 52 degrees, 56 minutes and 15 seconds East, a distance of 40 feet to the said Northeasterly corner of said pumping station parcel, said parcel containing .05 acres, more or less.

Together with the pumping station, lines, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

It being the same property conveyed to the City of Hampton, Virginia by the Federal Housing Commissioner, by deed dated January 26, 1953, and recorded in Deed Book 204, page 139, in the Clerk's Office of the Circuit Court for the City of Hampton.

FURTHER WITNESSETH, that the said Grantor in consideration of One Dollar (\$1.00) and other valuable consideration, does give, grant and convey unto the said Grantee, a right-of-way over the land hereinafter described and the right to construct, maintain and operate thereon pipe lines for sewage purposes, said right of way being through, upon, and under that certain tract of land located in the City of Hampton, Virginia, and described as follows:

A sewer line easement beginning at the point on Armistead Avenue, formerly known as Back River Road, where the Northerly boundary line of the property of Pine Corporation Section I (as said line is located in the description contained in that certain Deed of Trust executed by Pine Corporation Section I on March 11, 1949, in favor of Jno. D. Brown and A. R. Melton, now recorded in Deed

of Trust Book 158, page 45h, of the records in the Clerk's Office for the Circuit Court of the City of Hampton, Virginia, and as reflected in the Plat described in said Deed of Trust) intersects the Northwesterly boundary line of said Armistead Avenue, formerly known as Back River Road, and running thence, along said Northerly boundary line of said Pine Corporation Section I property, South 52 degrees, 56 minutes and 15 seconds West, a distance of 637.59 feet to a point being the Northeasterly corner of the pumping station site; thence South 37 degrees 3 minutes 45 seconds East, along the Easterly boundary of the pumping station site a distance of 15 feet; thence in a straight line, in a Northeasterly direction, to the Westerly boundary line of Armistead Avenue, formerly known as Back River Road, a distance at a right angle of 20 feet from the said Northerly boundary line (extended) of said Pine Corporation Section I property; thence along the Westerly boundary line of said Armistead Avenue, formerly known as Back River Road, to the point of beginning of this parcel.

Together with that certain 18-inch gravity interceptor sewer line and that certain 10-inch force main sewer line located within the aforescribed easement.

It being a portion of the same right of way conveyed to the City of Hampton by deed of the Federal Housing Commissioner under date of January 26, 1953, and recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Deed Book 204, page 141.

FURTHER WITNESSETH, that the Grantor, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, doth give, grant, convey, unto the Grantee the following sewer lines located within the public rights of way in the City of Hampton, to-wit:

(1) An 18" gravity interceptor line from a manhole on Pine Chapel Road, just West of Armistead Avenue, Southerly along Armistead Avenue 2,400 feet, more or less, to a manhole, thence Westerly from said manhole to the Easterly side of the heretofore described easement.

(2) That certain line commencing as a 10-inch discharge force main from the Easterly line on Armistead Avenue of the heretofore described easement, Southerly along Armistead Avenue some 1,600 feet, more or less, to the vicinity of New Market Creek, thence continuing as a 14-inch force main crossing the Armistead Avenue interchange area and extending Southerly along LaSalle Avenue some 6,000 feet, more or less, to a connection with the Hampton Roads Sanitation District Commission's line at LaSalle Avenue and Shell Road.

(3) A 10-inch gravity force main extending 3,200 feet, more or less, along the North side of Midway Highway from a connection with the Hampton Roads Sanitation District Commission's system on the North side of Midway Road at South Avenue to the back of track.

And said Grantee agrees that as a part of the consideration for this conveyance that it shall at all time, upon completion of any work performed under the terms of this instrument, replace the surface of the ground in its

original condition, or as nearly so as possible, at no expense to the Grantor.

WITNESS the following signatures and seals:

THE CITY OF HAMPTON, VIRGINIA

By George C. Bentley
Mayor

SEAL:

ATTEST:

Clarence E. Johnson
Clerk

STATE OF VIRGINIA

City of Hampton, to-wit:

I, HARDY W. CASH, a Notary Public in and for the City and State aforesaid, do hereby certify that The City of Hampton, Virginia, by George C. Bentley, its Mayor, and Clarence E. Johnson, its Clerk, whose names are signed to the foregoing writing bearing date on the 29th day of July 1961, have this day acknowledged the same before me in my City aforesaid.

Given under my hand this 5 day of Sept, 1961.

Hardy W. Cash
Notary Public

My Commission expires: 11-23-63

In the Clerk's Office of the Circuit Court of the City of Hampton, Virginia September 13
A. D. 19 61 at 10:00 A.M. The foregoing instrument was this day presented in office and upon certificate thereto annexed, admitted to record as the law directs.

Teste:

By W. M. Gibson, Clerk
Clerk

AGENDA ITEM 4. – August 22, 2023

Subject: Boat Harbor Transmission Force Main Land Acquisition
 Public Hearing on Determination of Public Need for Acquisitions and Resolution

Recommended Actions:

- a. Conduct public hearing.
- b. Adopt the Resolution approving the public use determination and directing acquisition by condemnation, or other means, of permanent and temporary easements for the Boat Harbor Treatment Plant Transmission Force Main Section 1 (Subaqueous) and Boat Harbor Treatment Plant Transmission Force Main Section 2 (Land) projects.
- c. Approve funding in the amount of \$963,000, the appraised value of the easement, to be deposited into the custody of the Circuit Court of Suffolk, while pending certificate of take and legal resolution are determined, in accordance with the provisions of the Virginia Code as authorized by the Enabling Act.

CIP Project: GN016346

Regulatory Requirement: Integrated Plan – SWIFT

Budget	\$3,000,000
Previous Expenditures and Encumbrances	(\$53,884)
Available Balance	\$2,946,116

Project Description: This project consists of the land acquisition to support the Boat Harbor Treatment Plant Transmission Force Main Section 2 (Land) project BH015720. This easement is needed for the force main in BH015720 which will connect the subaqueous force main Section 1 (separate project under BH015710) to the Nansemond Treatment Plant. This project also includes the land acquisition for the piping to and from the managed aquifer recharge wells in BH015720 including the SWIFT Water and backflush piping from the future Nansemond SWIFT Facility to each of the proposed well sites.

Additional agreements will be needed for the remaining sites located at this and other properties for which the design of and negotiations are currently underway.

Project Justification: This project will allow HRSD to reduce the amount of nutrients contributed to the James River basin. Construction efforts are currently underway at the Boat Harbor Treatment Plant and for the James River pipeline crossing efforts. This acquisition is needed to allow connection and conveyance from the north shore (Boat Harbor Treatment Plant flows) under the James River and to the south shore and subsequent treatment efforts at the Nansemond Treatment Plant.

A public hearing will be held to review the scope of the project, to define the public need of the project and identify the specific impact to the properties where condemnation may be considered and to receive public input. Attempts to purchase the property and easements from the owners have been unsuccessful. While a purchase is still possible, condemnation may be necessary to keep the project on schedule. The attached [Resolution](#) meets the requirements of the Code of Virginia should condemnation be necessary. The resolution has been reviewed by HRSD legal counsel.

Staff will provide a short overview for the Commission and the public immediately prior to the Public Hearing.



RESOLUTION

***Providing for the acquisition by condemnation, if necessary,
of parcels and/or easements with respect to
Boat Harbor Transmission Force Main Land Acquisition; CIP NO. GN016346***

WHEREAS, Hampton Roads Sanitation District (hereinafter "HRSD"), as part of its Capital Improvement Program, is proceeding with the project known as the Boat Harbor Transmission Force Main Land Acquisition Project (CIP No. GN016346) (the "Project"); and

WHEREAS, as a part of said Project, HRSD has determined that it is necessary to acquire certain property and easements (the "Property"), as shown on the plans for Boat Harbor Transmission Force Main Land Acquisition Project (the "Plans"), the Plans being on file in the offices of HRSD at 1434 Air Rail Avenue, Virginia Beach, Virginia, by condemnation (or other means); and

WHEREAS, HRSD provided proper public notice, duly published in newspapers of general circulation in the City of Suffolk, and held a public hearing on this matter at 1434 Air Rail Avenue, Virginia Beach, Virginia on August 22, 2023; and

WHEREAS, at the public hearing, HRSD allowed for public input with respect to the proposed condemnation, as well as considered information provided by HRSD staff, and considered whether the proposed use is a public use and whether the acquisition of the said Property by condemnation (or other means) should be authorized by HRSD; and

WHEREAS, after holding a public hearing on the matter, HRSD has determined that a public necessity exists for the acquisition of the Property for the Project is in the public interest;

NOW, THEREFORE, BE IT RESOLVED, on the 22 day of August, by the HRSD Commission that

1. The Project is approved as a public use, necessary for the construction of said Project within HRSD's system; and said Project is further declared to be in the public interest;
2. The acquisition of the Property by purchase or condemnation is necessary for the installation and operation of said Project and is hereby approved;
3. The Property will be used by HRSD in furtherance of its public functions pursuant to the Virginia Code, and that that the acquisition of the Property for that public use: (i) will serve only public interests which dominate any private gain; (ii) are sought for the primary purpose of serving public interests and not private financial gain, private benefit, or an increase in employment; and (iii) otherwise complies with §1-219.1 of the Virginia Code;
4. HRSD previously has made bona fide efforts to acquire the Property from the landowners, but, to date, those efforts have been ineffectual;

5. HRSD authorizes its staff and counsel, respectively, to take all actions for and on behalf of HRSD which are or may be appropriate or necessary for HRSD to acquire the Property through the exercise of its power of eminent domain, including but not limited to, the filing of any papers or pleadings with the applicable circuit court, and other actions related to the initiation of any legal proceedings necessary or appropriate to acquire the Property by eminent domain, *provided, however*, that nothing in this Resolution shall be construed as preventing the continued negotiation by HRSD, its staff, and/or counsel for the acquisition by purchase or other means of the Property before the initiation of any such eminent domain proceedings; and
6. This resolution shall take effect immediately upon its adoption.

The undersigned further certifies that the foregoing has been properly approved and adopted in accordance with all applicable requirements of the HRSD Commission.

[HRSD Seal]

Stephen Rodriguez, Chair

AGENDA ITEM 5. – August 22, 2023

Subject: Nutrient Compliance Plan Update

Recommended Action: No action is required.

Brief: The 2023 update for the HRSD Nutrient Exchange submission is due to the Virginia Nutrient Credit Exchange Association September 1. The Exchange is a voluntary body of more than 100 regulated municipal wastewater treatment plants and industrial facilities discharging nitrogen and phosphorus into the Chesapeake Bay watershed. The purpose of the Exchange is to coordinate and facilitate nutrient credit trading among its members with the goal of improving water quality in the Chesapeake Bay watershed efficiently and cost-effectively.

As set forth by regulation, the Exchange must submit a five-year compliance plan to the Department of Environmental Quality each February on behalf of all members of the Exchange. This plan documents the Members' projected compliance with the General Permit for Total Nitrogen (TN) and Total Phosphorus (TP) Discharges and Nutrient Trading in the Chesapeake Bay Watershed ("General Permit"). In order to provide time for compilation and review, the Exchange requires that all members submit their individual plans to the Exchange several months prior to the annual February deadline. The annual update adds a new 5th year (2028), for nitrogen and phosphorus, to the rolling five-year compliance plan period. It also includes the submission of three planning years, 2029 – 2031.

The Exchange uses the information provided by the annual updates to ensure that the plans in each basin are sufficient to meet the load allocations of nitrogen and phosphorus. HRSD successfully met the aggregate nutrient allocations for each of its permitted river basins (James, York, Rappahannock, and Eastern Shore).

HRSD's aggregate allocations under the General Permit for TN and TP are being reduced beginning in 2026. Though the 2027 allocations remain unchanged, there is an additional Lower James aggregate TP allocation reduction in 2030, the last year of the planning period. The final TP allocation reduction occurs in 2032. HRSD anticipates continued compliance with the nutrient allocations in all of its discharge basins (James River, York River, Rappahannock and Eastern Shore) and presents a plan of continued compliance in its submission.

The 2028 new 5th year submission is similar to last year's 2027 5th year submission which identified Boat Harbor as a closed facility. In the planning years, tertiary filtration at SWIFT facilities and recharge become elements of General Permit compliance, particularly for TP compliance on the Lower James.

AGENDA ITEM 6. – August 22, 2023

Subject: Virginia Resources Authority (VRA) Debt to Subordinate Lien Migration Briefing

Recommended Action: No action is required.

Brief: Prior to 2016, the majority of HRSD's debt was issued at the senior lien. Starting in 2016, HRSD has issued all of its new bonds at the subordinate lien. The use of the subordinate lien was a key component of HRSD's strategy to address bond covenant challenges driven by HRSD's funding of assets it does not own. HRSD's senior lien was legally closed to the issuance of new debt as of November 2019.

In 2016, HRSD and VRA entered into a Master Financing Agreement governing HRSD's then-existing and future debt. The Master Financing Agreement set forth several conditions that when met, would allow HRSD's senior lien debt with VRA to move down in priority to the subordinate lien. HRSD recently met the final condition (total senior lien debt is less than 15 percent of the total debt outstanding) that allows all of the HRSD's outstanding senior lien VRA debt to migrate to the subordinate lien. The migration does not require any additional approvals from VRA beyond what was obtained when the Master Financing Agreement was executed.

With the migration, \$22.8 million of outstanding wastewater revenue bonds with VRA will become subordinate revenue bonds:

- \$9.2 million of Series 2009 (Nansemond Treatment Plant Project)
- \$6.1 million of Series 2009 (James River Treatment Plant Project)
- \$4.8 million of Series 2009 (Interceptor System Metering Project)
- \$2.7 million of Series 2019 (Williamsburg Oxidation Towers Project)

The change to the subordinate lien effects the rights of bondholders in the extremely unlikely event that HRSD defaults on its debt and/or does not pay its debt obligations in full. The migration does not affect any other terms of the bonds (e.g., the interest rates remain unchanged).

The migration benefits HRSD in the following ways:

- Follows the path communicated to key stakeholders, particularly HRSD's subordinate lien bond investors and the credit rating agencies.
- Strengthens the position of HRSD's current subordinate bondholders, which is a positive investor relations strategy.
- Positive investor relations help drive demand for HRSD's future bond issues and for the ongoing holders of HRSD's variable rate bonds.

Following the migration, as of September 1, 2023, HRSD's only outstanding senior lien debt will include:

- \$108 million of Wastewater Revenue Bonds, Series 2009B (Build America Bonds)
- \$26 million of Wastewater Revenue Bonds, Series 2014 (final maturity July 1, 2025)

This summary is for informational purposes only. The authority to execute the needed documents for this transfer was received at the January 26, 2016 Commission meeting.

AGENDA ITEM 7. – August 22, 2023

Subject: Bank of America Line of Credit (LOC) Limit Increase
Update

Recommended Action: No action is required.

Brief: On October 27, 2015, the Commission approved a resolution to establish a junior lien \$90 million LOC with Bank of America as an interim funding mechanism for the Capital Improvement Program. After the LOC was paid off with proceeds from the February 2016 Fixed Rate bond sale, HRSD continued to extend the LOC to keep this credit facility open. Most recently, the Commission approved the Second Amended and Restated Credit Agreement on May 24, 2022, to extend the agreement and set the credit limit at \$100 million with an option to increase the limit to \$300 million.

Staff is requesting that Bank of America increase the LOC limit to \$200 million. The current balance outstanding on the LOC is \$99,999,700. Increasing the LOC limit allows HRSD the flexibility to bridge the cash demands of an expansive capital improvement program while waiting for reimbursement from other loans and will assist with funding needs if grant agreement approvals are delayed beyond expectations because of budget challenges at the state level. There are no other changes to the LOC agreement.

This summary is for informational purposes only. The authority to execute the needed documents for the LOC increase was received at the May 24, 2022 Commission meeting.

AGENDA ITEM 8. – August 22, 2023

Subject: Bethel-Poquoson Force Main Phase II (Wythe Creek Road) Replacement
Additional Appropriation

Recommended Action: Appropriate additional funding in the amount of \$390,768.

CIP Project: YR014300

Regulatory Requirement: None

Budget	\$3,154,000
Previous Expenditures and Encumbrances	(\$2,912,608)
Available Balance	\$241,392
Proposed Change Order No. 1 to MEB General Contractors, Inc. (MEB)	(\$247,408)
Proposed Task Order to Rummel, Klepper & Kahl, LLP (RK&K)	(\$137,857)
Proposed Contingency	(\$246,895)
Project Shortage/Requested Additional Funding	(\$390,768)
Revised Total Project Authorized Funding	\$3,544,768

Contract Status with Change Orders:	Amount	Cumulative % of Contract
Original Contract for MEB	\$2,221,539	
Total Value of Previous Change Orders	\$0	0%
Requested Change Order	\$247,408	
Total Value of All Change Orders	\$247,408	11.1%
Revised Contract Value	\$2,468,947	

Time (Additional Calendar Days)	15
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Contract Status with Task Orders:	Amount
Original Contract with RK&K	\$144,695
Total Value of Previous Task Orders	\$544,421
Requested Task Order	\$137,857
Total Value of All Task Orders	\$682,278
Revised Contract Value	\$826,973
Engineering Services as % of Construction	33.5%

Project Description: This project will replace approximately 3,700 linear feet (LF) of 20-inch prestressed concrete cylinder pipe (PCCP) along Wythe Creek Road from north of Huntlandia Way to Wythe Creek.

The attached [Map](#) depicts the project location.

Project Justification: On February 11, 2020, North Shore Operations personnel removed and replaced 16 feet of PCCP that failed. The failure was caused by severe crown corrosion. A closed-circuit television (CCTV) inspection was performed during the repair, and approximately 80 LF downstream and 100 LF upstream of the pipe was found to be severely corroded, specifically at pipe joints. During the repair, a steady flow of clear water was flowing out of the upstream pipe. The

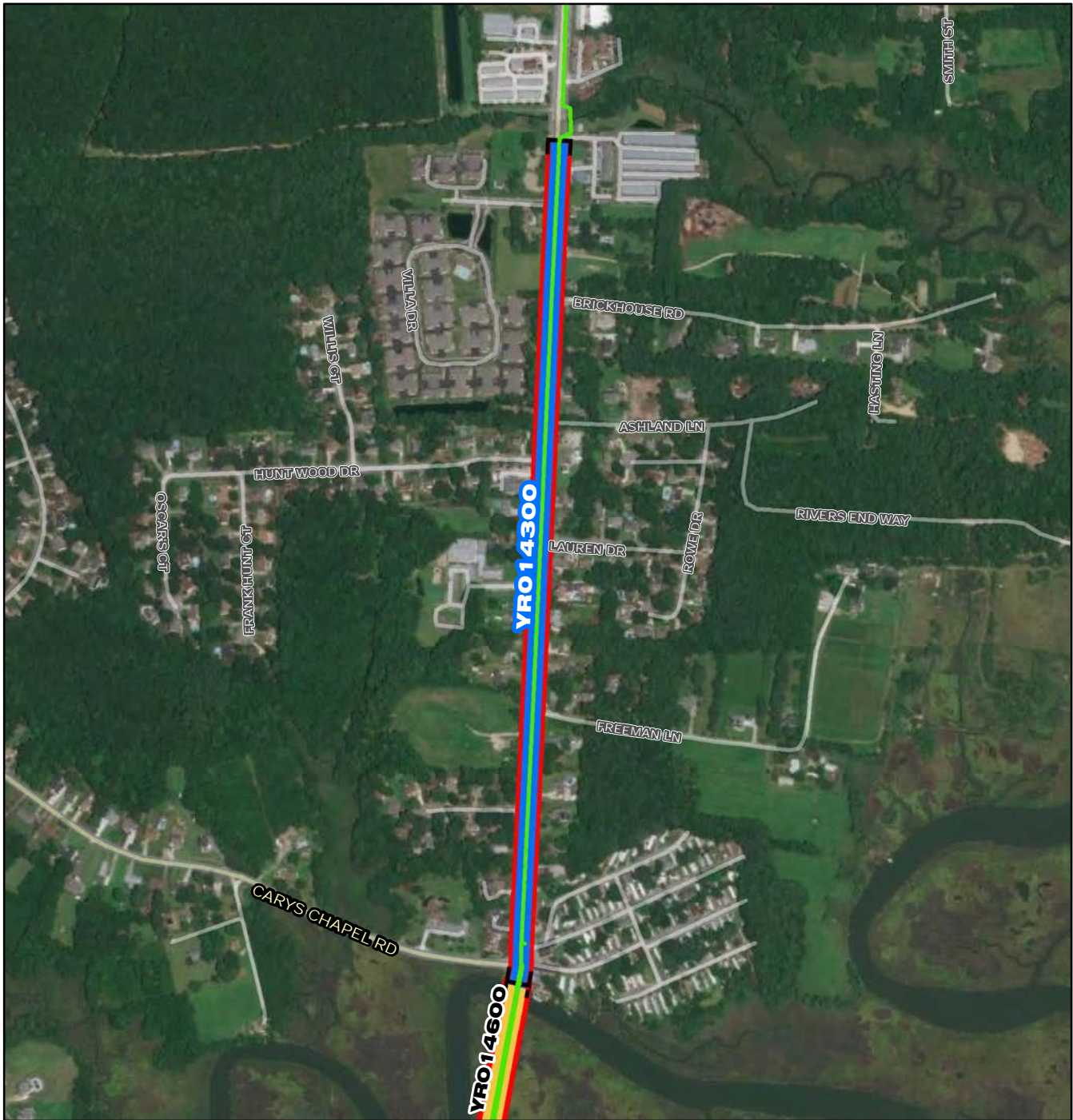
source of the clear water is unknown and unusual in a force main/pressurized system. The presence of the water is of concern as it may be the result of upstream issues.

Task Order Description: This task order will provide additional construction administration and field engineering and inspection services through project completion. The task order is related to overall construction delays, in addition to those associated with a stormwater pipe conflict (Change Order No. 1).

Change Order Description: This change order includes the work required to remove and replace an existing storm drain that was in conflict with the force main installation, bypass pumping required for storm drain replacement, unidentified utilities, and demolition/restoration of the existing stormwater best management practice (BMP).

Analysis of Cost: The value of MEB's Change Order No. 1 is \$247,408, which is below the Commission approval threshold. This change order has been reviewed by RK&K and determined to be reasonable for the additional construction activities related to the stormwater conflict. The value of the RK&K task order for additional Construction Administration and Inspection services is \$137,856.61, which is below the \$200,000 Commission approval threshold, and is in accordance with their established rates with HRSD through their on-call Engineering Services contract.

Schedule: Project Completion January 2024

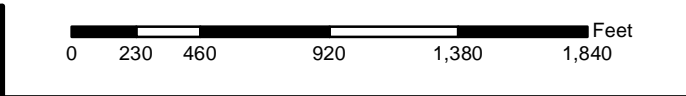


YRO 14300

- Project Interceptor Line
- Project Interceptor Point
- Project Pump Station Point
- Project Area

Legend

- CIP Interceptor Point
- CIP Pump Station Point
- CIP Interceptor Line
- CIP Abandonment
- CIP Project Area
- HRSD Interceptor Force Main
- HRSD Interceptor Gravity Main
- HRSD Treatment Plant
- HRSD Pressure Reducing Station
- HRSD Pump Station



YRO 14300

Bethel-Poquoson Force Main Phase II (Wythe Creek Road) Replacement

CIP Location

AGENDA ITEM 9. – August 22, 2023

Subject: Capital Improvement Program Internal Labor FY-2024
Initial Appropriation

Recommended Action: Appropriate total project funding in the amount of \$3,500,000.

CIP Project: AD012720

Regulatory Requirement: None

Project Description: This project will account for internal labor necessary to implement the Capital Improvement Program (CIP). Labor costs are from those individuals working in either the Engineering or Operations Departments tasked with implementing the CIP.

Project Justification: This project will cover internal labor for FY-2024.

Schedule: Labor hours will be charged to this CIP project as incurred over the FY.

AGENDA ITEM 10. – August 22, 2023

Subject: James River Treatment Plant Automation Improvements Phase I
Additional Appropriation, Contract Award (>\$200,000) and Task Order (>\$200,000)

Recommended Actions:

- a. Appropriate additional funding in the amount of \$11,927,469.
- b. Award a contract to Crowder Construction Company. in the amount of \$11,163,001.
- c. Approve a task order with Hazen and Sawyer PC in the amount of \$1,194,126.
- d. Approve a task order for AECOM in the amount of 235,848.

CIP Project: JR013610**Regulatory Requirement: None**

Budget	\$2,353,000
Previous Expenditures and Encumbrances	(\$571,195)
Available Balance	\$1,781,805
Proposed Contract to Crowder Construction Company.	(\$11,163,001)
Proposed Task Order to Hazen and Sawyer PC	(\$1,194,126)
Proposed Task Order to AECOM	(235,848)
Proposed Contingency	(\$1,116,299)
Project Shortage/Requested Additional Funding	(\$11,927,469)
Revised Total Project Authorized Funding	\$14,280,469

Contract Status with Task Orders:	Amount
Original Contract with Hazen and Sawyer PC	\$571,195
Total Value of Previous Task Orders	\$0
Requested Task Order	\$1,194,126
Total Value of All Task Orders	\$1,765,321
Revised Contract Value	\$1,765,321
Engineering Services as % of Construction	15.8%

Contract Status with Task Orders:	Amount
Original Contract with AECOM	\$0
Total Value of Previous Task Orders	\$0
Requested Task Order	\$235,848
Total Value of All Task Orders	\$235,848
Revised Contract Value	\$235,848

Type of Procurement: Competitive Bid

In accordance with HRSD's competitive sealed bidding procedures, the Engineering Department advertised and solicited bids directly from potential bidders. The project was advertised on June 1, 2023 and one bid was received on July 18, 2023 as listed below:

Bidder	Bid Amount
Crowder Construction Company	\$11,163,001

Engineer Estimate: \$11,700,000

The design engineer, Hazen and Sawyer PC, evaluated the bids based upon the requirements in the invitation for bid and recommends award to the lowest responsive and responsible bidder Crowder Construction Company in the amount of \$11,163,001.

Project Description: This project includes automation control of the James River Treatment Plant's (JRTP) treatment, solids thickening, anaerobic digestion, odor control and related systems. To modernize facilities for automation control, the project will incorporate improvements to systems valving, instrumentation, electrical and other work associated.

Project Justification: The treatment and solids handling sections of the JRTP exist now with minimal automation, and to allow the plant operator to best manage the future facility, as a whole, the distributed control system must be enhanced to be consistent with the Advanced Nutrient Removal Improvements (ANRI) and SWIFT Projects.

Contract Description and Analysis of Cost: This contract is for construction of the complete project as defined in the contract documents. One bid was received from Crowder Construction Company. This bid was evaluated based upon the requirements for the Invitation to Bid. The difference between Crowder Construction Company and the engineer's estimate is less than 10%. The cost of the total contract is \$11,163,001 exceeds the remaining funds appropriated for this project.

Initial appropriation amount in FY-2022 reflected two Capital Improvement Program (CIP) budgets for JRTP treatment and solids handling and JRTP primary treatment automation, based on a Class 5 cost estimate. Through the project's preliminary engineering report, automation gaps were identified, and it was realized all automation upgrades for the JRTP treatment, solids handling and primary treatment facilities should be included as a single project providing consistency with both the ANRI and SWIFT Projects. The project now meets HRSD's automation goals while allowing plant operators to better manage the treatment facilities along with new ANRI and SWIFT facilities to come online in FY-2026.

While the initial project scope and fee changed and increased, both the FY-2023 and FY-2024 Capital Improvement Program budgets were updated accordingly to reflect scope and current market conditions. The project's final design and estimate were completed after HRSD's capital improvement planning not allowing the most accurate update in FY-2024. The low bid is within 10% of the engineer's opinion of probable construction cost submitted prior to bid opening. The request for additional appropriation includes a 10% contingency to accommodate any unforeseen conditions.

Task Order Description and Analysis of Cost: A construction administration and inspection services task order will be issued as an Amendment to an existing Professional Services Agreement with Hazen and Sawyer PC. The cost for this task order is based on a detailed estimate of labor

hours and direct costs required to execute the negotiated scope of work. The cost of the construction phase services are approximately 10% of the construction cost which is within the range of comparable projects.

A staff augmentation for HRSD project management services task order will be issued as an amendment to the Professional Services Agreement with AECOM for SWIFT Full-Scale Implementation. The cost of this task order is based on labor hours required to execute project management services during the construction phase. The total hours budgeted are reasonable for the services which will be time and materials basis.

<u>Schedule:</u>	Construction	October 2023
	Project Completion	December 2024

AGENDA ITEM 11. – August 22, 2023

Subject: James River Treatment Plant Outfall Modifications
Initial Appropriation

Recommended Action: Appropriate total project funding in the amount of \$1,850,000.

CIP Project: JR013410

Regulatory Requirement: Integrated Plan – SWIFT

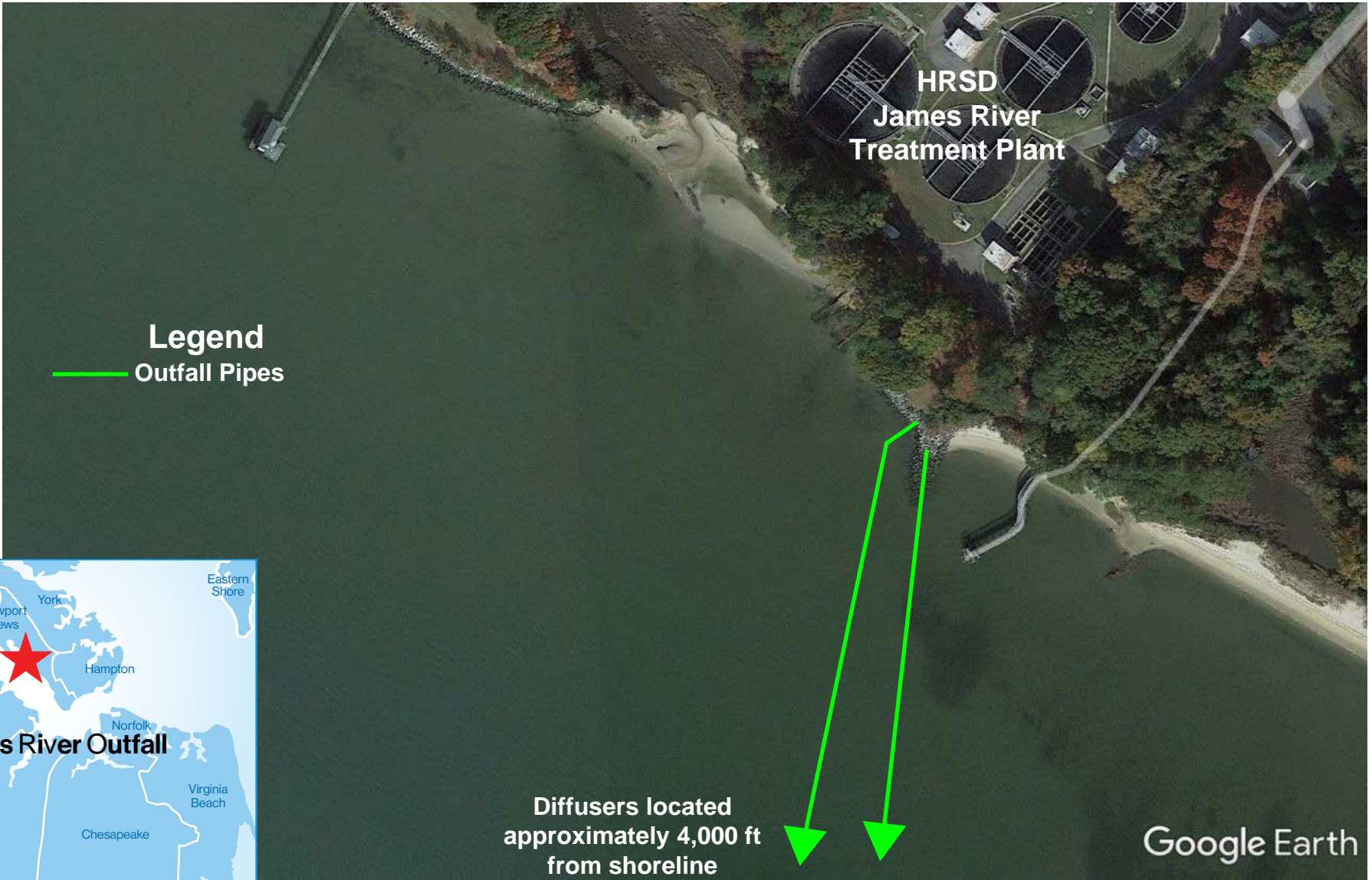
Project Description: This project includes design and construction of modifications to the two existing outfall diffuser pipes within the James River. The project area is approximately 4,000 feet from the James River Treatment Plant (JRTP) shoreline. The project will incorporate design elements appropriate for the installation of riser piping and duckbill-style valves on the existing reinforced concrete pipe (RCP) outfall diffuser pipes.

The attached [map](#) depicts the project location.

Project Justification: The JRTP outfall diffuser openings are located below the river mudline allowing for sedimentation within the diffuser pipe, especially under low effluent flow conditions. This project will provide long term protection of existing assets necessary for operating JRTP's outfall diffusers at low effluent flow rates, which will occur upon completion of the James River SWIFT project.

Funding Description: The total cost for this project is estimated to be \$1,850,000, which is based on a Class 5 estimate of the cost of construction. The total project cost estimate includes inspection, cleaning, design services, and construction necessary to complete the project. The requested appropriation does not account for replacement of outfall or diffuser piping nor fixing of major defects. The initial activities of inspection and cleaning will provide information regarding the condition of the existing pipes. The preliminary inspection and engineering work will be completed through HRSD's annual services contracts and are projected to be less than \$200,000 each.

<u>Schedule:</u>	PER	September 2023
	Design	December 2023
	Preconstruction	November 2024
	Construction	February 2025
	Project Completion	April 2026

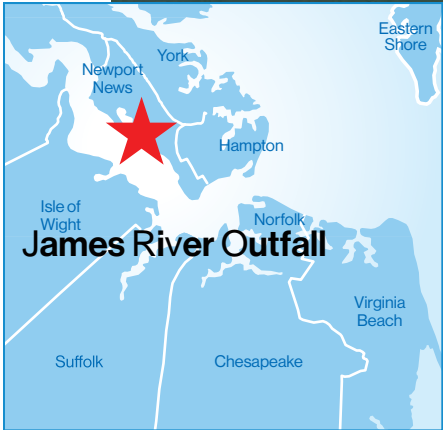


Legend
— Outfall Pipes

**HRSD
James River
Treatment Plant**

**Diffusers located
approximately 4,000 ft
from shoreline**

Google Earth



**James River Treatment Plant Outfall Modifications
CIP JR013410**

August 2023



AGENDA ITEM 12. – August 22, 2023

Subject: Middle Peninsula Wastewater Master Plan
Initial Appropriation and Task Order (>\$200,000)

Recommended Actions:

- a. Appropriate total project funding in the amount of \$400,000.
- b. Approve a task order with HDR, Inc. in the amount of \$397,549.

CIP Project: MP015900

Regulatory Requirement: None

Project Description: This project will evaluate and develop conceptual alternatives to manage the wastewater conveyance and treatment needs of the Middle Peninsula through 2050.

Project Justification: Projected future growth in King William, Middlesex, King & Queen, and Mathews Counties will require additional wastewater conveyance and treatment capacity. In addition, some HRSD assets will need rehabilitation or replacement over the next 30 years. Taking a holistic strategic look, at the future capacity needs and asset renewal needs, will enable HRSD to program the right portfolio of projects in the CIP.

Staff will utilize an On-Call General Engineering consultant to provide master planning services.

Task Order Description: This task order will evaluate current and projected flows and conduct an analysis of alternatives for managing wastewater in the Middle Peninsula. The effort will culminate with a strategic roadmap and master plan report.

Analysis of Cost: The total cost for this project is estimated at \$400,000 based on preliminary estimates from an in-house Engineering Department budget.

The cost for this task order is based on the number of hours anticipated to complete this effort and the hourly rates agreed upon in the General Engineering Services annual services contract. The task order amount is reasonable for the amount of effort and complexity anticipated.

<u>Schedule:</u>	PER	July 2024
	Project Completion	October 2024

AGENDA ITEM 13. – August 22, 2023

Subject: Town of Dendron Discharge Force Main Replacement
Initial Appropriation

Recommended Action: Appropriate total project funding in the amount of \$2,407,000.

CIP Project: NP015500

Regulatory Requirement: None

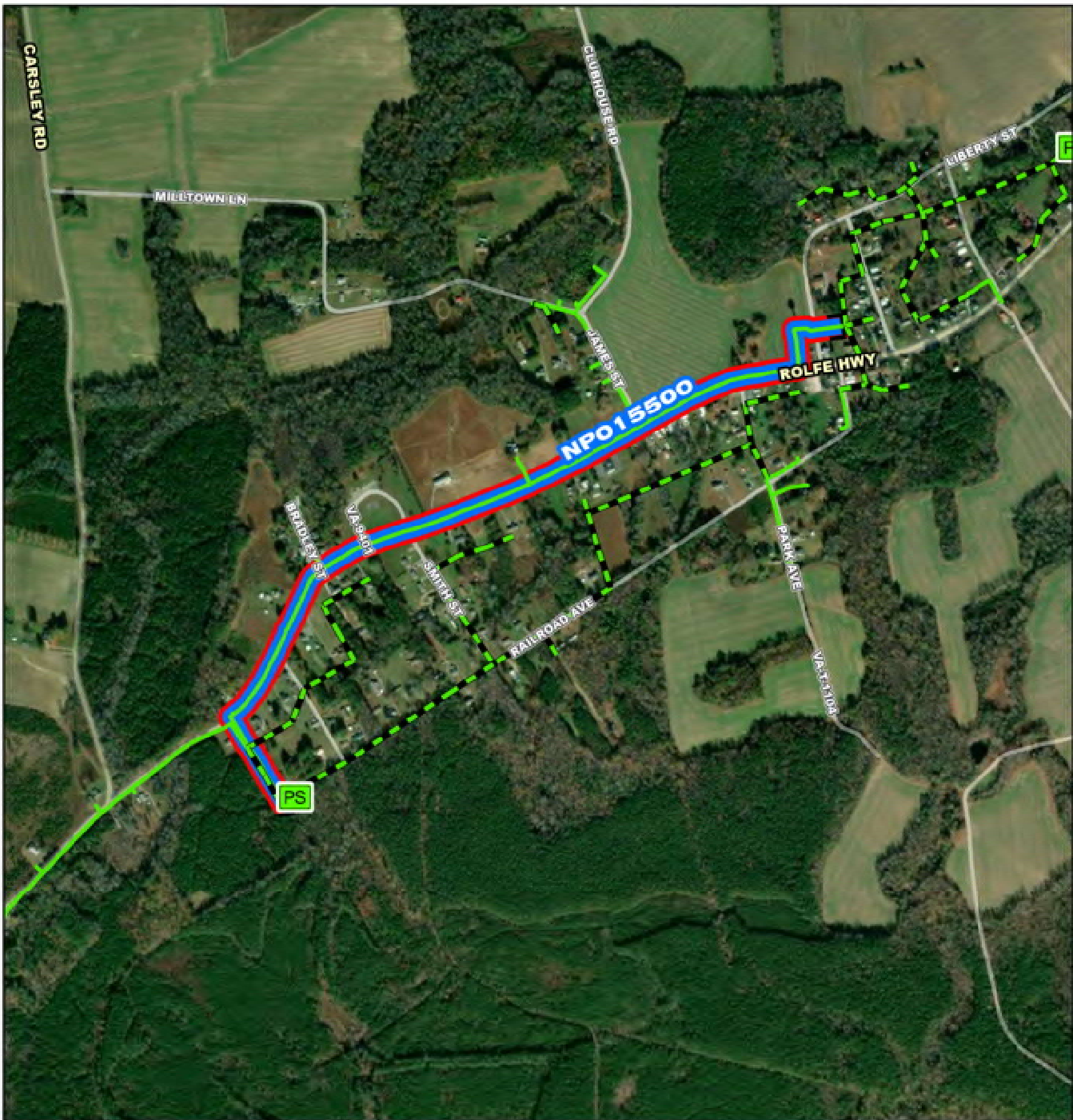
Project Description: This project will replace 6,300 linear feet of 3-inch PVC force main from PS-01 Dendron B in Surry, VA. The force main’s current alignment is adjacent to Rolfe Highway and discharges into a gravity system located between Liberty Street and First Church Street. This project will evaluate the Dendron B service area and make improvements to the pump station and discharge force main, as necessary, to eliminate wet weather sanitary sewer overflows.

The attached [map](#) depict the project location.

Project Justification: The Town of Dendron Sanitary Sewer pipeline was constructed by the Town of Surry in 2007 and turned over to HRSD. PS-01 Dendron B has had at least 12 overflows since 2020 due to the pump station becoming locked out because it is unable to overcome the friction losses in the force main during rain events. This project will evaluate the Dendron B service area and make improvements to the pump station and discharge force main, as necessary, to eliminate wet weather sanitary sewer overflows.

Analysis of Cost: The total project cost estimate of \$2,407,000 includes \$545,00 in design and \$1,862,000 in construction. Engineering services will be provided by RK&K under the Linear Infrastructure Annual Services Contract, and the cost for the initial engineering services task order is below the \$200,000 Commission approval threshold.

<u>Schedule:</u>	PER	August 2023
	Design	March 2024
	Bid	October 2024
	Construction	January 2025
	Project Completion	January 2026



NPO 15500

- Project Interceptor Line
- Project Interceptor Point
- Project Pump Station Point
- Project Area

Legend

- CIP Interceptor Point
- CIP Pump Station Point
- CIP Interceptor Line
- CIP Abandonment
- CIP Project Area
- HRSD Interceptor Force Main
- HRSD Interceptor Gravity Main
- HRSD Treatment Plant
- HRSD Pressure Reducing Station
- HRSD Pump Station



NPO 15500

Town of Dendron Discharge Force Main Replacement

N
W — E
S

OIP Location

AGENDA ITEM 14. – August 22, 2023

Subject: Virginia Initiative Plant Motor Control Center Replacements
Additional Appropriation, Contract Award (>\$200,000), Task Order (>\$200,000)

Recommended Actions:

- a. Appropriate additional funding in the amount of \$3,874,742.
- b. Award a contract to Industrial Turnaround Corporation DBA ITAC in the amount of \$4,548,900.
- c. Approve a task order with HDR Engineering in the amount of \$954,947.

CIP Project: VP019200**Regulatory Requirement:** None

Budget	\$2,500,000
Previous Expenditures and Encumbrances	(\$410,895)
Available Balance	\$2,089,105
Proposed Contract to Contractor	(\$4,548,900)
Proposed Task Order to Engineer	(\$954,947)
Proposed Contingency	(\$460,000)
Project Shortage/Requested Additional Funding	(\$3,874,742)
Revised Total Project Authorized Funding	\$6,374,742

Contract Status with Task Orders:	Amount
Original Contract with Engineer	\$351,432
Total Value of Previous Task Orders	\$59,462
Requested Task Order	\$954,947
Total Value of All Task Orders	\$1,014,409
Revised Contract Value	\$1,365,841
Engineering Services as % of Construction	30%

Type of Procurement: Competitive Bid

In accordance with HRSD's competitive sealed bidding procedures, the Engineering Department advertised and solicited bids directly from potential bidders. The project was advertised on May 30, 2023 and three bids were received on June 27, 2023. The bids received are listed below:

Bidder	Bid Amount
Industrial Turnaround Corporation DBA ITAC	\$4,548,900
REW Corporation	\$4,743,700
Crowder Construction Company	\$7,773,000

HRSD/Engineer Estimate: \$7,613,000

The design engineer, HDR Engineering evaluated the bids based upon the requirements in the invitation for bid and recommends award to the lowest responsive and responsible bidder Industrial Turnaround Corporation DBA ITAC in the amount of \$4,548,900.

Project Description: This project will replace five Motor Control Centers (MCC) and a Main Distribution Panel, and variable frequency drives located in the Incinerator Building at Virginia Initiative Plant (VIP) installed in the 1970's. This project will also replace four 1980's vintage MCCs and Switchgears located in the Blower Building. The electrical distribution equipment has reached the end of their useful life. Two new 2000 kVA transformers will be installed to accommodate future blower loads.

The attached [map](#) depicts the project location.

Project Justification: During an annual thermographic inspection signs of bus deterioration and heat anomalies were discovered. The MCCs are critical to plant operations. The five MCCs in the incinerator building supply power to the furnace, ID fan, Centrifuges, and Building Services. The MCC located in the Blower Building supplies power to the Blowers, Primary Clarifiers, Grit Tanks, and Chemical Building. This project will increase plant process reliability and improve employee safety by reducing the likelihood of an arc flash event.

Funding Description: The original CIP project estimate was estimated in 2021, and cost gave escalated considerably since that time. The construction bid amount of \$4,548,900 and the fee for the construction related engineering services exceeds the current balance available for this CIP project. A 10% contingency is also being requested to accommodate any unforeseen conditions.

Task Order Description and Analysis of Cost: This task order will provide construction administration and construction inspection services for the project. The cost of this task order is based on an estimate of labor hours and direct costs required to execute the negotiated scope of work. The fee proposal is comparable to other projects of similar scope.

<u>Schedule:</u>	Construction	September 2023
	Project Completion	June 2025

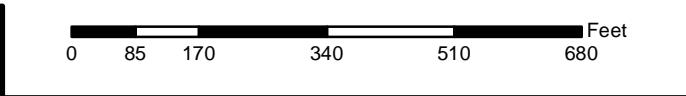


VPO19200

- Project Interceptor Line
- Project Interceptor Point
- Project Pump Station Point
- Project Area

Legend

- CIP Interceptor Point
- CIP Pump Station Point
- CIP Interceptor Line
- CIP Abandonment
- CIP Project Area
- HRSD Interceptor Force Main
- HRSD Interceptor Gravity Main
- HRSD Treatment Plant
- HRSD Pressure Reducing Station
- HRSD Pump Station



VPO 19200

Virginia Initiative Plant Motor Control Center Replacements

CIP Location

AGENDA ITEM 15. – August 22, 2023

Subject: Jefferson Avenue Interceptor Force Main Replacement Phase III
Easement Acquisition
900 Bland Boulevard, Newport News, VA 23602

Recommended Action: Approve the purchase of a 93,113 square foot permanent easement for \$200,000 in accordance with the terms and conditions of the Agreement and forthcoming Deed of Easement with Peninsula Airport Commission, (Grantor) and authorize the General Manager to execute same and related acquisition documents in accordance with those terms and conditions substantially as presented, together with such changes, modifications and deletions as the General Manager may deem necessary and as approved by counsel.

CIP Project: JR011730

Regulatory Requirement: None

Budget	\$24,103,808
Previous Expenditures and Encumbrances	(\$22,347,473)
Available Balance	\$1,756,335

Project Description: This project will replace approximately 9,000 linear feet (LF) of 12-inch, 14-inch, and 16-inch HRSD force main (FM) (NF-020 and NF-021) from the intersection of Route 171 (Oyster Point Road) and Jefferson Avenue to the proposed Patrick Henry interconnect pipeline. A preliminary hydraulic and capacity analysis revealed that pressures in the HRSD force main are hindering the City of Newport News' pump stations from entering the HRSD system during high flow conditions. Future development is planned for the service area, which will exacerbate the current problem. Construction of this project will also provide additional capacity and system flexibility when combined with other proposed improvements.

As part of the project, HRSD will require 15 temporary and permanent easements. The subject easement acquisition cost is above the \$25,000 threshold as defined in HRSD's Policy Guidelines and will require Commission approval.

The attached [map](#) and [plat](#) depict the project and easement location. The [Agreement](#) is also attached and was reviewed by HRSD staff and real estate legal counsel.

Analysis of Cost: The cost for the easement is based upon an appraisal by Dove Valuations, Inc. as well as a negotiated settlement with the property owner.

AGREEMENT

THIS AGREEMENT, made this ___ day of _____, 2023, by and between **PENINSULA AIRPORT COMMISSION, NEWPORT NEWS/WILLIAMSBURG AIRPORT**, a political subdivision of the Commonwealth of Virginia, whose mailing address is 900 Bland Avenue, Newport News, Virginia 23602 (“Landowner”), and **HAMPTON ROADS SANITATION DISTRICT** (“HRSD”), a political subdivision of the Commonwealth of Virginia, located at 1434 Air Rail Avenue, Virginia Beach, Virginia 23455 (the “Grantee”), and Collectively, Landowner and HRSD shall be referred to as the “Parties.”

WITNESSETH: That for and in consideration of one dollar and other valuable consideration, receipt of which is hereby acknowledged, Landowner agrees to convey to HRSD a Non-exclusive Permanent Utility Easement over, across and through the following described property of the Landowner, by Deed of Easement, properly executed, acknowledged, and delivered.

The land and improvements subject to the Permanent Utility Easement (hereinafter referred to as the “Easement”) is described as follows:

All that certain Non-Exclusive Permanent Utility Easement shown and designated as a “30’ SANITARY SEWER EASEMENT HEREBY DEDICATED 93,113 S.F. OR 2.13758 AC.”, as shown on the attached plat prepared by Paul W. Michael, Jr., Surveyor, Michael Surveying & Mapping, P.C., 41 Old Oyster Point Road, Suite B, Newport News, Virginia 23602 entitled, “EASEMENT PLAT FROM: PENINSULA AIRPORT COMMISSION TO: HAMPTON ROADS SANITATION DISTRICT”, and dated November 18, 2019; and being part of the same property containing 824.63 acres.

Together with all and singular the buildings and improvements, tenements, hereditaments, rights, privileges and appurtenances thereunto belonging or in anywise appertaining (the “Easement”), a copy of which plat is attached hereto as **Exhibit A** and made a part hereof.

The total consideration for the conveyance provided for herein is as follows:

CONSIDERATION: ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS AND 00/100 CENTS (\$195,000.00) in full for the easement described herein before and for all damages, if any.

The consideration hereinabove mentioned represents the value of all estates or interests in such land, and the damages to remaining lands of the Landowner which may result by reason of the use to which HRSD will put the Easement to be conveyed.

It is understood and agreed that the consideration paid to the Landowner in connection herewith constitutes payment in full for the Easement hereby conveyed. Damages, if any, to the

residue or other property of the Landowner resulting from the project and use made of the Easement conveyed for the installation of the facilities shall be covered by the HRSD.

It is understood that HRSD agrees and will adhere to the below language provided by Federal Aviation Administration and Peninsula Airport Commission, which language shall also be included in the Deed of Easement granting the Easement.

- (1) A prohibition against the erection of structures or growth of natural objects that would constitute an obstruction to air navigation.
- (2) A prohibition against any activity on the land of Landowner that would interfere with or be a hazard to the flight of aircraft over the land or to and from the airport or interfere with air navigation and communication facilities serving the airport.
- (3) A reservation assuring the public right to fly aircraft over the land to read as follows:

“There is hereby reserved to the Peninsula Airport Commission, its successors and assigns, for the use and benefit of the public, a right of flight for passage of aircraft in the airspace above the surface of the premises herein conveyed. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation of any aircraft used for navigation or flight through said airspace or landing at, taking off from, or operation on the Newport News — Williamsburg International Airport.”

In the event the Landowner is unable to convey clear title to the above Easement to HRSD as herein provided, and HRSD should elect to institute condemnation proceedings for the purpose of acquiring such easement, it is agreed by the Landowner that this instrument may be introduced in such proceedings as evidence of the value of land and damages, if any, to the remaining property of the Landowner.

The Landowner by execution of this instrument acknowledges that the plans for the aforesaid project as they affect the subject property have been fully explained to the undersigned.

HRSD or its contractor will restore Landowner’s land and Parcel affected as a result of construction of the project as closely as is reasonably possible to its pre-construction condition (or better) upon completion of the Project including replacing with acceptable landscaping. Any disturbance of the premises during the life of this Agreement by the GRANTEE or its contractor will be restored by the GRANTEE as nearly as practicable. This includes paving, fences, backfilling of trenches, grass, reseeding, replacing or replanting landscaping, addressing ground sink issues, and removal of trash or debris. Landscaping will be replaced with immature trees, shrubs, and ground cover.

HRSD or its contractor hereby agrees that it will perform all such measures in a manner causing as little inconvenience and disruption to the Landowner, and Landowner’s invitees, licensees and occupants as is reasonably possible. To the extent applicable to HRSD actions with respect to the Easement, HRSD and its successors, assigns, agents, employees, designees and contractors shall comply with the requirements set forth in that letter, dated April 5, 2022 from

the Virginia Department of Environmental Quality to Mr. Michael Giardino, Executive Director, Newport News/Williamsburg International Airport, a copy of which letter is attached hereto as **Exhibit B**.

RIGHT TO ENTER: The HRSD, or its agents, may exercise the right to enter upon so much of the parcel or Land needed for such purposes as may be necessary for the construction of this project with at least 48-hour notice to the Landowner, unless in cases of emergency repair of HRSD facilities.

ETHICS IN PUBLIC CONTRACTING: By executing this Agreement, the undersigned Landowner or its representative, and the representative of HRSD, certify that the prices agreed to in this Agreement were arrived at without collusion or fraud and that they have not offered or received any payment, kickbacks or other inducement from any other party to this Agreement or its agent or employee in connection with this Agreement, and that they have not conferred on any public employee having responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised unless disclosed in this Agreement.

Landowner acknowledges that HRSD has relied upon these covenants, representations and warranties in purchasing the Easement.

Settlement shall be within ninety (90) days, or as soon thereafter, allowing a reasonable time to correct any title defects reported by the title examiner and preparation and signing of the necessary documents to enable the HRSD to take proper title.

THE COVENANTS, AGREEMENTS, REPRESENTATIONS, WARRANTIES OF THE LANDOWNER CONTAINED IN THESE PARAGRAPHS SHALL SURVIVE THE CLOSING AND DELIVERY OF THE DEED OF EASEMENT ACROSS THE SUBJECT LAND.

Agreement—Tax Map# 112.00-01-01, City of Newport News, VA
Between HRSD and Peninsula Airport Commission, Newport News/Williamsburg Airport

WITNESS the following signatures and seals:

LANDOWNER:

Peninsula Airport Commission
Newport News/Williamsburg Airport

By:  (SEAL)


Name: Lindsey C. Smith (Signature)

Title: Chair

COMMONWEALTH OF VIRGINIA

City/County of Newport News . to-wit:

The foregoing instrument was acknowledged before me this 24th July day of 2023, by _____,
as its Chair, on behalf of Peninsula Airport Commission, Newport News/Williamsburg Airport.


Notary Public

Notary Public Registration No. 7631015
My commission expires: 10/31/2023



GRANTEE:

HAMPTON ROADS SANITATION DISTRICT

By: _____ (SEAL)

Name: _____

Title: _____

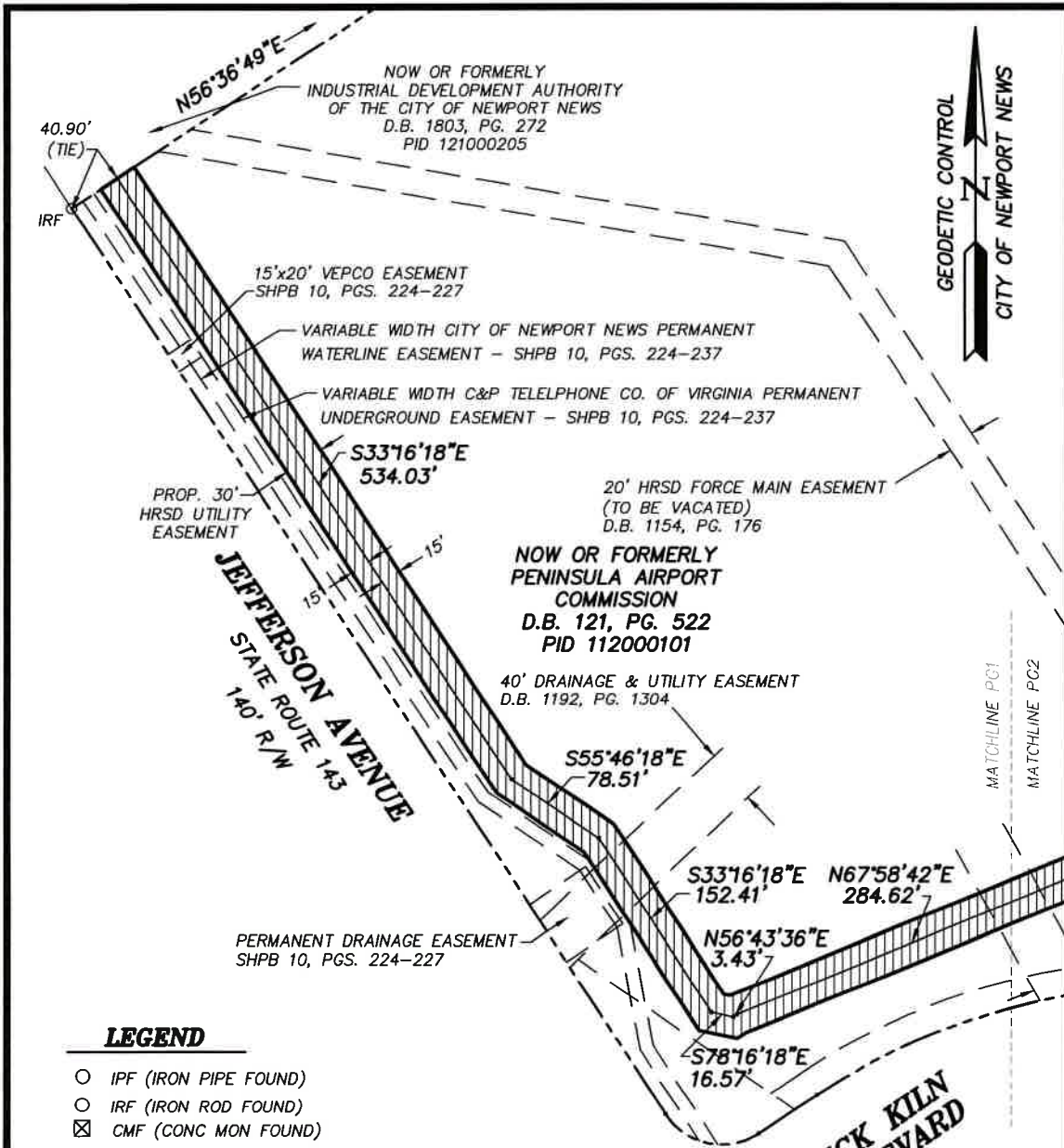
COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to wit:

I, _____, a Notary Public in and for the City/County of _____, in the Commonwealth of Virginia, whose term in office expires on _____, do hereby certify that _____, in his/her capacity as _____ of Hampton Roads Sanitation District, whose name is signed to the foregoing Agreement, has acknowledged the same before me in my City and State aforesaid.

Given under my hand this _____ day of _____, 2023.

Notary Public
Registration No. _____

EXHIBIT A
PLAT

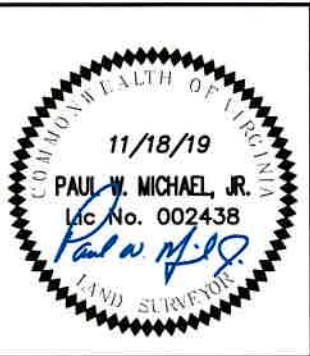


LEGEND

- IPF (IRON PIPE FOUND)
- IRF (IRON ROD FOUND)
- ⊗ CMF (CONC MON FOUND)
- DENOTES PERMANENT 30' UTILITY EASEMENT TO BE CONVEYED TO HAMPTON ROADS SANITATION DISTRICT - 93,113 S.F. (TOTAL)

NOTES:

1. HORIZONTAL COORDINATE INFORMATION IS BASED ON THE CITY OF NEWPORT NEWS GEODETIC CONTROL NETWORK, STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 83) (1992), UNITS ARE U.S. SURVEY FEET.
2. PROPERTY LINES SHOWN ARE BASED ON COMPILED RECORD INFORMATION, TAX MAP INFORMATION AND MADE TO FIT FIELD FOUND MONUMENTATION. THIS PLAT IS FOR EASEMENT PURPOSES ONLY AND DOES NOT CONSTITUTE A PHYSICAL OR BOUNDARY SURVEY.
3. A TITLE REPORT WAS NOT PROVIDED FOR THIS PROJECT, THEREFORE THERE MAYBE OTHER EASEMENTS THAT AFFECT THE PROPERTY THAT ARE NOT SHOWN.



References:
D.B. 121, PG. 522

Notes:
Rev. 7/17/23

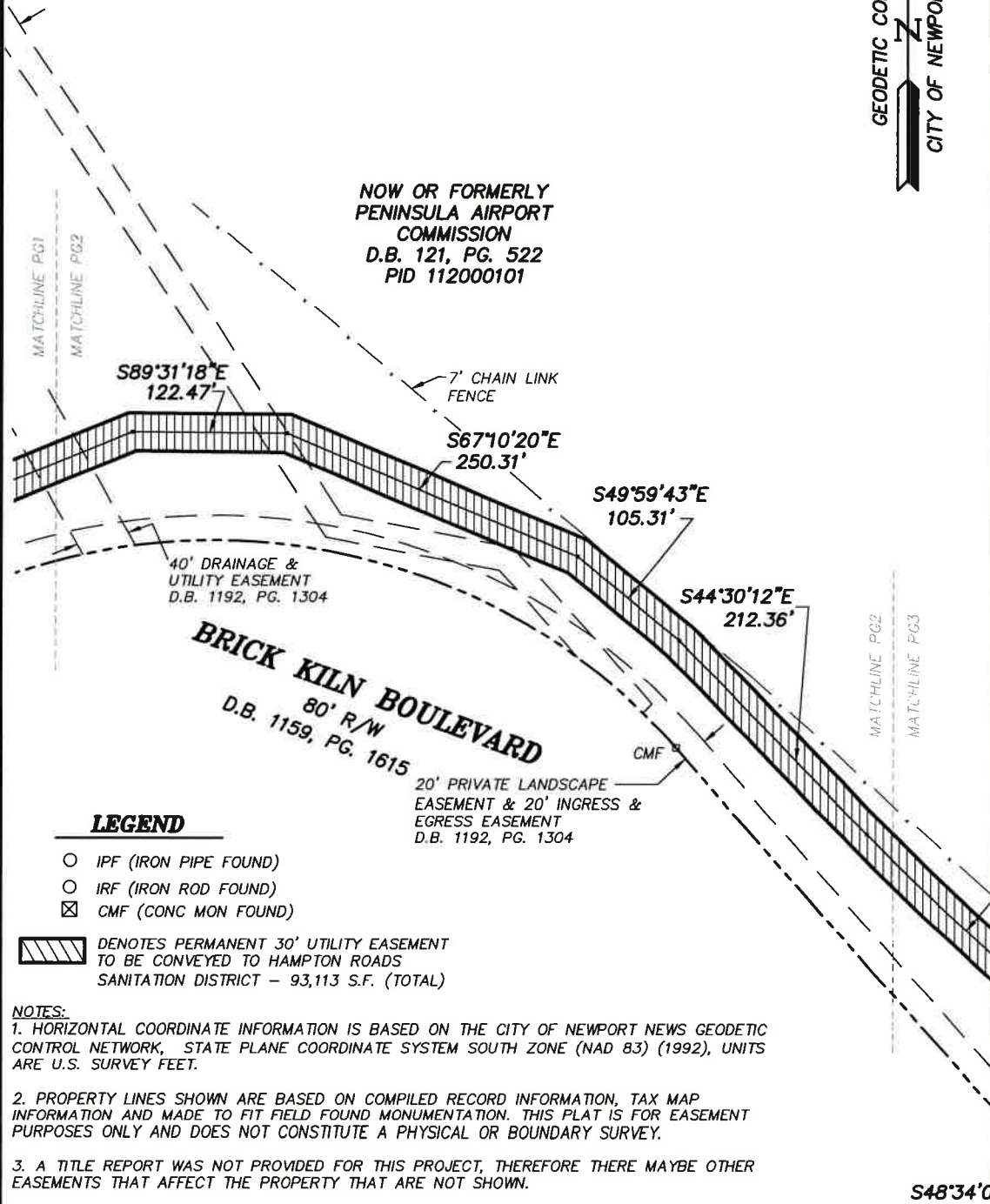
EASEMENT PLAT
FROM: PENINSULA AIRPORT COMMISSION
TO: HAMPTON ROADS SANITATION DISTRICT
PROJECT: JEFFERSON AVE IFM REPLACEMENT PHASE III

Date: 11/18/19	Scale: 1"=100'	Job No.: 19-012
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MICHAEL SURVEYING & MAPPING, P.C.
 41 OLD OYSTER POINT RD. - SUITE B
 NEWPORT NEWS, VIRGINIA 23602
 TEL 757.873.1762 FAX 757.873.1772



NOW OR FORMERLY
PENINSULA AIRPORT
COMMISSION
D.B. 121, PG. 522
PID 112000101



LEGEND

- IPF (IRON PIPE FOUND)
- IRF (IRON ROD FOUND)
- ☒ CMF (CONC MON FOUND)

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S48°34'0



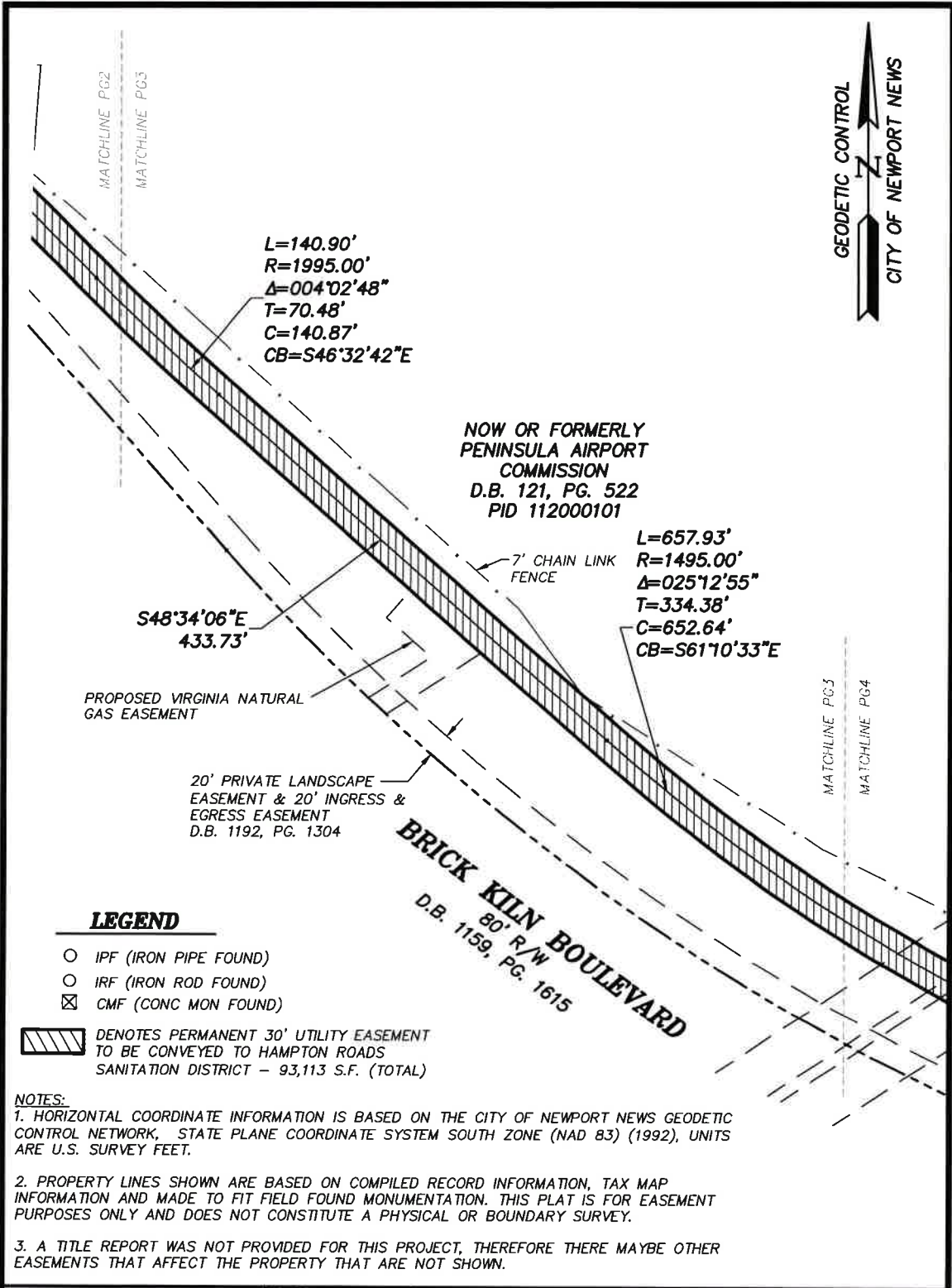
References:
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Notes:
Rev. 7/17/23

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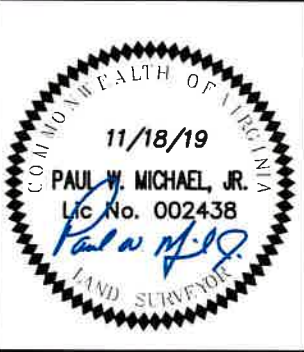
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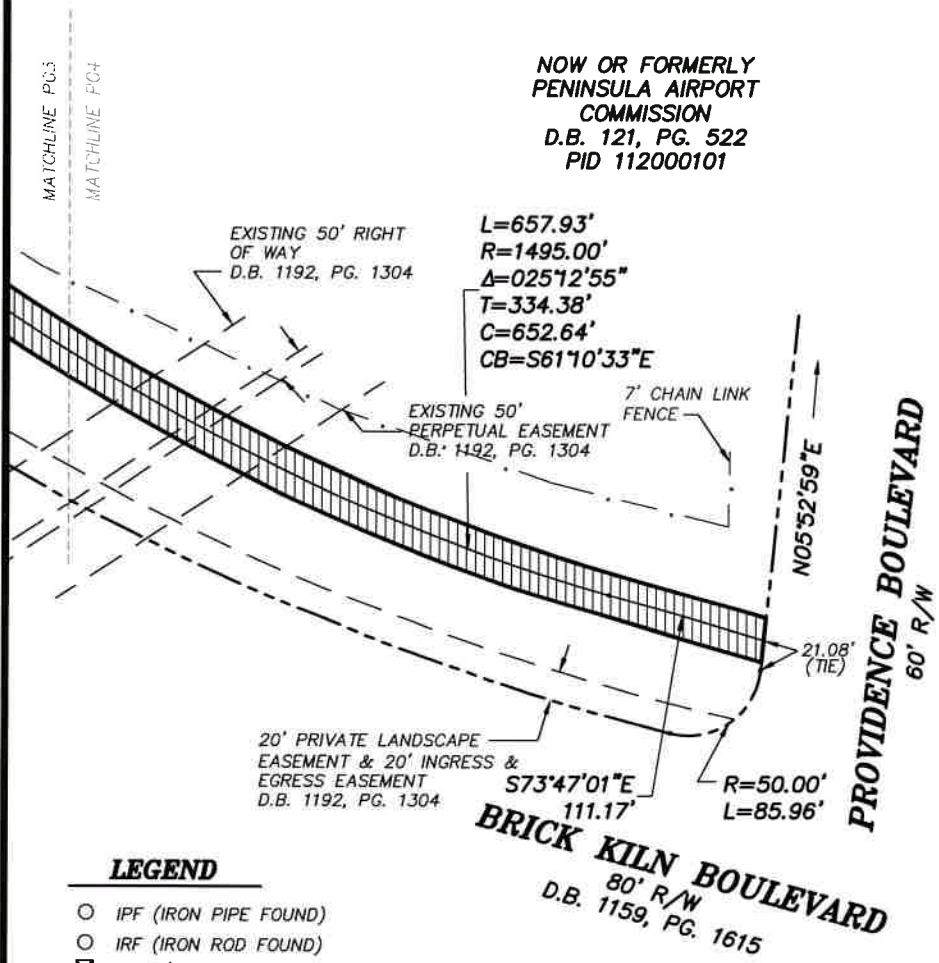
EASEMENT PLAT
FROM: PENINSULA AIRPORT COMMISSION
TO: HAMPTON ROADS SANITATION DISTRICT
PROJECT: JEFFERSON AVE IFM
REPLACEMENT PHASE III

Date: 11/18/19 Scale: 1"=100' Job No.: 19-012

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 41 OLD OYSTER POINT RD. - SUITE B
 NEWPORT NEWS, VIRGINIA 23602
 TEL 757.873.1762 FAX 757.873.1772



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PENINSULA AIRPORT
COMMISSION
D.B. 121, PG. 522
PID 112000101



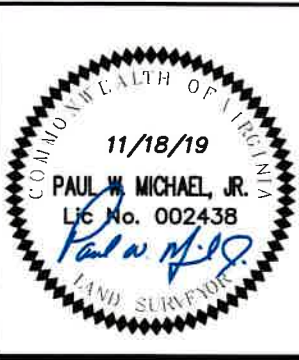
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EXHIBIT B

April 5, 2022 from the Virginia Department of Environmental Quality to Mr. Michael Giardino,
Executive Director, Newport News/Williamsburg International Airport



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

April 5, 2022

Mr. Michael Giardino
Executive Director
Newport News/ Williamsburg International Airport
900 Bland Boulevard
Newport News, VA 23602
Via email: mgiardino@newportnewsairport.com

RE: Federal Consistency Certification for the Newport News/ Williamsburg
International Airport Proposed Utility Easements, Federal Aviation Administration,
City of Newport News, DEQ 22-015F

Dear Mr. Giardino:

The Commonwealth of Virginia has completed its review of the above-mentioned Federal Consistency Certification (FCC). The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of FCCs and responding to appropriate officials on behalf of the Commonwealth. This letter is in response to the FCC included as Attachment C to the Environmental Categorical Exclusion Form dated January 2022 and received on January 25, 2022, submitted by Talbert & Bright on behalf of the Federal Aviation Administration. The following agencies participated in this review:

Department of Environmental Quality
Department of Health (VDH)
Marine Resources Commission (VMRC)
Department of Conservation and Recreation (DCR)
Department of Historic Resources (DHR)
Department of Wildlife Resources (DWR)
Department of Aviation (DOAV)

In addition, the Department of Transportation, City of Newport News, Hampton Roads Planning District Commission were invited to comment on the proposal.

PROJECT DESCRIPTION

The Peninsula Airport Commission (Commission or applicant) is seeking approval from the Federal Aviation Administration (FAA) to grant easements for the installation of utilities on property located on the Newport News/ Williamsburg International Airport. The first project includes granting a 30'-wide utility easement to the Hampton Roads Sanitation District (HRSD) from the Peninsula Airport Commission. The easement is approximately 3,100' in length and would be located along Jefferson Avenue and Brick Kiln Blvd. Any improvements associated with this easement will be underground and not adversely impact the operation of the Airport. The second project includes granting a permanent utility easement to Virginia Natural Gas (VNG) from the Peninsula Airport Commission for the installation of a gas regulator station and associated gas lines. The VNG easements total approximately 4,550 square feet and are located along Brick Kiln Blvd. The total project area including both easements is approximately 97,928 square feet (2.25 acres). All work will be performed entirely on Airport property.

FEDERAL CONSISTENCY PUBLIC PARTICIPATION

In accordance with 15 CFR §930.2, the public was invited to participate in the review of the proposal. Public notice of the proposed action was included in OEIR's Program Newsletter and published on the DEQ website from January 31, 2022 to March 4, 2022. No public comments were received in response to the notice.

FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT

Pursuant to the Coastal Zone Management Act of 1972 (CZMA), as amended, and the federal consistency regulations implementing the CZMA (15 CFR, Part 930, Subpart D, Section 930.50 *et seq.*), projects receiving federal permits, licenses or approvals, which can affect Virginia's coastal uses or resources, must be constructed and operated in a manner which is consistent with the Virginia Coastal Zone Management (CZM) Program. The Virginia CZM Program is comprised of a network of programs administered by several agencies. In order to be consistent with the Virginia CZM Program, all the applicable permits and approvals listed under the enforceable policies of the Virginia CZM Program must be obtained prior to commencing the project.

FEDERAL CONSISTENCY CONCURRENCE

Based on our review of the FCC and the comments submitted by agencies administering the enforceable policies of the CZM Program, DEQ concurs that the proposal is consistent with the CZM Program provided that prior to implementation of the project all applicable permits and approvals are obtained as described below.

If, prior to implementation, the project should change significantly and any of the enforceable policies of the Virginia CZM Program would be affected, pursuant to 15 CFR 930.66, the applicant must submit supplemental information to DEQ for review and approval.

Other state approvals which may apply to this project are not included in this consistency concurrence. Therefore, the applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state and local laws and regulations.

FEDERAL CONSISTENCY ANALYSIS

According to information in the FCC, the proposed activity will have an effect on the Chesapeake Bay Preservation Areas and Non-Point Source Water Pollution enforceable policies. The remaining enforceable policies will not be affected. The resource agencies that are responsible for the administration of the enforceable policies of the Virginia CZM Program generally agree with the findings of the FCC. The applicant must ensure that the proposed action is consistent with the aforementioned policies. In addition, in accordance with 15 CFR Part 930, subpart D, 930.58(a) (3), the applicant has considered potential project impacts to the advisory policies of the Virginia CZM Program.

1. Tidal and Non-Tidal Wetlands. According to the FCC (page 2), a review of National Wetland Inventory Maps found that there are no wetlands within or around the project area. This was confirmed with a site visit.

1(a) Agency Jurisdiction. The purpose of the policy is to preserve and protect wetlands and non-tidal surface waters, to prevent their despoliation and destruction, and accommodate necessary economic development in a manner consistent with wetlands preservation. Impacts to wetlands and streams shall be avoided or minimized to the maximum extent practicable. Tidal Wetlands are administered by the Virginia Marine Resources Commission (VMRC) under the authority of the Tidal Wetlands Act of 1972 (Virginia Code § 28.2-1301 and -1308; 4 VAC § 20-390-20). Tidal and Nontidal Wetlands are administered by the Department of Environmental Quality (DEQ) through the Virginia Water Protection (VWP) Permit program and includes Water Quality Certification pursuant to Section 401 of the Clean Water Act (Virginia Code §§ 62.1-44.15:20 and -44.15:21; and 9 VAC §§ 25-210-10, -210-45, 210-80, 260-10, -380, -390).

1(b) Agency Findings.

1(b)(i) Virginia Department of Environmental Quality. The DEQ Tidewater Regional Office (TRO) did not indicate that wetlands will be affected.

1(b)(ii) Virginia Marine Resources Commission. VMRC confirmed that there are no tidal wetlands in close proximity to the project area. The proposed project is outside the jurisdictional areas of the agency and no VMRC permit will be required.

1(c) Recommendation. Potential adverse impacts to water quality and wetlands resulting from surface runoff due to construction activities must be minimized. This can be achieved by using Best Management Practices (BMPs).

1(d) Requirement. Any permanent or temporary impacts to surface waters and wetlands will require a permit pursuant to §401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and Virginia Administrative Code 9 VAC 25-210-10 *et seq.*

1(e) Conclusion. The project will be consistent with the tidal and non-tidal wetlands enforceable policy of the Virginia CZM Program, provided that a VWP permit is obtained, as necessary.

2. Point Source Air Pollution. According to the FCC (page 4), no open burning will be conducted. Best Management Practices such as watering will be used to control fugitive dust during construction.

2(a) Agency Jurisdiction. The policy is administered by DEQ through the federal Clean Air Act and Virginia's legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. It is the policy of the Commonwealth to abate, control, and prohibit air pollution throughout the Commonwealth (Virginia Code § 10.1-1308), to include: asphalt paving operations in volatile organic compound emission control areas (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-20-206 and -45-780), open burning (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1105, -130-10, -130-30 to -50, 20-60-30, and 5-60-200), fugitive dust emissions (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-50-90 and -40-90), state operation permits (Virginia Code §§ 10.1-1308 and -1322; 9 VAC § 5-80-800), and new source review (Virginia Code §§ 10.1-1308 and -1322; 9 VAC §§ 5-80-1100, -1400, -1605, and -2000).

2(b) Agency Finding. The DEQ Air Division states that the project site is located in an ozone (O₃) attainment area and emission control area for oxides of nitrogen (NO_x) and volatile organic compounds (VOCs).

2(c) Requirements.

2(c)(i) Fugitive Dust. During land-disturbing activities, fugitive dust must be kept to a minimum by using control methods outlined in 9VAC5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:

- Use, where possible, of water or suitable chemicals for dust control during the proposed demolition and construction operations and from material stockpiles;

- Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

2(c)(ii) Fuel-Burning Equipment. Fuel-burning equipment (boilers, generators, compressors, etc.) or any other air-pollution-emitting equipment may be subject to registration or permitting requirements under 9 VAC5-80, Article 6, Permits for New and Modified Sources.

2(c)(iii) Open Burning. If project activities include the open burning of construction material or the use of special incineration devices, this activity must meet the requirements under 9 VAC 5-130 *et seq.* of the *Regulations* for open burning, and may require a permit. The *Regulations* provide for, but do not require, the local adoption of a model ordinance concerning open burning. The applicant should contact local fire officials to determine what local requirements, if any, exist.

2(c)(iv) Asphalt Paving. A precaution, which typically applies to road construction and paving work (9 VAC 5-45-780 *et seq.*), places limitations on the use of “cut-back” (liquefied asphalt cement, blended with petroleum solvents), and may apply to the project. The asphalt must be “emulsified” (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use from April through October in VOC emission control areas.

2(d) Recommendation. Take precautions to restrict the emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x).

2(e) Conclusion. The project will be consistent with the point source air pollution enforceable policy of the Virginia CZM Program, provided it complies with the above requirements.

3. Chesapeake Bay Preservation Areas. The FCC (page 2) notes that a portion of the proposed easement is located within a Resource Management Area (RMA). The easement is not located within any Resource Protection Area.

3(a) Agency Jurisdiction. The policy is intended to protect and improve the water quality of the Chesapeake Bay, its tributaries, and other state waters by ensuring that land use and development performance criteria and standards are implemented in Chesapeake Bay Preservation Areas, which if improperly used or developed may result in substantial damage to the water quality of the Chesapeake Bay and its tributaries. The program is administered by DEQ and 84 Bay Act localities through the Chesapeake Bay Preservation Act (Virginia Code §§ 28.2-104.1, 62.1-44.15:24, -44.15:51, -44.15:67, -44.15:68, -44.15:69, -44.15:73, -44.15:74, and -44.15:78) and Chesapeake Bay

Preservation Area Designation and Management Regulations (9 VAC §§ 25-830-30, -40, -80, -90, -100, -120, -130, -140, and -150).

3(b) Agency Findings. In the City of Newport News, the areas protected by the *Chesapeake Bay Preservation Act*, as locally implemented, require conformance with performance criteria. These areas include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs). RPAs include tidal wetlands, certain non-tidal wetlands and tidal shores. RPAs also include a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow. The components of the RMA consist of all lands within one hundred feet landward of the landward boundary of the RPA buffer and in addition includes all land containing slopes greater than fifteen percent, all areas within the one hundred year floodplain, and highly erodible soils. Newport News also has lands designated as industrial waterfront intensely developed areas (IWIDA) that, because of the intensity of their use, are characterized by an absence of natural environmental features and a preponderance of impervious surface and bulk headed or riprapped shoreline.

The proposed project lies within the locally designated Chesapeake Bay Preservation Area (CBPA), specifically the RMA.

3(c) Requirements. Per 9VAC 25-830-150(B) of the Regulations, the construction, installation, operation, and maintenance of public utilities and their appurtenant structures are conditionally exempt from the Regulations. Activities within the CBPA must occur in accordance with regulations promulgated pursuant to the Erosion and Sediment Control Law and the Virginia Stormwater Management Act; an erosion and sediment control plan and a stormwater management plan approved by the Virginia Department of Environmental Quality or local water quality protection criteria at least as stringent as the above state requirements.

3(d) Conclusion. Provided adherence to the above requirements, the proposed activity will be consistent with the *Chesapeake Bay Preservation Act* and Regulations and the Chesapeake Bay Preservation Areas enforceable policy of the Virginia CZM Program.

4. Non-Point Source Water Pollution. According to the FCC (page 5), the proposed action does not include any construction that would result in non-point source pollution and there will be no soil erosion or the input of chemical nutrients and sediments to the Chesapeake Bay, its tributaries and other waters of the Commonwealth. Stormwater runoff will be controlled via silt fencing.

4(a) Agency Jurisdiction. The policy addresses the control stormwater runoff to protect the quality and quantity of state waters from the potential harm of unmanaged stormwater. Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by DEQ (Virginia Code §§ 62.1-44.15:25, 62.1-44.15:52; 9 VAC §§ 25-840-30, 25-870-20).

4(b) Requirements.

4(b)(i) Erosion and Sediment Control Plan. The applicant is responsible for submitting a project-specific erosion and sediment control (ESC) plan to the locality in which the project is located for review and approval pursuant to the local ESC requirements, if the project involves a land-disturbing activity of 10,000 square feet or more (2,500 square feet or more in a Chesapeake Bay Preservation Area). Depending on local requirements the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land-disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on and off site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project, must be covered by the project specific ESC plan. Local ESC program requirements must be requested through the locality.

4(b)(ii) Stormwater Management Plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local SWM program requirements must be requested through the locality.

4(b)(iii) General Permit for Stormwater Discharges from Construction Activities (VAR10). DEQ is responsible for the issuance, denial, revocation, termination and enforcement of the Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities related to municipal separate storm sewer systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program.

The operator or owner of a construction activity involving land disturbance of equal to or greater than 1 acre is required to register for coverage under the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the General Permit and the SWPPP must address water quality and quantity in accordance with the *Virginia Stormwater Management Program Regulations*. General information and registration forms for the General Permit are available on DEQ's website at: <https://www.deq.virginia.gov/water/stormwater>.

4(c) Conclusion. Provided adherence to the applicable ESC, SWM, and VPDES requirements, the proposed activity will be consistent with the Non-Point Source Water Pollution enforceable policy of the Virginia CZM Program.

ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

In addition to the enforceable policies of the Virginia CZM Program, comments were also provided with respect to other applicable requirements and recommendations. The applicant must ensure that this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations.

1. Solid and Hazardous Waste Management.

1(a) Agency Jurisdiction. On behalf of the Virginia Waste Management Board, the [DEQ Division of Land Protection and Revitalization](#) is responsible for carrying out the mandates of the Virginia Waste Management Act (Virginia Code §10.1-1400 *et seq.*), as well as meeting Virginia's federal obligations under the Resource Conservation and Recovery Act (CERCLA) and the Comprehensive Environmental Response Compensation Liability Act, commonly known as Superfund. The DEQ Division of Land Protection and Revitalization also administers those laws and regulations on behalf of the State Water Control Board governing Petroleum Storage Tanks (Virginia Code §62.1-44.34:8 *et seq.*), including Aboveground Storage Tanks (9VAC25-91 *et seq.*) and Underground Storage Tanks (9VAC25-580 *et seq.* and 9VAC25-580-370 *et seq.*), also known as 'Virginia Tank Regulations', and § 62.1-44.34:14 *et seq.* which covers oil spills.

Virginia:

- Virginia Waste Management Act, Virginia Code § 10.1-1400 *et seq.*
- *Virginia Solid Waste Management Regulations*, 9 VAC 20-81
 - (9 VAC 20-81-620 applies to asbestos-containing materials)
- *Virginia Hazardous Waste Management Regulations*, 9 VAC 20-60
 - (9 VAC 20-60-261 applies to lead-based paints)
- *Virginia Regulations for the Transportation of Hazardous Materials*, 9 VAC 20-110.

Federal:

- Resource Conservation and Recovery Act (RCRA), 42 U.S. Code sections 6901 *et seq.*
- U.S. Department of Transportation *Rules for Transportation of Hazardous Materials*, 49 Code of Federal Regulations, Part 107
- Applicable rules contained in Title 40, *Code of Federal Regulations*.

1(b) Agency Findings. DEQ's Division of Land Protection and Revitalization (DLPR) conducted a solid and hazardous waste database search (200-foot radius) for waste sites in close proximity to the project area. DLPR identified one RCRA Small Quantity Generator in close proximity to the project area which might impact the project:

RegistryID: 110005213768, WalMart Supercenter 1773, 12401 Jefferson Ave, Newport News, Virginia 23602-4311.

The DEQ TRO noted that DEQ records do not indicate any reported petroleum releases within the proposed project footprint.

1(c) Requirements.

1(c)(i) Contaminated and Generated Wastes. Any soil that is suspected of contamination or wastes that are generated during construction must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. All construction and demolition debris must be characterized in accordance with the *Virginia Hazardous Waste Management Regulations* prior to disposal at an appropriate facility. It is the generator's responsibility to determine if a solid waste meets the criteria of a hazardous waste and to manage the waste appropriately.

1(c)(ii) Petroleum Releases and Storage Tanks. If evidence of a petroleum release is discovered, it must be reported to DEQ, as authorized by Virginia Code § 62.1-44.34.8 through 9 and 9 VAC 25-580-10 *et seq.*

Installation and operation of any regulated petroleum storage tank(s) either aboveground storage tanks (AST) or underground storage tanks (UST) must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 *et seq.* and / or 9 VAC 25-580-10 *et seq.*

1(d) Pollution Prevention Recommendation. DEQ recommends that the applicant implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

2. Public Water Supply.

2(a) Agency Jurisdiction. The Virginia Department of Health (VDH) Office of Drinking Water reviews projects for the potential to impact public drinking water sources (groundwater wells, springs and surface water intakes). VDH administers both federal and state laws governing waterworks operation.

2(b) Agency Findings. VDH identified two surface water intakes within a 5-mile radius of the project site:

- City of Newport News, Hardwood Mill (PWS ID 3700500)
- City of Newport News, Lee Hall (PWS ID 3700500)

2(c) Recommendations. Utilize Best Management Practices including erosion and sedimentation controls and spill prevention controls and countermeasures on the project site. Properly manage materials while on site and during transport to prevent impacts to nearby surface water.

2(d) Requirement. Potential impacts to public water distribution systems or sanitary sewage collection systems must be verified by the local utility.

3. Natural Heritage Resources.

3(a) Agency Jurisdiction.

3(a)(i) Virginia Department of Conservation and Recreation Division of Natural Heritage (DNH). DNH's mission is conserving Virginia's biodiversity through inventory, protection and stewardship. The Virginia Natural Area Preserves Act (Virginia Code §10.1-209 through 217), authorized DCR to maintain a statewide database for conservation planning and project review, protect land for the conservation of biodiversity, and the protect and ecologically manage the natural heritage resources of Virginia (the habitats of rare, threatened and endangered species, significant natural communities, geologic sites, and other natural features).

3(a)(ii) Virginia Department of Agriculture and Consumer Services (VDACS). The Endangered Plant and Insect Species Act of 1979 (Virginia Code Chapter 39 §3.1-1020 through 1030) authorizes VDACS to conserve, protect and manage endangered and threatened species of plants and insects. Under a Memorandum of Agreement established between VDACS and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species.

3(b) Agency Findings.

3(b)(i) Natural Heritage Resources. DCR searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100-foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

3(b)(ii) State-listed Plant and Insect Species. DCR finds that the current activity will not affect any documented state-listed plant and insect species.

3(b)(iii) State Natural Area Preserves. DCR files do not indicate the presence of any State Natural Area Preserves under the agency's jurisdiction in the project vicinity.

3(c) Recommendations. Contact DCR DNH to secure updated information on natural heritage resources if the scope of the project changes and/or six months has passed before it is utilized. New and updated information is continually added to the Biotics Data System.

4. Floodplain Management.

4(a) Agency Jurisdiction. DCR is the lead coordinating agency for the Commonwealth's floodplain management program and the National Flood Insurance Program (Executive Memorandum 2-97).

4(b) Agency Findings. The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

DCR's Floodplain Management Program does not have regulatory authority for projects in the SFHA.

4(c) Requirement. The applicant/developer must contact the local floodplain administrator for an official floodplain determination, and if the project is located in the SFHA, this project must comply with the community's local floodplain ordinance, including receiving a local permit, as necessary. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality.

5. Historic and Archaeological Resources.

5(a) Agency Jurisdiction. The Virginia [Department of Historic Resources \(DHR\)](http://www.dhr.virginia.gov/StateStewardship/Index.htm) conducts reviews of both federal and state projects to determine their effect on historic properties. Under the federal process, DHR is the State Historic Preservation Office, and ensures that federal undertakings - including licenses, permits, or funding - comply with Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulation at 36 CFR Part 800. Section 106 requires federal agencies to consider the effects of federal projects on properties that are listed or eligible for listing on the National Register of Historic Places. Please see DHR's website for more information about applicable state and federal laws and how to submit an application for review: <http://www.dhr.virginia.gov/StateStewardship/Index.htm>.

5(b) Agency Findings. The FAA has consulted with DHR on this project and DHR concurred with their determination of No Historic Properties Affected.

6. Aviation.

6(a) Agency Jurisdiction. The Virginia Department of Aviation is a state agency that plans for the development of the state aviation system; promotes aviation; grants aircraft and airports licenses; and provides financial and technical assistance to cities, towns, counties and other governmental subdivisions for the planning, development, construction and operation of airports, and other aviation facilities.

6(b) Agency Findings. The DOAV has reviewed the FCC and has no comments.

REGULATORY AND COORDINATION NEEDS

1. Point Source Air Pollution. Activities associated with this project may be subject to air regulations administered by DEQ. The state air pollution regulation that may apply to the project are:

- fugitive dust and emissions control (9VAC5-50-60 *et seq.*);
- open burning (9VAC5-130 *et seq.*);
- asphalt paving operations (9VAC5-45-760 *et seq.*); and
- permits for fuel-burning equipment (9VAC5-80-1100 *et seq.*).

Coordinate with DEQ TRO (John Brandt, 757-407-2341) for guidance on minimizing emissions during construction and questions on air pollution requirements.

2. Chesapeake Bay Preservation Areas. The project must be conducted in a manner that is consistent with the Chesapeake Bay Preservation Areas enforceable policy of the CZM Program as administered by the locality pursuant to the Chesapeake Bay Preservation Act (Virginia Code 62.1-44.15 *et seq.*) and the Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC25-830 *et seq.*). For additional information related to the requirements for work in the RMA or with general questions contact DEQ (Amber Foster, 804-774-8474).

3. Non-Point Source Water Pollution.

3(a) Erosion and Sediment Control and Stormwater Management. This project must comply with *Virginia's Erosion and Sediment Control Law* (Virginia Code § 62.1-44.15:61) and *Regulations* (9 VAC 25-840-30 *et seq.*) and *Stormwater Management Law* (Virginia Code § 62.1-44.15:31) and *Regulations* (9 VAC 25-870-210 *et seq.*) as locally administered. Land-disturbing activities 10,000 square feet or more (2,500 square feet or more in a Chesapeake Bay Preservation Area) would be regulated by VESCL&R and VSWML&R. Local erosion and sediment control, and stormwater management plan requirements should be coordinated with the City of Newport News (Engineering- Environmental Services, 757-933-2311).

3(b) General Permit for Stormwater Discharges from Construction Activities (VAR10). For projects involving land-disturbing activities of equal to or greater than one

Newport News/ Williamsburg International Airport
Proposed Utility Easements
DEQ 22-015F

acre the applicant is required to register for coverage under the Virginia Stormwater Management Program General Permit for Discharges of Stormwater from Construction Activities (9 VAC 25-870-1 *et seq.*). Specific questions regarding the Stormwater Management Program requirements should be directed to the City of Newport News (Engineering- Environmental Services, 757-933-2311).

4. Solid and Hazardous Wastes. All solid waste, hazardous waste, and hazardous materials must be managed in accordance with all applicable federal, state, and local environmental regulations. Contact DEQ TRO, Melinda Woodruff (Melinda.Woodruff@deq.virginia.gov or 757-407-2516), for information on the location and availability of suitable waste management facilities in the project area or if free product, discolored soils, or other evidence of contaminated soils are encountered.

Documentation and / or questions related to ASTs and USTs should be submitted to TRO Tanks at tro.tanks@deq.virginia.gov.

5. Public Water and Municipal Sewer Utility. Potential impacts to public water distribution systems or sanitary sewage collection systems must be verified by the local utility (Newport News Public Works at 757-933-2311 and Hampton Roads Sanitation District at 757-460-2491).

6. Natural Heritage Resources. Contact DCR-DNH, Rene Hypes at (804) 371-2708, to secure updated information on natural heritage resources if the scope of the project changes and/or six months passes before the project is implemented, since new and updated information is continually added to the Biotics Data System.

7. Floodplain Management. Contact the local floodplain administrator for an official floodplain determination and to ensure compliance with the community's local floodplain ordinance. To find flood zone information, use the Virginia Flood Risk Information System (VFRIS): www.dcr.virginia.gov/vfris

To find community NFIP participation and local floodplain administrator contact information, use DCR's Local Floodplain Management Directory: www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory

Thank you for the opportunity to comment on the FCC submitted for the Newport News/ Williamsburg International Airport Proposed Utility Easements in the City of Newport News. Detailed comments of reviewing agencies are attached for your review. Please contact me at (804) 659-1915 or Janine Howard at (804) 659-1916 for clarification of these comments.

Newport News/ Williamsburg International Airport
Proposed Utility Easements
DEQ 22-015F

Sincerely,

A handwritten signature in cursive script that reads "Bettina Rayfield".

Bettina Rayfield, Program Manager
Environmental Impact Review

Ec: Robbie Rhur, DCR
Amy Martin, DWR
Roger Kirchen, DHR
Tiffany Birge, VMRC
Heather Williams, VDOT
Ben McFarlane, HRPDC
Rusty Harrington, DOAV
Arlene Warren, VDH
Ben McFarlane, HRPDC
Cynthia D. Rohlf, City of Newport News
Genevieve Walker, FAA
Jeff Wellman, Talbert & Bright

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF AIR PROGRAM COORDINATION

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: Janine Howard

We thank OEIR for providing DEQ-AIR an opportunity to review the following project:
Accordingly, I am providing following comments for consideration.

Document Type: Federal Consistency Certification

Project Sponsor: Federal Aviation Administration

Project Title: Newport News/Williamsburg International Airport Proposed Utility Easements

Location: City of Newport News

Project Number: DEQ #22-015F

PROJECT LOCATION: X OZONE ATTAINMENT
 AND EMISSION CONTROL AREA FOR NOX & VOC

REGULATORY REQUIREMENTS MAY BE APPLICABLE TO: X CONSTRUCTION
 OPERATION

STATE AIR POLLUTION CONTROL BOARD REGULATIONS THAT MAY APPLY:

1. 9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E – STAGE I
2. 9 VAC 5-45-760 et seq. – Asphalt Paving operations
3. 9 VAC 5-130 et seq. – Open Burning
4. 9 VAC 5-50-60 et seq. Fugitive Dust Emissions
5. 9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to _____
6. 9 VAC 5-60-300 et seq. – Standards of Performance for Toxic Pollutants
7. 9 VAC 5-50-400 Subpart _____, Standards of Performance for New Stationary Sources, designates standards of performance for the _____
8. 9 VAC 5-80-1100 et seq. of the regulations – Permits for Stationary Sources
9. 9 VAC 5-80-1605 et seq. Of the regulations – Major or Modified Sources located in PSD areas. This rule may be applicable to the _____
10. 9 VAC 5-80-2000 et seq. of the regulations – New and modified sources located in non-attainment areas
11. 9 VAC 5-80-800 et seq. Of the regulations – State Operating Permits. This rule may be applicable to _____

COMMENTS SPECIFIC TO THE PROJECT:

All precautions are necessary to restrict the emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_x).



(Kotur S. Narasimhan)
Office of Air Data Analysis

DATE: January 28, 2022



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

MEMORANDUM

DATE: March 4, 2022
TO: Janine Howard, DEQ
FROM: Roberta Rhur, Environmental Impact Review Coordinator
SUBJECT: DEQ 22-015F, Newport News-Williamsburg International Airport Proposed Utility Easements

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. In addition, the project boundary does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The VDWR maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Amy Martin at (804-367-2211) or amy.martin@dwr.virginia.gov.

Division of Dam Safety and Floodplain Management

600 East Main Street, 24th Floor | Richmond, Virginia 23219 | 804-786-6124

**State Parks • Soil and Water Conservation • Outdoor Recreation Planning
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation**

Floodplain Management Program:

The National Flood Insurance Program (NFIP) is administered by the Federal Emergency Management Agency (FEMA), and communities who elect to participate in this voluntary program manage and enforce the program on the local level through that community's local floodplain ordinance. Each local floodplain ordinance must comply with the minimum standards of the NFIP, outlined in 44 CFR 60.3; however, local communities may adopt more restrictive requirements in their local floodplain ordinance, such as regulating the 0.2% annual chance flood zone (Shaded X Zone).

All development within a Special Flood Hazard Area (SFHA), as shown on the locality's Flood Insurance Rate Map (FIRM), must be permitted and comply with the requirements of the local floodplain ordinance.

State Agency Projects Only

Executive Order 45, signed by Governor Northam and effective on November 15, 2019, establishes mandatory standards for development of state-owned properties in Flood-Prone Areas, which include Special Flood Hazard Areas, Shaded X Zones, and the Sea Level Rise Inundation Area. These standards shall apply to all state agencies.

1. Development in Special Flood Hazard Areas and Shaded X Zones

- A. All development, including buildings, on state-owned property shall comply with the locally-adopted floodplain management ordinance of the community in which the state-owned property is located and any flood-related standards identified in the Virginia Uniform Statewide Building Code.
- B. If any state-owned property is located in a community that does not participate in the NFIP, all development, including buildings, on such state-owned property shall comply with the NFIP requirements as defined in 44 CFR §§ 60.3, 60.4, and 60.5 and any flood-related standards identified in the Virginia Uniform Statewide Building Code.
 - (1) These projects shall be submitted to the Department of General Services (DGS), for review and approval.
 - (2) DGS shall not approve any project until the State NFIP Coordinator has reviewed and approved the application for NFIP compliance.
 - (3) DGS shall provide a written determination on project requests to the applicant and the State NFIP Coordinator. The State NFIP Coordinator shall maintain all documentation associated with the project in perpetuity.
- C. No new state-owned buildings, or buildings constructed on state-owned property, shall be constructed, reconstructed, purchased, or acquired by the Commonwealth within a Special Flood Hazard Area or Shaded X Zone in any community unless a variance is granted by the Director of DGS, as outlined in this Order.

The following definitions are from Executive Order 45:

Development for NFIP purposes is defined in 44 CFR § 59.1 as "Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials."

The Special Flood Hazard Area may also be referred to as the 1% annual chance floodplain or the 100-year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study. This includes the following flood zones: A, AO, AH, AE, A99, AR, AR/AE, AR/AO, AR/AH, AR/A, VO, VE, or V.

The Shaded X Zone may also be referred to as the 0.2% annual chance floodplain or the 500- year floodplain, as identified on the effective Flood Insurance Rate Map and Flood Insurance Study.

The Sea Level Rise Inundation Area referenced in this Order shall be mapped based on the National Oceanic and Atmospheric Administration Intermediate-High scenario curve for 2100, last updated in 2017, and is intended to denote the maximum inland boundary of anticipated sea level rise.

“State agency” shall mean all entities in the executive branch, including agencies, offices, authorities, commissions, departments, and all institutions of higher education.

“Reconstructed” means a building that has been substantially damaged or substantially improved, as defined by the NFIP and the Virginia Uniform Statewide Building Code.

Federal Agency Projects Only

Projects conducted by federal agencies within the SFHA must comply with federal Executive Order 11988: Floodplain Management.

DCR’s Floodplain Management Program does not have regulatory authority for projects in the SFHA. The applicant/developer must contact the local floodplain administrator for an official floodplain determination and comply with the community’s local floodplain ordinance, including receiving a local permit. Failure to comply with the local floodplain ordinance could result in enforcement action from the locality. For state projects, DCR recommends that compliance documentation be provided prior to the project being funded. For federal projects, the applicant/developer is encouraged reach out to the local floodplain administrator and comply with the community’s local floodplain ordinance.

To find flood zone information, use the Virginia Flood Risk Information System (VFRIS): www.dcr.virginia.gov/vfris

To find community NFIP participation and local floodplain administrator contact information, use DCR’s Local Floodplain Management Directory: www.dcr.virginia.gov/dam-safety-and-floodplains/floodplain-directory

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.



Howard, Janine <janine.howard@deq.virginia.gov>

Utility Easements at Newport News/Williamsburg International Airport (PHF) (DHR File No. 2022-3086 DEQ #22-015F) | e-Mail #03362

1 message

Adrienne Birge-wilson <Adrienne.Birge-Wilson@dhr.virginia.gov>
To: Janine Howard <Janine.Howard@deq.virginia.gov>

Wed, Feb 16, 2022 at 1:52 PM

Janine- The FAA consulted with us and we concurred with their determination of No Historic Properties Affected.

Adrienne Birge-Wilson, Architectural Historian

Department of Historic Resources
Review and Compliance Division
Phone: (804) 482-6092
Adrienne.Birge-Wilson@dhr.virginia.gov



Howard, Janine <janine.howard@deq.virginia.gov>

Fwd: NEW PROJECT FAA NNWIA Proposed Utility Easements, DEQ 22-015F

1 message

Rusty Harrington <rusty.harrington@doav.virginia.gov>
To: Janine Howard <janine.howard@deq.virginia.gov>

Wed, Mar 16, 2022 at 2:41 PM

Good afternoon, Janine,

DOAV has reviewed the project for the Newport News-Williamsburg Airport Utility easements and has no further comments at this time. Thank you for the opportunity to comment.

Sincerely,

Rusty Harrington
DOAV

----- Forwarded message -----

From: **Fulcher, Valerie** <valerie.fulcher@deq.virginia.gov>
Date: Fri, Jan 28, 2022 at 9:50 AM
Subject: NEW PROJECT FAA NNWIA Proposed Utility Easements, DEQ 22-015F
To: rr dgif-ESS Projects <essprojects@dgif.virginia.gov>, Roberta Rhur <robbie.rhur@dcv.virginia.gov>, odwreview (VDH) <odwreview@vdh.virginia.gov>, Roger Kirchen <roger.kirchen@dhr.virginia.gov>, Birge, Tiffany <tiffany.birge@mrc.virginia.gov>, Claire Gorman <claire.gorman@mrc.virginia.gov>, rr EIR Coordination <eir.coordination@vdot.virginia.gov>, Russell Harrington <rusty.harrington@doav.virginia.gov>, Ben McFarlane <bmcfarlane@hrpdcva.gov>, <311@nnva.gov>, Carlos Martinez <carlos.martinez@deq.virginia.gov>, Kotur Narasimhan <kotur.narasimhan@deq.virginia.gov>, Lawrence Gavan <larry.gavan@deq.virginia.gov>, Daniel Moore <daniel.moore@deq.virginia.gov>, Jeffrey Hannah <jeffrey.hannah@deq.virginia.gov>
Cc: Howard, Janine (DEQ) <janine.howard@deq.virginia.gov>

Good morning - this is a new OEIR review request/project:

Document Type: Federal Consistency Certification
Project Sponsor: Federal Aviation Administration
Project Title: Newport News/Williamsburg International Airport Proposed Utility Easements
Location: City of Newport News
Project Number: DEQ #22-015F

The document is attached.

The due date for comments is **MARCH 4, 2022**. You can send your comments either directly to **JANINE HOWARD** by email (**Janine.Howard@deq.virginia.gov**), or you can send your comments by regular interagency/U.S. mail to the Department of Environmental Quality, Office of Environmental Impact Review, P.O. Box 1105, Richmond, VA 23218.

NOTE: The FCC is included as Attachment C of the FCC (PDF page 52/28).

If you cannot meet the deadline, please notify the project coordinator prior to the comment due date. Arrangements may be made to extend the deadline for comments if possible. An agency will be considered to have no concerns if comments are not received (or contact is made) within the review period. However, it is important that agencies consistently participate in accordance with Virginia Code Section 10.1-1192.

Howard, Janine <janine.howard@deq.virginia.gov>

DWR update: staffing issues Re: NEW PROJECT FAA NNWIA Proposed Utility Easements, DEQ 22-015F

1 message

dgif-ESS Projects, rr <essprojects@dwr.virginia.gov>
To: janine.howard@deq.virginia.gov

Mon, Mar 14, 2022 at 8:25 PM

Thanks for submitting your project for review, it has been received. We are experiencing a temporary, but significant, staffing shortage and will therefore be only addressing priority projects/issues/items and/or those we are required to review. It may take us a little bit longer to respond to your request and we appreciate any additional response time you can provide. However, if you do not hear back from DWR within agreed-upon timeframes and you must move your project forward, please document such in the project files and move on. Please feel free to include this message with your project documents.

If you have any questions or believe your project is a priority that we missed, please contact Amy Martin at 804-367-2211 or amy.martin@dwr.virginia.gov.

We appreciate your patience!

Amy Martin
Department of Wildlife Resources
Environmental Services Section



MEMORANDUM

TO: Janine Howard, DEQ/EIR Environmental Program Planner

FROM: Carlos A. Martinez, Division of Land Protection & Revitalization Review Coordinator

DATE: March 2, 2022

COPIES: Sanjay Thirunagari, Division of Land Protection & Revitalization Review Manager; file

SUBJECT: Environmental Impact Review: 22-015F Newport News/Williamsburg International Airport Proposed Utility Easements in the City of Newport News, Virginia.

The Division of Land Protection & Revitalization (DLPR) has completed its review of the Federal Aviation Administration's January 28, 2022 EIR for Newport News-Williamsburg International Airport Proposed Utility Easements in the City of Newport News, Virginia.

DLPR staff conducted a search (200 ft. radius) of the project area of solid and hazardous waste databases (including petroleum releases) to identify waste sites in close proximity to the project area. DLPR search identified one (1) RCRA Small Quantity Generator within the project area which might impact the project.

DLPR staff has reviewed the submittal and offers the following comments:

Hazardous Waste/RCRA Facilities – One (1) RCRA Small Quantity Generator in close proximity to the project area

- 1. RegistryID: 110005213768, WalMart Supercenter 1773, 12401 Jefferson Ave, Newport News, Virginia 23602-4311.***

CERCLA Sites – none in close proximity to the project areas.

Formerly Used Defense Sites (FUDS) – none in close proximity to the project areas.

Solid Waste – none in close proximity to the project areas.

Virginia Remediation Program (VRP) – none in close proximity to the project areas.

Petroleum Releases – none in close proximity to the project areas.

PROJECT SPECIFIC COMMENTS

None

GENERAL COMMENTS

Soil, Sediment, Groundwater, and Waste Management

Any soil, sediment or groundwater that is suspected of contamination or wastes that are generated must be tested and disposed of in accordance with applicable Federal, State, and local laws and regulations. Some of the applicable state laws and regulations are: Virginia Waste Management Act, Code of Virginia Section 10.1-1400 *et seq.*; Virginia Hazardous Waste Management Regulations (VHWMR) (9VAC 20-60); Virginia Solid Waste Management Regulations (VSWMR) (9VAC 20-81); Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal laws and regulations are: the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 *et seq.*, and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous Materials, 49 CFR Part 107.

Asbestos and/or Lead-based Paint

All structures being demolished/renovated/removed should be checked for asbestos-containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations mentioned above, State regulations 9VAC 20-81-620 for ACM and 9VAC 20-60-261 for LBP must be followed. Questions may be directed to Melinda Woodruff at the DEQ's Tidewater Regional Office at (757) 518-2000.

Pollution Prevention – Reuse - Recycling

Please note that DEQ encourages all construction projects and facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated. All generation of hazardous wastes should be minimized and handled appropriately.

If you have any questions or need further information, please contact Carlos A. Martinez by phone at (804) 350-9962 or email Carlos.Martinez@DEQ.Virginia.Gov.



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Andrew R. Wheeler
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

MEMORANDUM

TO: Janine Howard, DEQ Office of Environmental Impact Review

FROM: Amber Foster, DEQ Principal Environmental Planner

DATE: February 17, 2022

SUBJECT: DEQ #22-015F – Federal Aviation Administration, Newport News/Williamsburg International Airport Proposed Utility Easements, City of Newport News

We have reviewed the Federal Consistency Certification submittal for the proposed project and offer the following comments regarding consistency with the provisions of the Chesapeake Bay Preservation Area Designation and Management Regulations (Regulations):

In the City of Newport News, the areas protected by the *Chesapeake Bay Preservation Act*, as locally implemented, require conformance with performance criteria. These areas include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs). RPAs include tidal wetlands, certain non-tidal wetlands and tidal shores. RPAs also include a 100-foot vegetated buffer area located adjacent to and landward of these features and along both sides of any water body with perennial flow. The components of the RMA consist of all lands within one hundred feet landward of the landward boundary of the RPA buffer and in addition includes all land containing slopes greater than fifteen percent, all areas within the one hundred year floodplain, and highly erodible soils. Newport News also has lands designated as industrial waterfront intensely developed areas (IWIDA) that, because of the intensity of their use, are characterized by an absence of natural environmental features and a preponderance of impervious surface and bulk headed or riprapped shoreline.

The proposed project includes multiple utilities activities on property owned by the Newport News / Williamsburg Airport. The first project includes granting a 30' - wide utility easement to the Hampton Roads Sanitation District (HRSD) from the Peninsula Airport Commission. The easement is approximately 3,100' in length (93,378 sf total) and would be located along Jefferson Avenue and Brick Kiln Boulevard. Any improvements associated with this easement will be underground and are not expected to adversely impact the operation of the Airport.

The second project consists of multiple easements to Virginia Natural Gas (VNG) from the Peninsula Airport Commission for the installation of a gas regulator station and associated gas lines. The easements include a 50' x 30' VNG Easement for the installation of a gas regulator station measuring approximately 10' x 30'; a 20' x 71' VNG Easement to connect gas lines from the regulator station to existing VNG gas lines that run along the north / east sides of Brick Kiln Boulevard; and a 25' x 65' VNG Ingress / Egress easement for maintenance located over an existing abandoned asphalt road.

The total project area is approximately 97,928 square feet (2.25 acres). All work will be performed entirely on Airport property. The existing 2.25 acre project area is grass field that is regularly mowed. This area has been disturbed during previous airport and roadway construction projects.

As noted in the FAA Environmental Categorical Exclusion Form, the project lies within the locally designated CBPA, specifically the RMA. Per § 9VAC 25-830-150(B) of the Regulations, the construction, installation, operation, and maintenance of public utilities and their appurtenant structures are conditionally exempt from the Regulations. Activities within the CBPA must occur in accordance with regulations promulgated pursuant to the Erosion and Sediment Control Law and the Virginia Stormwater Management Act; an erosion and sediment control plan and a stormwater management plan approved by the Virginia Department of Environmental Quality; or local water quality protection criteria at least as stringent as the above state requirements.

Provided adherence to the above requirements, the proposed activity would be consistent with the *Chesapeake Bay Preservation Act* and Regulations.



Howard, Janine <janine.howard@deq.virginia.gov>

Re: NEW PROJECT FAA NNWIA Proposed Utility Easements, DEQ 22-015F

1 message

Gavan, Lawrence <larry.gavan@deq.virginia.gov>
To: Janine Howard <janine.howard@deq.virginia.gov>

Tue, Feb 1, 2022 at 10:49 AM

(a) Agency Jurisdiction. The DEQ administers the nonpoint source pollution control enforceable policy of the VCP through the *Virginia Erosion and Sediment Control Law and Regulations (VESCL&R)* and *Virginia Stormwater Management Law and Regulations (VSWML&R)*.

(b) Erosion and Sediment Control Plan. The Applicant is responsible for submitting a project-specific erosion and sediment control (ESC) plan to the locality in which the project is located for review and approval pursuant to the local ESC requirements, if the project involves a land-disturbing activity of 10,000 square feet or more (2,500 square feet or more in a Chesapeake Bay Preservation Area). Depending on local requirements the area of land disturbance requiring an ESC plan may be less. The ESC plan must be approved by the locality prior to any land-disturbing activity at the project site. All regulated land-disturbing activities associated with the project, including on and off site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project must be covered by the project specific ESC plan. Local ESC program requirements must be requested through the locality. [Reference: *Virginia Erosion and Sediment Control Law* §62.1-44.15 et seq.; *Virginia Erosion and Sediment Control Regulations* 9VAC25-840-10 et seq.]

(c) Stormwater Management Plan. Depending on local requirements, a Stormwater Management (SWM) plan may be required. Local SWM program requirements must be requested through the locality. [Reference: *Virginia Stormwater Management Act* §62.1-44.15 et seq.; *Virginia Stormwater Management (VSMP) Permit Regulations* 9VAC25-870-10 et seq.]

(d) General Permit for Stormwater Discharges from Construction Activities (VAR10). DEQ is responsible for the issuance, denial, revocation, termination and enforcement of the Virginia Stormwater Management Program (VSMP) General Permit for Stormwater Discharges from Construction Activities related to municipal separate storm sewer systems (MS4s) and construction activities for the control of stormwater discharges from MS4s and land disturbing activities under the Virginia Stormwater Management Program.

The operator or owner of a construction project involving land-disturbing activities equal to or greater than 1 acre is required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project-specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the General Permit and the SWPPP must address water quality and quantity in accordance with the *VSMP Permit Regulations*.
(Reference: VSWML 62.1-44.15 et seq.; VSMP Permit Regulations 9VAC 25-880 et seq.)

Larry Gavan
Please Note New Number (804) 965-3320
larry.gavan@deq.virginia.gov

On Fri, Jan 28, 2022 at 9:50 AM Fulcher, Valerie <valerie.fulcher@deq.virginia.gov> wrote:

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE

Environmental Impact Review
Coordination Review

To: Office of Environmental Impact Review
From: Jeff Hannah, Regional VWPP Program Manager
Date: February 25, 2022
Project: Newport News/Williamsburg International Airport Proposed Utility Easements
DEQ #22-015F

As requested, the DEQ Tidewater Regional Office has reviewed the supplied information and offers the following comments:

Air Compliance Program :

The following air regulations may be applicable: Virginia Administrative Code 9 VAC 5-50-60 *et seq.* which addresses the abatement of visible emissions and fugitive dust emissions, and Virginia Administrative Code 9 VAC 5-130-10 *et seq.* which addresses open burning. For additional information, contact John Brandt, DEQ-TRO at (757)407-2341.

Land Program (Solid and Hazardous Waste):

All construction and demolition waste, including any excess soil, must be characterized in accordance with the Virginia Hazardous Waste Management Regulations and disposed of at an appropriate facility as applicable.

For additional information, contact Melinda Woodruff, DEQ-TRO at melinda.woodruff@deq.virginia.gov.

Stormwater:

A construction general permit (CGP) is required prior to commencement of land disturbing activities greater than 1 acre for the discharge of sediment from construction activities. An approved Erosion and Sediment Control Plan (<1 acre of land disturbance) or an approved Stormwater Management Plan (>1 acre of land disturbance) is required prior to commencement of any land disturbing activities. In addition, DEQ is the review authority for state and federal plan review and approval, within the Tidewater Region, to coincide with permit application processing. For additional information, contact Courtney Smith, DEQ-TRO at (757)493-1072.

Virginia Water Protection Permit Program (VWPP):

Potential adverse impacts to water quality and wetlands resulting from surface runoff due to construction activities must be minimized. This can be achieved by using Best Management Practices (BMPs). Permanent or temporary impacts to surface waters and wetlands may require DEQ authorization under §401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and Virginia Administrative Code 9 VAC 25-210-10 *et seq.* Provided that any and all necessary permits are obtained and complied with, the project will be consistent with DEQ

program requirements. For additional information, contact Jeff Hannah, DEQ-TRO at (757)407-2510.

Water Permit Program (VPDES):

No comments as there does not appear to be any point source discharges of process water or wastewater associated with this project that would necessitate a VPDES permit.

Petroleum Storage Tank Program:

DEQ records do not indicate any reported petroleum releases along the proposed project footprint. If evidence of a petroleum release is discovered during implementation of this project, it must be reported to DEQ, as authorized by CODE # 62.1-44.34.8 through 19 and 9 VAC 25-580-10 et seq. Contact Ms. Melinda Woodruff at (757)407-2516. Petroleum-contaminated soils and ground water generated during implementation of this project must be properly characterized and disposed of properly.

Installation and operation of any regulated petroleum storage tank(s) either AST or UST must also be conducted in accordance with the Virginia Regulations 9 VAC 25-91-10 et seq and / or 9 VAC 25-580-10 et seq. Documentation and / or questions should be submitted to TRO Tanks at Tidewater Regional Office – 5636 Southern Blvd., Virginia Beach, VA 23462. tro.tanks@deq.virginia.gov.

Based on the submitted information, it appears the proposed project will result in a *[Level of impact]* environmental impact.



Howard, Janine <janine.howard@deq.virginia.gov>

Re: NEW PROJECT FAA NNWIA Proposed Utility Easements, DEQ 22-015F

1 message

Warren, Arlene <arlene.warren@vdh.virginia.gov>
To: Janine Howard <janine.howard@deq.virginia.gov>
Cc: rr Environmental Impact Review <eir@deq.virginia.gov>

Fri, Feb 25, 2022 at 11:13 AM

Project Name: Newport News/Williamsburg International Airport Proposed Utility Easements
Project #: 22-015 F
UPC #: N/A
Location: City of Newport News

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility.**

There are no public groundwater wells within a 1-mile radius of the project site.

The following surface water intakes are located within a 5 mile radius of the project site:

PWS ID Number	System Name	Facility Name
3700500	NEWPORT NEWS, CITY OF	HARWOOD MILL
3700500	NEWPORT NEWS, CITY OF	LEE HALL

The project is not within the watershed of any public surface water intakes.

Best Management Practices should be employed, including Erosion & Sedimentation Controls and Spill Prevention Controls & Countermeasures on the project site.

Materials should be managed while on site and during transport to prevent impacts to nearby surface water.

The Virginia Department of Health – Office of Drinking Water appreciates the opportunity to provide comments. If you have any questions, please let me know.

Best Regards,

Arlene F. Warren
GIS Program Support Technician
Virginia Department of Health, Office of Drinking Water
109 Governor Street, 6th Floor
Richmond, VA 23219
804-356-6658 (office/cell/text)

On Fri, Jan 28, 2022 at 9:50 AM Fulcher, Valerie <valerie.fulcher@deq.virginia.gov> wrote:
Good morning - this is a new OEIR review request/project:



COMMONWEALTH of VIRGINIA

Marine Resources Commission
380 Ferwick Road
Bldg 96
Fort Monroe, VA 23651-1064

Andrew R. Wheeler
Secretary of Natural and Historic
Resources

Justin D. Worrall
Acting Commissioner

March 2, 2022

Department of Environmental Quality
Attn: Janine Howard
1111 East Main Street
Richmond, VA 23219

Re: Newport News/Williamsburg International Airport
Proposed Utility Easements, DEQ #22-015F

Dear Ms. Howard,

This will respond to the request for comments regarding the Federal Consistency Certification for the Newport News/Williamsburg International Airport Proposed Utility Easements project (DEQ #22-015F), prepared by Talbert & Bright, on behalf of the Peninsula Airport Commission. Specifically, the Peninsula Airport Commission has proposed to grant the Hampton Roads Sanitation District an approximately 93,378 square foot utility easement and three easements to Virginia Natural Gas totaling approximately 4,550 square feet for the installation of a gas regulator station and associated gas lines adjacent to Jefferson Avenue and Brick Kiln Boulevard in the City of Newport News, Virginia.

We reviewed the provided documents and found the proposed project is outside the jurisdictional areas of the Virginia Marine Resources Commission (VMRC) and will not require a permit from this agency.

Please be advised that the VMRC pursuant to Chapters 12, 13, and 14 of Title 28.2 of the Code of Virginia administers permits required for submerged lands, tidal wetlands, and beaches and dunes. Additionally, the VMRC administers the enforceable policies of fisheries management, subaqueous lands, tidal wetlands, and coastal primary sand dunes and beaches, which comprise some of Virginia's Coastal Zone Management Program. VMRC staff has reviewed the submittal and offers the following comments:

Fisheries and Shellfish: none in close proximity to the project area

Submerged Lands: none in close proximity to the project area

Tidal Wetlands: none in close proximity to the project area

Beaches and Coastal Primary Sand Dunes: none in close proximity to the project area

As such, this project has no foreseeable impact on the VMRC's enforceable policies. As proposed, we have no objection to the consistency findings provided by the applicant. Should the proposed project change, a new review by this agency may be required relative to these jurisdictional areas.

An Agency of the Natural Resources Secretariat

www.mrc.virginia.gov

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Department of Environmental Quality
March 2, 2022
Page Two

Please contact me at (757) 247-2250 or by email at lauren.chartrand@mrc.virginia.gov if you have questions. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Chartrand". The signature is fluid and cursive, with a long horizontal stroke at the end.



Lauren Chartrand
Environmental Engineer, Habitat Management

LC/cg
HM

JR011730 Jefferson Avenue Force Main Replacement Phase III - Easement Location Map



Legend

-  PAC Property
-  HRSD Easement

AGENDA ITEM 16. – August 22, 2023

Subject: Water Technology and Research
Annual Update

Recommended Action: No action is required.

Brief: This update will provide an overview of projects and studies targeted at developing and implementing more cost-effective technologies for solids handling, nutrient removal and recovery, and advanced water treatment.

AGENDA ITEM 17. – August 22, 2023

Subject: Commission Governance Guidelines
Revisions

Recommended Action: Approve revised policy.

Brief: The Commission Governance Guidelines is one of several policies specifically identified as requiring periodic review by the Operations & Nominations (O&N) Committee.

Staff presented several changes to the Commission at the July 25, 2023 meeting to streamline Commission meetings. The policy has also been reorganized to remove inconsistencies by creating a table of actions in a new section entitled “3.B Commission Meeting Format.” Those changes, along with several “housekeeping measures” were provided to the O&N Committee.

Summary of Key Changes:

Section 1.C

- Clarification of selection of auditors by Finance Committee

Section 3.B

- Agreements
 - HRSD Assets use of >\$200,000 (previously >\$50,000)
 - Transfer of assets to another agency, transfer of assets to HRSD changed to regular agenda item (previously consent)
 - Service Area Expansion agreements changed from consent to regular agenda item
- Capital Improvement Project – Non-Regulatory projects additional appropriation
 - ≥\$1,000,000 regular agenda item (previously >\$200,000)
 - <\$1,000,000 consent agenda item (previously <\$200,000)
- Real Property easement acquisition, dedication or disposition
 - >\$50,000 regular agenda item (previously >\$25,000)
- Sole source procurement – Initial sole source determination changed to <\$200,000 approved by Chief of Procurement; >\$200,000 approved by General Manager
- HRSD use of Existing Competitively Awarded Contract Vehicle (use of an existing cooperative contract) no longer requires Commission approval. Commission will continue to approve contract award to vendor.

Staff is not aware of any additional changes to be made at this time. The revised [policy](#) has been reviewed by legal counsel.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

The Commission is charged with managing and controlling the functions and affairs of Hampton Roads Sanitation District (HRSD). HRSD's operations are accomplished by its employees under the supervision of the General Manager.

These governance guidelines (Governance Guidelines) are intended to support the Commission in its oversight role, which is set forth in the Acts of Assembly 1960, as amended (the Enabling Act). Some additional Commission responsibilities are specified in HRSD's Trust Agreements or required by federal or state laws.

The Commission and HRSD's management recognize that the interests of HRSD are advanced by responsibly addressing the concerns of constituencies, including employees, customers and the communities in which HRSD provides services. The Commission will review these guidelines regularly in its continuing effort to achieve this goal.

SECTION 1. ROLE AND FUNCTION OF THE COMMISSION

A. Composition

1. The Commission consists of eight members appointed by the Governor of Virginia to four-year terms.
2. At the time of their appointment and throughout their term of appointment, Commissioners must reside in the territory within the District from which they were appointed. Moving from this territory terminates that Commissioner's appointment.
3. Unless otherwise terminated in accordance with the Enabling Act, a Commissioner's term continues until the successor is appointed. Any person appointed to fill a vacancy shall serve for the unexpired term.
4. Commissioners are eligible for reappointment without limitation to the number of terms. Members may be suspended or removed at the Governor's pleasure.
5. Commissioners receive no salary but are compensated for travel and expenses associated with meeting attendance or while otherwise engaged in the discharge of their duties at the rate paid to members of the Commonwealth Transportation Board.
6. Each Commissioner shall be covered by a public official's liability policy paid for by HRSD.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

B. Commissioner ~~Policies~~ Principles

1. Commissioners are expected to devote as much time and attention as necessary to discharge their duties. This includes attending monthly Commission meetings and the meetings of any committees on which they may serve. Commissioners should notify the Commission Secretary whenever they are unable to attend a scheduled meeting. Commissioners may participate remotely in accordance with the Remote Participation Policy. Commissioners must notify the Chair of their desire to participate remotely prior to the meeting. Commissioners also may be asked to participate in special events and to represent HRSD at public meetings.
2. Commissioners shall be mindful of the best interest of the HRSD service area at large as opposed to those of the localities in which they reside.
3. Individual Commissioners may serve as liaisons to officials in the communities in which they reside or other localities within HRSD's service area.
4. Commissioners are expected to recuse themselves from discussion and abstain from voting on matters in which they may have a personal or professional conflict, and to announce the recusal or abstention in advance.

C. Structure

1. The Commission shall annually elect one of its members as Chair and another as Vice-Chair.
2. The Commission's advisory committees are (1) Finance and (2) Operations and Nominations (O&N). These committees report to the Commission as needed. The Commission may elect to form a new standing or special committee or to disband an existing committee. The Commission Chair annually appoints the members and chairs of these committees. Committees are composed of three Commissioners and two are required for a quorum. All Commissioners are invited to participate in Committee meetings.
3. Committee meetings shall be scheduled as needed. The Commission Chair shall be an ex-officio member of all committees, with voice and vote. However, the Commission Chair shall not be counted in determining the number required for a Committee quorum or in determining whether or not a quorum is present.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

- a. The Finance Committee shall:
- Review the financial forecast, annual operating and capital budgets, and rate schedules and report to the Commission prior to adoption;
 - Select ~~the both~~ internal *and external auditors* ~~auditor that focuses on improving HRSD's operational business activities;~~
 - Review the work plan and receive reports from the internal auditor;
~~— Select the external auditors of the financial statements;~~
 - Ensure the audit of the financial statements is completed and receive the audit report from the external auditor;
 - Receive the Annual Comprehensive Financial Report; and
 - Review other financial related matters as may be referred to the Finance Committee by the Commission Chair.
- b. The O&N Committee shall:
- Nominate officers for consideration annually;
 - Review Commission policies as required or directed by the Commission, including, but not limited to:
 - (1) Commission Governance Guidelines
 - (2) Ethics Policy
 - (3) Virginia Freedom of Information Act Policy
 - (4) Remote Participation Policy

D. Operation

1. The Commission has the authority to adopt bylaws and to make rules and regulations for the management of its affairs and the conduct of its business.
2. Unless otherwise announced, the Commission meets on the fourth Tuesday of each month January through November and on the third Tuesday of December. Special meetings are held when necessary. The General Manager sets the meeting agendas with advice from the Department Directors and the Chair. Agendas, with any relevant accompanying information or reports, are distributed to the Commissioners prior to meetings for review. When circumstances require, items may be added to the agenda after it has been distributed.
3. Four members shall constitute a quorum and the affirmative vote of four members shall be necessary for any action taken by the Commission. No vacancy in the membership of the Commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the Commission.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

4. The rules contained in the current edition of *Rosenberg's Rules of Order* shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with state law or any special rules of order the Commission may adopt.
5. All meetings of the Commission, including Committee Meetings, and Workshops, are public meetings and shall be held in conformance with the Virginia Freedom of Information Act. Remote participation in meetings shall be in accordance with the Remote Participation policy.
6. Workshops shall be scheduled as needed to allow informal dialogue on a topic or narrow range of topics. Appropriate staff shall be available to brief and facilitate as well as provide subject matter expertise. No official actions shall be taken during workshops.

E. Enabling Act Authorizations

The Acts of Assembly authorize and empower the Commission to perform a variety of specified acts by means of its own officers, agents and employees or by contracts with any persons. Some of the most significant authorizations are:

1. To construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate a sewage disposal system or systems, with or without associated water systems.
2. To issue revenue bonds, notes or other obligations.
3. To fix and collect rates, fees and other charges for HRSD services and facilities.
4. To acquire land, structures, property, rights, rights-of-way, easements, and other property interests by purchase, lease, grant or the exercise of the right of eminent domain in connection with sewage disposal systems or associated water systems.
5. To employ, at its discretion, consulting engineers, attorneys, accountants, construction and financial experts, managers and other such officers, employees and agents as may be necessary, and to fix their compensation.
6. To sue and to be sued.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

7. To prevent any person, jurisdiction or corporation from discharging into District waters any sewage, industrial wastes or other refuse that would pollute these waters.
8. To seek civil penalties or civil charges against owners in violation of pretreatment standards in permits or other requirements of HRSD's approved industrial waste control program.
9. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and execution of its powers.
10. The Commission does not have the power to mortgage, pledge, encumber or otherwise dispose of any part of the sewerage system or associated water systems except that which may no longer be necessary or useful for the Commission's purposes

SECTION 2. HRSD MANAGEMENT AND THE COMMISSION

Newly appointed Commissioners will receive a briefing from the General Manager and Department Directors regarding matters related to HRSD's mission and core services. At a minimum, Commissioners are briefed on Commission adopted policies, operations, financial matters and strategic directions. The Commission Secretary will provide information related to the Virginia [Freedom of Information Act](#) and Commission membership. In addition, new Commissioners ~~shall~~ *may* tour HRSD facilities as their schedules permit and be introduced to the chief elected officials of their localities as appropriate and practical to facilitate effective working relationships.

Commissioners have complete access to the General Manager and the Deputy General Manager, who each may refer them to Department Directors or other appropriate resources for assistance. The Secretary and Assistant Secretary of the Commission shall assist Commissioners with matters related to scheduling, expense reimbursement, access to information and meeting attendance.

A. Staff Relations

1. The Commission appoints a General Manager, who serves at the pleasure of the Commission. As the chief administrative officer, the Commission delegates day-to-day operations to the General Manager within the broad framework of Commission established policies, budget and strategies. The Commission shall review the General Manager's performance and set compensation at least annually.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

2. The Commission appoints a Secretary, Assistant Secretary and a Treasurer who serve in these roles at the pleasure of the Commission. These appointments are made from existing staff positions. The Commission fixes their compensation through the annual budget process as these positions are in the HRSD position classification and compensation system.
3. The Commission periodically reviews and assesses the compensation paid to all HRSD employees as part of the annual budget process.
4. The Commission has delegated to the General Manager the responsibility to establish and maintain appropriate human resource policies.

B. Financial Oversight

1. The Commission approves HRSD's Financial Policy.
2. The Commission approves the Annual Operating and Capital Budgets, Capital Improvement Program (CIP), Financial Forecast and Rate Schedules. HRSD's Capital Improvement Program is the result of significant work by all the departments in evaluating and recommending Capital Improvement Projects that ensure regulatory compliance, provide for adequate infrastructure reinvestment and meet the future growth needs of Hamptons Roads.
3. The Finance Committee meets as required to perform their financial oversight duties, including overseeing its auditors, and reports to the Commission regarding these activities.

C. Signatory Authorization

Documents requiring the signature of HRSD shall be signed by such officer or officers as the Commission may from time to time designate. If signature is authorized by a vote of the Commission, the authorization should also include the identification of the officer or officers permitted to sign the approved document on behalf of HRSD. The General Manager and the Deputy General Manager are authorized to sign on behalf of HRSD in the ordinary course of business any and all documents not requiring specific Commission approval. Additionally, the Commission has authorized the General Manager to delegate formal signatory authority to Senior Management and their staff as necessary for the effective operations of HRSD.

The Commission Secretary shall maintain a record of all specific signatory authorizations.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

SECTION 3. COMMISSION MEETINGS

A. Commission Meeting Agenda

1. The Commission shall approve ~~all~~ policies that govern HRSD business processes, *significant* financial practices, or service to localities except for those policies specifically delegated to the General Manager.
2. The Commission Meeting agenda shall be structured to ensure efficient and effective use of Commissioner's time and expertise.
3. The Commission Meeting agenda shall be prepared by the General Manager and distributed to the Commission typically five calendar days prior to the meeting date. Public notice of the meeting and posting of the agenda shall be in accordance with the Virginia Freedom of Information Act (§ 2.2-3700 et. Seq. of the Code of Virginia). The General Manager shall review the agenda with the Commission Chair prior to the meeting.
4. The Commission Meeting agenda is comprised of Regular Agenda ~~Items~~, Consent Agenda and Informational Items.
 - Regular Agenda Items each require an individual vote by the Commission.
 - Consent Agenda Items generally reflect more routine business items and are grouped and may be voted on by the Commission in a singular vote. Consent ~~a~~ Agenda items shall be limited to items meeting the requirements for Commission approval as detailed herein but not typically warranting a full briefing due to the nature of the action or previous communication with the Commission. ~~Other items~~ *Any item* may be moved from the Consent Agenda to the Full Agenda when determined by the General Manager *or any Commission member* to be significant *or warrant a discussion*.
 - Informational Items are for information purposes and do not require an action of the Commission.

HRSD Commission Governance Guidelines

Adopted May 22, 2007

Revised ~~July 26, 2022~~ August 22, 2023

B. Commission Meeting Format

Item	Regular Agenda	Consent Agenda	No Action Required/ Informational/ Recognition
Agreements*	<ul style="list-style-type: none"> · >\$50,000 Design or Construction · Real property - Permanent use of · Real property - Temporary use of >1 year · HRSD Assets use of >\$200,000 · Multiple years and >\$200,000 · Obligates financial or personnel resources >\$200,000 · Intellectual Property Rights, Royalties and Licenses · <i>Service Area Expansion</i> · <i>Sewer Service Agreements</i> · <i>Transfer of Assets to other entity</i> · <i>Transfer of Assets to HRSD</i> 		
Agreements – Grants or contributions of value (Receipt and Award)*	>\$200,000	<\$200,000 <i>if required by granting agency</i>	
Agreements – Nutrient Trading Agreements*	>\$200,000 per year		
Agreements – Purchasing* <ul style="list-style-type: none"> · Contract Awards · Purchase Orders · Task Orders 		>\$200,000	
Change Orders		>25% of original contract value or \$50,000	
Alternative Project Delivery Methods	<ul style="list-style-type: none"> · Use of Delivery Method · Comprehensive Agreement · Guaranteed Maximum Price · Stipulated Price · Vendor Proposal Compensation >\$200,000 		
Audit Reports and Updates			ü
Awards and Recognition Earned or Granted			ü
Budget	<ul style="list-style-type: none"> · Operating Budget · Capital Budget · Capital Improvement Program – 10-year program without authorization of specific projects · Financial Forecast · Rate Schedule 		

HRSD Commission Governance Guidelines

Adopted May 22, 2007

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Item	Regular Agenda	Consent Agenda	No Action Required/ Informational/ Recognition
Capital Improvement Project – Non-Regulatory	<ul style="list-style-type: none"> • New CIP • Initial Appropriation • Additional Appropriation $\geq \\$1,000,000$ • Reduction in Scope and/or Appropriation >25% 	Additional Appropriation $< \$1,000,000$	
Capital Improvement Project – Regulatory	<ul style="list-style-type: none"> • New CIP • Initial Appropriation • Additional Appropriation $\geq \\$10,000,000$ • Reduction in Scope and/or Appropriation >25% 	Initial or Additional Appropriation $< \$10,000,000$	
Debarment of a Vendor	ü		
Emergency Declaration			ü
Monthly Reports			ü
Personnel	<ul style="list-style-type: none"> • Selection of General Manager, Secretary, Treasurer 		<ul style="list-style-type: none"> • Employee length of service ≥ 20 years • Employee promotion \geq Grade 9 • New employee \geq Grade 9
Policies – New, Modified, Amended or Reissued	ü		
Real Property	<ul style="list-style-type: none"> • Public Hearing for Acquisition by Condemnation or other means • Easement Acquisition, Dedication or Disposition $> \\$50,000$ 	Vacation of Easement	
Real Property – Sale, Lease or Conveyance of HRSD property	ü		
Regulations	<ul style="list-style-type: none"> • HRSD Enforcement Response Plan • HRSD Industrial Wastewater Discharge Regulations 		
Rejection of Bids	$> \$200,000$		
Selection of Commission Consultants	<ul style="list-style-type: none"> • Auditors • Legal Counsel 		

** Addendums or other changes where the Commission has authorized the General Manager to execute same, substantially as presented, together with such changes, modifications and deletions as the General Manager may deem necessary will not be presented for Commission approval unless recommended by legal counsel.*

HRSD Commission Governance Guidelines
 Adopted May 22, 2007
 Revised ~~July 26, 2022~~ August 22, 2023

SECTION 4. ANNUAL CALENDAR OF COMMISSION TOPICS

Topic	Schedule	Frequency
EPA Consent Decree Update and Public Meeting	January	Annually
Capital Improvement Program Update	January	Quarterly
Evaluate General Manager's Performance	January	Annually
Commission Work Session to review Budget	February	Annually
Finance Committee Meeting to review CIP	March	Annually
Commission Work Session to review Budget	March	Annually
Capital Improvement Program Update	April	Quarterly
Finance Committee Meeting to review Budget	April	Annually
Receive Finance Committee report on Budget	April	Annually
Appoint Operations & Nominations (O&N) Committee	May	Annually
Approve Annual Operating and Capital Budgets, Capital Improvement Program, Financial Forecast and Rate Schedules	May	Annually
O&N Committee Meeting after Regular Meeting	May	Annually
O&N Committee Meeting before Regular Meeting	June	Annually
Election of Officers	June	Annually
Appoint Finance Committee	June-July	Annually
Capital Improvement Program Update	July	Quarterly
Commission Work Session – Ethics, FOIA and Governance Guidelines Training	August	Annually
Water Quality / Nutrient Compliance Update	August	Annually
Water Technology and Research Update	August	Annually
Finance Committee Meeting to Review Annual Comprehensive Financial Report (ACFR)	October	Annually
Capital Improvement Program Update	October	Quarterly
Asset Management Update	October	Annually
Diversity Procurement Report	October	Annually
Accept Finance Committee's Report on ACFR	November	Annually

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Adopted May 22, 2007

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SECTION 5. ADVISORY ROLE OF FORMER COMMISSIONERS

So as not to lose the benefit of the insights gained during their years of service, former Commissioners may be asked to serve in an advisory role following the end of their term. Equipment required to facilitate communications with the General Manager and Commission officers may be provided to those serving in an advisory role.

Approved:

Stephen C. Rodriguez
Commission Chair

Date

Attest:

Jennifer L. Cascio
Commission Secretary

Date

[HRSD Commission Seal]

AGENDA ITEM 18. – August 22, 2023

Subject: Procurement Policy
Revisions

Recommended Action: Approve revised policy.

Brief: Revised Commission Governance Guidelines were presented to the Commission for review at the July 25, 2023 which also affects the Procurement Policy. If the new Commission Governance Guidelines are approved the below changes will take effect in the attached revised Procurement Policy.

Summary of Key Changes:

Procurement Policy

Section 4.0 Procedures

- 1. b. Updated approval amount to \$200,000 (previously \$10,000)
- 6. Added “employment services organizations”
- 12. Updated approval amount to \$50,000 (previously \$25,000)

Section 5.0 Approvals

- 2. Updated approval amount to \$200,000 (previously \$10,000)
- 11. d. Updated approval amount to \$50,000 (previously \$25,000)
- 13. c. Updated to approval amount to \$200,000 (previously \$50,000)
- 13. d. Added approval amount of \$200,000
- 13. e. Added “personnel”
- 13. f. Deleted
- 13. g. Deleted

Appendix A, Design-Build and Construction Management Contracting

Section 2.0 Procedures

- 2.1.5- deleted the requirement for advertising in the newspaper
- 2.1.13- deleted “No more than ten (10) percent of the construction work, as measured by the cost of work, shall be performed by the construction manager with its own forces.”
- 2.1.20- Updated wording to “significant portion” (previously “at least fifty (50) percent”)

Appendix B, Participation of SWaM

Section 1.0 Purpose and Need

- Added language to align with Virginia Public Procurement Act §2.2-4310 and §2.2-4343.1

Staff is not aware of any additional changes to be made at this time. The revised [policy](#) has been reviewed by legal counsel.

COMMISSION ADOPTED POLICY
Procurement Policy



Adopted: December 16, 2014	Revised: July 27, 2020 August 22, 2023 Effective: August 1, 2020	Page 1 of 7
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1.0 **Purpose and Need**

All procurement shall be in accordance with the Code of Virginia §2.2-4300, the Virginia Public Procurement Act, as supplemented herein.

2.0 **Guiding Principles**

1. HRSD is committed to competitive procurement practices that are accountable to our ratepayers and the public, ethical, impartial, professional, transparent and fully in accordance with applicable law.
2. The Chief of Procurement is responsible for the purchase, rent, lease, or otherwise acquiring goods, professional and non-professional services, and certain construction services. In addition, the Chief of Procurement is responsible for control and disposal of excess, obsolete, and salvageable materials and equipment.

The Chief of Procurement shall establish procedures consistent with this policy and may designate other HRSD staff to act on his/her behalf.

3. The Director of Engineering is responsible for procurement of professional and non-professional services related to the study, design, construction, real estate and property acquisition associated with capital improvement projects or facility projects.

The Director of Engineering shall establish procedures consistent with this policy and may designate other HRSD staff to act on his/her behalf.

4. Except for small purchases (less than \$10,000) and certain easement acquisitions, no employee has the authority to enter into any purchase agreement or contract except the Chief of Procurement or the Director of Engineering or such other employee as may be designated by the General Manager.
5. Fair market value shall be the basis of all real estate acquisitions with appropriate compensation for related restoration and/or inconvenience. Additional costs, in accordance with applicable state law, shall be included as required in procurement through eminent domain procedures.

COMMISSION ADOPTED POLICY
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3.0 **Definitions**

Agreement/Contract. An understanding, in writing, between two or more competent parties, under which one party agrees to certain performance as defined in the agreement and the second party agrees to compensation for the performance rendered in accordance with the conditions of the agreement.

Fair Market Value. The price for an item upon which purchaser and supplier agree in an open market when both are fully acquainted with market conditions.

Total Value. Cost of all related procurement actions, even across fiscal years, that are known at the time of the procurement action including delivery, assembly, start-up, warranty, etc. Each procurement action must be able to meet the business objective individually, without the need for additional procurement actions.

4.0 **Procedures**

1. Generally, competition shall be sought for all procurement with the following exceptions:
 - a. Purchase of goods or services other than professional services where the Total Value will not exceed \$10,000. Related purchases shall not be divided into separate actions to meet this threshold.
 - b. Sole Source – Purchase of goods or services where there is only one source practicably available. The requesting department shall provide a written determination supporting the sole source to the Chief of Procurement *for approval*. The HRSD Commission must approve all sole sources above \$~~1~~200,000 for specific vendor and specific application.
 - c. Emergency – Where emergency actions are required to protect public safety, public health, HRSD employees or property or the environment, a contract can be awarded without competition upon a written emergency declaration, approved by General Manager. Competition should be sought if possible with emergency contracts even if typical procurement procedures cannot be fully followed.

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- d. Real Property – Where acquisition or lease is required in support of HRSD facilities.
2. In accordance with § 2.2-4303 G. competitive sealed bids or competitive negotiation is not required for purchase of goods and services other than professional services where the **total value of the procurement will not exceed \$10,000**. The following procedure shall be followed:
 - a. A minimum of one quote is required. When possible, multiple quotes should be obtained. Use of small businesses and businesses owned by women, minorities, and service-disabled veterans is encouraged for all procurement actions whenever possible.
 - b. Purchase is normally made using an HRSD ProCard.
 - c. Purchase may be made by any HRSD employee granted purchasing authority by their department director.
 - d. Basis of award shall be a determination that the stated need will be met, and the price is fair and reasonable.
 3. In accordance with § 2.2-4303 G. competitive sealed bids or competitive negotiation is not required for purchase of goods and services other than professional services where **the total value of the procurement will be greater than \$10,000 and not to exceed \$200,000**. The following procedure shall be followed:
 - a. Purchases shall be initiated by the submission of a requisition to Procurement or Engineering.
 - b. An unsealed (informal) quote shall be solicited by Procurement or Engineering from three sources in response to an Invitation for Bid (IFB) or Request for Proposal (RFP).
 - c. Basis of award shall be lowest responsive and responsible bidder, offeror or best value as determined by criteria included in the IFB or RFP.

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4. In accordance with § 2.2-4303 G, competitive negotiation is not required for purchase of **professional services where the total value of the procurement will not exceed \$80,000**. The following procedure shall be followed:
 - a. Purchases shall be initiated by the submission of a requisition to Procurement or Engineering.
 - b. An unsealed (informal) quote shall be solicited by Procurement or Engineering from three sources in response to an IFB or RFP.
 - c. Basis of award shall be lowest responsive and responsible offeror or best value as determined by criteria included in the IFB or RFP.
5. In accordance with §2.2-4308, design-build or construction management contracts shall be in accordance with [Appendix A](#) of this policy.
6. In accordance with §2.2-4310 B, HRSD promotes the use of small businesses and businesses owned by women, minorities, ~~and~~ service-disabled veterans, *and employment services organizations* in procurement transactions in accordance with [Appendix B](#) of this policy.
7. In accordance with §2.2-4316, comments concerning specifications or other provisions in IFB or RFP must be submitted and received in accordance with the procedures specified in the IFB or RFP for comment submittal.
8. In accordance with §2.2-4318, if the bid from the lowest responsive, responsible bidder exceeds available funds, negotiations may be entered with the apparent low bidder to obtain a contract price within available funds in accordance with [Appendix C](#) of this policy.
9. In accordance with §2.2-4321, contractors may be debarred from contracting for particular types of supplies, services, insurance or construction, for specified periods of time in accordance with [Appendix D](#) of this policy.
10. In accordance with §2.2-4330 C, bids may be withdrawn due to error for other than construction contracts in accordance with [Appendix E](#) of this policy.

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11. In accordance with §56-575.3:1, a project under the Public-Private Education Facilities and Infrastructure Act shall be in accordance with [Appendix F](#) of this policy.
12. Acquisition of easements (temporary or permanent) may be made by the Director of Engineering (or his/her designee) up to \$250,000.

5.0 **Approvals**

The following actions specifically require the approval of the HRSD Commission before executing unless executed under an approved emergency declaration:

1. **Agreements.** Contracts or purchase orders where the total value is projected to exceed \$200,000.
2. **Sole Source Procurement.** Initial sole source determination for specific vendor, items(s) and location(s) where the Total Value is projected to exceed \$4200,000 (§2.2-4303E).
3. **Modifications to Agreements (Task Orders).** Where the Total Value is projected to exceed \$200,000.
4. **Cooperative Procurement.** Where the Total Value of HRSD's participation is projected to exceed \$200,000 (§2.2-4304).
5. **Change Orders (§2.2-4309).** Where the Total Value exceeds 25 percent of the original contract award or \$50,000 whichever is greater.
6. **Rejection of all Bids.** Where the Total Value is projected to exceed \$200,000 (§2.2-4319).
7. **Design-Build or Construction Management Agreements.** (§2.2-4306).
8. **Design-Build Proposal Compensation.** Where the Total Value is projected to exceed \$200,000.
9. **Debarment.** (§2.2-4321).
10. **Determination of Non-responsibility.** (§2.2-4359).

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11. Real Property

- a. Acquisition by condemnation in accordance with the Code of Virginia §15.2
- b. Acquisitions by purchase, lease, grant or conveyance
- c. Sale, lease or permanent encumbrance of HRSD property
- d. Easements or Right of Entry Agreements (temporary or permanent) with value in excess of \$~~25~~50,000
- e. Vacation of existing easement(s)

12. Intellectual Property. All Intellectual Property Rights Agreements and Royalty Distribution Agreements.

13. Agreements with other Entities. Agreements which include any of the following criteria:

- a. Design or construction of infrastructure with a constructed value in excess of \$50,000
- b. Provides use of real property for temporary (greater than one year) or permanent use
- c. Provide use of ~~assets personal property~~ valued at more than \$~~20~~50,000 ~~for temporary (greater than one year) or permanent use~~
- d. Provides a service or other benefit that spans multiple years *and greater than \$200,000*
- e. Obligates significant financial *or personnel* resources (\$200,000 or more)
- ~~f. Obligates significant personnel resources (one full-time employee or more)~~
- ~~g. Is or has the potential to be politically significant~~

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6.0 **Ethics**

HRSD employees involved in the procurement process are expected to maintain high ethical standards. In addition to HRSD's Standards of Conduct and HRSD's Ethics Policy, the following State laws apply:

1. Virginia Public Procurement Act (VPPA); (§2.2-4300)
2. Ethics in Public Contracting (§2.2-4367)
3. Virginia Governmental Frauds Act (§18.2-498.1) and Articles 2 (§18.2-438) and 3 (§18.2-446) of Chapter 10 of Title 18.2.
4. State and Local Government Conflict of Interests Act (§ 2.2-3100)

7.0 **Responsibility and Authority**

This policy was developed in accordance with HRSD's Enabling Act and the Code of Virginia. Any changes this policy shall be made in writing and approved by the HRSD Commission.

HRSD's General Manager and the Chief of Procurement are the designated administrators of this policy. The Chief of Procurement shall have the day-to-day responsibility and authority for implementing the provisions of this policy.

Approved:

Stephen Rodriguez
Commission Chair

Date

Attest:

Jennifer L. Cascio
Commission Secretary

Date

[HRSD Commission Seal]

COMMISSION ADOPTED POLICY
Procurement Policy – Appendix A
Design-Build and Construction Management Contracting



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1.0 **Purpose and Need**

Design-build and construction management contracting methods provide opportunity for HRSD to contract for specific projects where traditional design-bid-build may not be in the best interest of HRSD. These non-traditional procurement methods shall only be used in accordance with this policy.

2.0 **Procedures**

While the competitive sealed bid process remains the preferred method of construction procurement for HRSD, a contract for construction on a design-build fixed price or on a construction management basis may be used, provided a written determination made in advance is approved by the Commission which sets forth that competitive sealed bidding is either not practicable or not fiscally advantageous.

Criteria for Use of Design-Build Contracts – Design-Build contracts are intended to minimize the project risk and to reduce the delivery schedule by overlapping the design phase and construction phase of a project.

Criteria for Use of Construction Management Contracts – Construction Management contracts may be approved for use on projects where the project complexity will benefit from the early selection of a construction manager or when value engineering and/or constructability analysis is desirable. Construction management may be utilized on projects where the project cost is expected to be less than the project cost threshold established in the procedures adopted by the Secretary of Administration for utilizing construction management contracts, provided that (i) the project is a complex project and (ii) the project procurement method is approved by the Commission. The written approval of the Commission shall be maintained in the procurement file. –

2.1. **Procedure for Design-Build or Construction Management Contracts**

2.1.1. **General.** The Director of Engineering shall prepare a report documenting in writing that for a specific construction project; (i) a Design-Build or Construction Management contract is more advantageous than a competitive sealed bid construction contract; (ii) why there is a benefit to HRSD by using a Design-Build or Construction Management contract; and (iii) why competitive sealed bidding is not practical or fiscally advantageous; and (iv) these justifications shall be stated in the Request for Qualifications. This report shall be submitted to the General Manager for approval.

COMMISSION ADOPTED POLICY
Procurement Policy – Appendix A
Design-Build and Construction Management
Contracting



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- 2.1.2. Design-Build construction projects involve retaining a party that provides both professional design and construction services. Construction Management projects involve retaining a firm to coordinate and administer contracts for construction services and may also include, if provided in the contract, the direct furnishing of construction services. Design-Build services shall be procured using a two-step competitive negotiation process which shall consider both technical capabilities and price for the services required for the project. Construction Management services shall be awarded and initiated no later than the completion of the Schematic Phase of design.
- 2.1.3. **Design-Build and Construction Management Firms.** The Director of Engineering shall obtain qualified Design-Build and Construction Management firms to provide needed services. A list of firms shall be accumulated through solicitation and other methods. The list of firms shall include small, women-owned, minority-owned or service disabled veteran-owned businesses
- 2.1.4. **Request for Qualification (RFQ).** A RFQ shall be prepared for each project and approved by the Director of Engineering. The RFQ shall state the criteria and goals of the project, the time and place for receipt of qualifications, the factors to be used in evaluating qualifications, the contractual terms and conditions, any unique capabilities or qualifications required of the proposer and any project specific requirements for the particular project. The RFQ shall normally consist of the following sections unless modified by the Director of Engineering:
- Cover Sheet
 - I. Introduction and/or Background
 - II. Instructions to Proposers
 - III. Scope of Work
 - IV. Tentative Procurement Schedule
 - V. Attachments
- 2.1.5. **Public Notice.** A Public Notice of the RFQ shall be posted, at least ten (10) business days prior to receipt of proposals for design-build or construction management services, ~~, in a newspaper or newspapers of general circulation in the area in which the contract is to be performed and on~~ on the HRSD Internet website. For Construction management services, the Public Notice shall also be published on the Commonwealth of Virginia's central electronic procurement website, known as eVA, at least thirty (30) days prior to the date

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set for receipt of qualification proposals. The Public Notice shall be sent directly to firms that have requested to be notified of work and may be sent to those firms believed to be qualified to perform the work. The Public Notice shall also be sent directly to organizations promoting small, women-owned, minority-owned and service disabled veteran-owned businesses and to similar businesses that have requested to be notified and/or are believed to be qualified to perform the work. An affidavit shall be placed in the project file certifying the advertising date and method.

- 2.1.6. **Contacts by Proposers.** Proposers may contact only the HRSD representative designated in the RFQ related to questions pertaining to the project. Responses to these questions which are relevant to the work will be documented and addenda will be issued to all proposers who have requested a copy of the RFQ.
- 2.1.7. **Selection Committee.** A Selection Committee shall evaluate the Statements of Qualifications (SOQ) and short-list proposers for further consideration. The Selection Committee shall consist of at least three (3) qualified HRSD staff members appointed by the Director of Engineering. The members of the Selection Committee shall have experience relevant to the project, with backgrounds in such areas as design, construction, contracts, project management and operations/maintenance.
- 2.1.8. **Statements of Qualifications.** The Selection Committee shall request a SOQ from any firm desiring consideration. The SOQ shall provide the information requested in the RFQ. Firms submitting a SOQ shall provide the electronic document by the date and time listed in the RFQ.
- 2.1.9. **Pre-Proposal Conference.** A pre-proposal conference may be held for complex or large projects to ensure clarity, review potential problems with the Scope of Work and answer questions related to the project. Attendance at the pre-proposal conference may be optional or mandatory as specified in the RFQ. If attendance is mandatory, SOQ's shall be considered only from those firms who attended the conference and met the requirements listed in the RFQ related to the pre-proposal conference.
- 2.1.10. **Opening of Statement of Qualifications.** The Director of Engineering or his/her designee shall document receipt of the SOQ's at the specified time and place. SOQ's not received at the specified time will not be considered.

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Procurement Policy – Appendix A
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2.1.11. **Changes to the RFQ.** The Selection Committee shall determine whether any changes to the RFQ should be made to clarify errors, omissions or ambiguities or to incorporate project improvements or additional details. If such changes are required, an addendum shall be issued.

2.1.12. **Evaluation of Statement of Qualifications (Short-List Step).** The Selection Committee shall evaluate each SOQ. The Selection Committee may waive minor informalities in a SOQ but shall eliminate from further consideration any proposer determined to be non-responsive or deemed not fully qualified, responsible or suitable. Prior construction management or design-build experience shall not be required as a prerequisite for consideration or award of a contract. However, in the selection of a contractor, the selection committee may consider the experience of each contractor on comparable projects. The Selection Committee shall then select (short-list) two (2) or more responsive proposers based on the SOQ submitted in response to the RFQ. The Selection Committee either individually or as a group at any point in the evaluation may contact some or all references recommended by the proposer. The Selection Committee may use the information gained during the reference checks in the evaluation. The Selection Committee may ask questions or request additional information from any proposer.

2.1.13. **Request for Proposals (RFP).** A RFP shall be prepared for each project and approved by the Director of Engineering. The RFP shall provide further details not described in the RFQ and shall include the factors to be used in evaluating each proposal. For Design-Build contracts, the RFP shall include details regarding the project quality and performance requirements, conceptual design documents and information regarding the proposer's Contract Cost Limit (CCL) to determine the best value in response to the RFP. For Construction Management contracts, the RFP shall define the allowable level of direct construction involvement by the proposer, describe details regarding the proposer's CCL and define the pre-design, design, bid and construction phase services required. ~~No more than ten (10) percent of the construction work, as measured by the cost of the work, shall be performed by the construction manager with its own forces.~~ The Construction Management firm will procure the subcontractors services by publicly advertising and competitive sealed bidding to the maximum extent practicable. Documentation shall be placed in the file detailing the reasons any work is not procured by publicly advertised competitive sealed bidding. The RFP process shall include a separate technical proposal evaluation stage and a price proposal evaluation stage.

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- 2.1.14. **Technical Proposals.** The Selection Committee shall initially request a technical proposal from those firms that were short-listed. The technical proposals shall provide the information requested in the RFP. Firms submitting a technical proposal shall provide the electronic document by the date and time listed in the RFP.
- 2.1.15. **Opening of Technical Proposals.** The Director of Engineering or his/her designee shall document receipt of the technical proposals at the specified time and place. Technical proposals not received at the specified time will not be considered.
- 2.1.16. **Preliminary Evaluation of Technical Proposals.** The Selection Committee shall review each technical proposal to first determine whether the proposals are responsive to the requirements of the RFP. The Selection Committee shall then evaluate and document (score) the technical proposal from the short-listed proposers based on an evaluation plan specified in the RFP. The Selection Committee shall keep confidential a preliminary ranking of the technical proposals. The Selection Committee may cancel or reject any and all technical proposals. The Director of Engineering shall prepare a report documenting the reasons for the cancellation or rejection. The Selection Committee may waive informalities in the technical proposals.
- 2.1.17. **Conferences During Preliminary Evaluation.** The Selection Committee may hold a question and answer conference with any or all proposers to clarify or verify the contents of a technical proposal. The conference may be in person or by telephone. Each proposer shall be allotted the same fixed amount of time for any conference held as part of the selection. Proposers shall be encouraged to elaborate on their qualifications, proposed services, relevant experience and details of the technical proposal for the project. Proprietary information from competing proposers shall not be disclosed to the public or to competitors.
- 2.1.18. **Changes to the RFP.** Based upon a review of the technical proposal and discussions with each short-listed proposer, the Selection Committee shall determine whether any changes to the RFP should be made to clarify errors, omissions or ambiguities or to incorporate project improvements or additional details. If such changes are required, an addendum shall be provided to each proposer. If addenda are issued by the Selection Committee, proposers will be given an opportunity to revise their technical proposals.

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- 2.1.19. **Final Evaluation of Technical Proposals.** At the conclusion of the technical proposal evaluation stage, the Selection Committee will meet to discuss each proposer. After the discussion is completed, each team member will be given an opportunity to adjust their score. The Selection Committee shall document and keep confidential a final ranking of the technical proposals. This documentation shall occur before any price proposals are received by HRSD.
- 2.1.20. **Price Proposals.** The Selection Committee shall request a price proposal from those firms short-listed during the price proposal evaluation stage. The price proposal shall provide the information requested in the RFP including any and all addendum. The price proposal will include a (CCL) based on the project scope of work and other information provided in the RFP and any subsequent changes to the RFP. Firms submitting a price proposal shall provide the requested information by the date and time listed in the RFP. For Construction Management contracts, price shall be a critical basis for award of the contract. Unless approved by the Commission in advance of issuance of the Public Notice, the price component for selection of a Construction Management firm shall be ~~at least fifty (50) percent~~ *a significant portion* of the weighted score.
- 2.1.21. **Opening of Price Proposals.** The Director of Engineering or his/her designee shall open and document receipt of the price proposals at the specified time and place. Price proposals not received at the specified time will not be considered.
- 2.1.22. **Evaluation of Price Proposals.** The Selection Committee shall review each price proposal to determine whether the proposals are responsive to the requirements of the RFP and any and all addenda. The Selection Committee shall document and keep confidential the results of each price proposal.
- 2.1.23. **Final Evaluation and Recommendation to Award a Contract.** The Selection Committee Chair shall tabulate the technical and price proposal scores as listed in the RFP to determine the recommended firm. The Selection Committee shall prepare a report documenting the process, summarizing the results and recommending the design-build or construction management firm for award to the Director of Engineering. Upon concurrence with the recommendation of the Selection Committee, the Director of Engineering ~~or~~ his/her designee shall negotiate a contract with the recommended firm. Otherwise, the Director of Engineering or his/her designee shall formally terminate negotiations with the proposer ranked first

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and shall negotiate with the proposer ranked second, and so on, until a satisfactory agreement can be negotiated. The Director of Engineering shall inform the General Manager of the results of the negotiation. The General Manager shall receive Commission approval of award to the recommended firm. The Commission may cancel or reject any and all proposals.

- 2.1.24. **Award of Design-Build or Construction Management Contract.** Upon approval by the Commission, the Director of Engineering shall forward all contract, bond and insurance forms to the selected firm for signature. The contract shall be prepared using the standard HRSD format approved by the Director of Engineering and reviewed by the HRSD attorney.
- 2.1.25. **Inspection of Proposals.** Any proposer may inspect the proposal documents after opening of the price proposals but prior to award of the contract. All records, subject to public disclosure under the Virginia Freedom of Information Act, shall be open to public inspection only after award of the contract.
- 2.1.26. **Emergency Procurement.** A contract for design-build or construction management services may be negotiated and awarded without competitive negotiation if the General Manager determines there is an emergency. The procurement of these services will be made using as much competition as practical under the circumstances. The Director of Engineering shall submit a report documenting the basis of the emergency and the selection of the particular firm. The Director of Engineering shall prepare a notice stating the contract is being awarded on an emergency basis and identifying what is being procured, the firm selected and the date the contract was or will be awarded. The notice shall be placed on the HRSD Internet website on the day HRSD awards or announces its decision to award, whichever comes first or as soon thereafter as practical.
- 2.1.27. **Proposal Compensation.** Proposal Compensation on designated Design-Build procurement efforts, short-listed firms that are not selected but have fully complied with all aspects of the RFQ and RFP may be provided proposal compensation (stipend) under certain conditions. The value of the proposal compensation will be determined on a case-by-case basis. Commission approval shall be required when the recommended amount exceeds \$200,000 for any single payment.

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2.2. Procedure for Changes to Design-Build or Construction Management Contracts

All changes to the Contract shall be by a formal Change Order as mutually agreed to by the firm and HRSD. The method of making such changes and any limits shall be in accordance with the Contract Documents. Change Orders shall be negotiated by HRSD staff and such actions reported to the Director of Engineering with recommendations for approval. Change Orders exceeding \$50,000 or 25% of the original contract amount, whichever is greater, shall be submitted to the Commission for approval prior to authorization. All Change Orders shall be executed by the firm and the Director of Engineering or his/her designee.

Extra work by the firm may be authorized by a written Work Change Directive within limits of authorization provided above with later inclusion in the Contract by formal Change Order.

In case of disputes as to the value of extra work, HRSD, within the limits of authorization provided above, may issue a directive in accordance with the Contract Documents to proceed with the work so as to not impede the progress and cause unnecessary delay and expense to the parties involved. The directive shall acknowledge the dispute by the firm, and the dispute shall be resolved at a later date.

2.3. Procedure for Progress Payments

Progress payments shall be paid in accordance with the Contract Documents. Requests for progress payments shall be prepared by the firm and approved by HRSD staff and the Director of Engineering. Requests for progress payments shall generally be submitted to HRSD on a monthly basis with payments by HRSD to the firm within the period of time specified in the Contract Documents.

Progress payments shall be based on unit prices, schedules of values, and other agreed-upon specified basis. Each progress payment shall represent the amount of completed work and materials on site to be incorporated into the work as accepted and approved, less the specified retainage and less previous payments. Payment for materials on site shall be in accordance with the Contract Documents.

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Progress payments may be reduced or withheld in accordance with the Contract Documents. Retainage may be reduced or increased in accordance with the Contract Documents.

2.4. Procedure for Final Payments

Final acceptance, payment, and release of claims shall be in accordance with the Contract Documents. Requests for final payments shall be prepared by the firm, certified and approved by HRSD staff and approved by the Director of Engineering.

3.0 Responsibility and Authority

Under the direction of the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

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Procurement Policy – Appendix B
Participation of SWaM



Adopted: December 16, 2014

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1.0 **Purpose and Need**

This policy is in accordance with §2.2-4310 B to facilitate the participation of small businesses and businesses owned by women, minorities, ~~and~~ service disabled veterans, *and employment services organizations* in HRSD procurement transactions.

HRSD is committed to ensuring fair consideration of all contractors and suppliers in its day-to-day purchase or lease of goods and services. HRSD recognizes that working with a wide range of contractors and suppliers provides an open, competitive and diverse business environment.

HRSD recognizes its responsibilities to the communities that it serves and the society in which it conducts business. The inclusion of small, women-owned, minority-owned, ~~and~~ service disabled veteran-owned, *and employment services organizations* (SWaM) businesses must be a function of our normal, day-to-day purchasing activities. No potential contractor or supplier will be precluded from consideration on the basis of race, religion, color, sex, *sexual orientation, gender identity*, national origin, age, ~~or~~ disability, *status as a service disabled veteran, or any other basis prohibited by state law relating to discrimination in employment.* (Code of Virginia, § 2.2-4310A).

Therefore, HRSD's policy is to actively solicit and encourage SWaM businesses to participate in procurement opportunities through equally fair and open competition for all contracts. Every employee who is involved in procurement decisions for the purchase of goods or services is charged with making giving every consideration to using qualified SWaM businesses in a manner that is consistent with state and federal laws and regulations. Further, each of HRSD's contractors and suppliers are encouraged to provide for the participation of SWaM businesses through partnerships, joint ventures, subcontracts and other contractual opportunities.

HRSD shall not accept a bad business deal or a lower quality contractor, supplier, product or service in order to achieve greater participation of SWaM businesses in HRSD procurement.

As an integral part of the company-wide culture, HRSD does not discriminate because of race, religion, color, sex, *sexual orientation, gender identity*, national origin, age, disability, *status as a service disabled veteran*, or any other basis prohibited by law. Additionally, in procuring goods or services or in making disbursements, HRSD shall not (i) discriminate against a faith-based organization on the basis of the organization's religious character or (ii) impose conditions that (a) restrict the religious character of the faith-based organization, except, in accordance with Virginia Code §2.2-4343.1(F), that no funds shall be expended on contracts for ~~sectarian~~ *religious* worship, instruction, or proselytizing, or (b)

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impair, diminish, or discourage the exercise of religious freedom by the recipients of such goods, services, or disbursements.

2.0 Procedures

The Procurement Division shall:

1. Ensure SWaM businesses have the maximum practicable opportunity in procurement and contractual activities
2. Apprise potential SWaM businesses of HRSD's procurement activities
3. Identify SWaM businesses for HRSD solicitations
4. Promote the use of SWaM contractors through formal and informal training classes
5. Maintain diversity procurement data of contracts and subcontracts awarded to SWaM businesses
6. Monitor, evaluate, and report on the utilization of SWaM contractors at least annually to the HRSD Commission
7. Include qualified businesses selected from the HRSD centralized contractor/supplier database, the Virginia Department of Small Business and Supplier Diversity (Code of Virginia, § 2.2-4310), and/or the Carolinas-Virginia Minority Supplier Development Council consistent with this policy whenever soliciting quotes or qualifications

All employees with purchasing responsibility or who are involved in procurement decisions for goods and services shall give every consideration to using qualified SWaM contractors/suppliers and consult with the Procurement Division as required to identify SWaM contractors/suppliers.

Certified Minority Business Enterprise (MBE). No contractor/supplier shall be considered a Small Business Enterprise, a Minority-Owned Business Enterprise, a Women-Owned Business Enterprise or a Service Disabled Veteran-Owned Business Enterprise unless certified as such by the Virginia Department of Small Business and Supplier Diversity or Carolinas-Virginia Minority Supplier Development Council.

3.0 Responsibility and Authority

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Under the direction of the Director of Finance, the Chief of Procurement, as well as the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

COMMISSION ADOPTED POLICY
Procurement Policy – Appendix C
Negotiation with Lowest Responsible Bidder



Adopted: December 16, 2014

Revised: September 26, 2017

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1.0 **Purpose and Need**

If the bid from the lowest responsive, responsible bidder exceeds available funds, HRSD may negotiate with the apparent low bidder to obtain a contract price within available funds in accordance with this policy.

2.0 **Procedures**

Unless all bids are cancelled or rejected, HRSD reserves the right to negotiate with the lowest responsive, responsible bidder to obtain a contract price within the funds available. The term “available funds” shall mean those funds which were budgeted by the requested HRSD department for the contract prior to the issuance of the written Invitation for Bids. The procurement record in the Procurement Division shall include documentation of the “available funds” prior to the issuance of the IFB.

Negotiations with the lowest responsive, responsible bidder may include both modifications of the bid price and the Scope of Work/Specifications to be performed.

HRSD shall initiate such negotiations by written notice to the lowest responsive, responsible bidder that its bid exceeds the available funds and that HRSD wishes to negotiate a lower contract price. The times, places, and manner of negotiating shall be agreed to by HRSD and the lowest responsive, responsible bidder.

If a mutually acceptable price cannot be negotiated, all bids shall be rejected. A new IFB cannot be issued without HRSD modifying the scope or specification to match the available funds. Shopping for bids shall not be permitted.

3.0 **Responsibility and Authority**

Under the direction of the Director of Finance, the Chief of Procurement, as well as the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

1.0 **Purpose and Need**

To ensure HRSD receives the best value with all procurement actions, contractors that fail to meet HRSD standards may be debarred and prevented from being awarded work from HRSD for a specified period of time. Debarment is a serious action and shall only be pursued when continued use of a particular contractor threatens HRSD's ability to meet regulatory requirements, requires inordinate levels of inspection, administration or supervision, poses a legal, financial or reputational risk to HRSD or a locality partner or the contractor has previously demonstrated the inability to meet HRSD schedules or quality requirements, provides poor references or is in active litigation related to HRSD work or similar projects.

2.0 **Procedures**

The Chief of Procurement or Director of Engineering shall regularly evaluate prospective contractors to determine eligibility for contracting for particular types of supplies, services, insurance or construction.

If a determination is made that a prospective contractor should not be eligible, the Chief of Procurement or Director of Engineering shall submit a written report notifying the contractor of the proposed debarment and specified period of time, disclosing factual support for the contractor's unsatisfactory performance and/or other reasons for the proposed debarment, and allowing the contractor an opportunity to inspect any documents relating to the proposed debarment within five (5) business days after receipt of notification and to submit rebuttal information within ten (10) business days after receipt of notification.

The Chief of Procurement or Director of Engineering shall revise the report as appropriate within five (5) business days after receipt of rebuttal information and submit the revised report to the contractor and the General Manager.

The General Manager shall submit the revised report and recommended action to the HRSD attorney for review and to the Commission for action. The Chief of Procurement or Director of Engineering shall notify the contractor of the Commission's final determination including, if debarred, the basis of the debarment and the term of the debarment.

3.0 **Responsibility and Authority**

Under the direction of the Director of Finance, the Chief of Procurement, as well as the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

COMMISSION ADOPTED POLICY
Procurement Policy – Appendix E
Withdrawal of Bids



Adopted: December 16, 2014

Revised: N/A

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1.0 **Purpose and Need**

Occasionally a bidder requests to withdraw a bid due to a mistake. It is not in HRSD's best interest to force a bidder to perform if the bidder actually made an error in their bid preparation. However, in a competitive bid environment, bidders cannot be allowed to withdraw bids without just cause as this practice can undermine the integrity of the bidding process. HRSD shall follow these procedures to protect the integrity of the bidding process when considering a request to withdraw a bid.

2.0 **Procedures**

For bids on construction projects, withdrawal procedures shall be in accordance with §2.2-4330 where the bidder shall give notice in writing of his claim of right to withdraw his bid within two business days after the conclusion of the bid opening procedure and shall submit original work papers with such notice.

For bids other than construction bids, the same withdrawal procedures shall be followed.

The Chief of Procurement or the Director of Engineering will review the request to withdraw and make a determination based on the evidence provided in accordance with §2.2-4330.

3.0 **Responsibility and Authority**

Under the direction of the Director of Finance, the Chief of Procurement, as well as the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

1.0 Purpose and Need

This policy is intended to encourage competition and guide the procurement of projects under Public-Private Education Facilities and Infrastructure Act.

2.0 Procedures

General. Prior to developing or operating the qualifying project, the selected private entity shall enter into a comprehensive agreement with HRSD. Prior to entering a comprehensive agreement, an interim agreement may be entered into that permits a private entity to perform compensable activities related to the project. Any interim or comprehensive agreement shall define the rights and obligations of HRSD and the private entity with regard to the project. The interim and comprehensive agreements and any amendments thereto must be approved by the HRSD Commission.

Interim Agreement Terms. Prior to or in connection with the negotiation of the comprehensive agreement, HRSD may enter into an interim agreement with the private entity proposing the development or operation of the qualifying project. The scope of an interim agreement may include, but is not limited to:

1. Project planning and development;
2. Design and engineering;
3. Environmental analysis and mitigation;
4. Survey;
5. Ascertaining the availability of financing for the proposed facility through financial and revenue analysis;
6. Establishing a process and timing of the negotiation of the comprehensive agreement; and
7. Any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate prior to the execution of a comprehensive agreement.

Comprehensive Agreement Terms. Prior to developing or operating the qualifying project, the selected private entity shall enter into a comprehensive agreement with HRSD. The comprehensive agreement shall define the rights and obligations of HRSD and the private entity with regard to the project.

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Procurement Policy – Appendix F
PPEA



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Revised: N/A

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As provided by the PPEA, the terms of the comprehensive agreement shall include, but not be limited to:

1. The delivery of maintenance, performance, and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project, in the forms and amounts satisfactory to HRSD and in compliance with § 2.2-4337 for those components of the qualifying project that involve construction;
2. The review and approval of plans and specifications for the qualifying project by HRSD;
3. The rights of HRSD to inspect the qualifying project to ensure compliance with the comprehensive agreement;
4. The maintenance of a policy or policies of liability insurance or self-insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. The monitoring of the practices of the private entity by HRSD to ensure proper maintenance, safety, use, and management of the qualifying project;
6. The terms under which the private entity will reimburse HRSD for services provided;
7. The policy and procedures that will govern the rights and responsibilities of HRSD and the private entity in the event that the comprehensive agreement is terminated or there is a material default by the private entity including the conditions governing assumption of the duties and responsibilities of the private entity by HRSD and the transfer or purchase of property or other interests of the private entity by HRSD;
8. The terms under which the private entity will file appropriate financial statements on a periodic basis;
9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be the same for persons using the

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Procurement Policy – Appendix F
PPEA



Adopted: December 15, 2014

Revised: N/A

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facility under like conditions and that will not materially discourage use of the qualifying project;

- a. A copy of any service contract shall be filed with HRSD;
 - b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request;
 - c. Classifications according to reasonable categories for assessment of user fees may be made.
10. The terms and conditions under which HRSD will contribute financial resources, if any, for the qualifying project;
 11. The terms and conditions under which existing site conditions will be assessed and addressed, including identification of the responsible party for conducting the assessment and taking necessary remedial action;
 12. The terms and conditions under which HRSD will be required to pay money to the private entity and the amount of any such payments for the project;
 13. Other requirements of the PPEA or other applicable law; and
 14. Such other terms and conditions as HRSD determines serve the public purpose of the PPEA.

Notice and Posting requirements. In addition to the posting requirements of Section IV, HRSD shall advertise for a public hearing to discuss proposals it has received or the negotiated interim or comprehensive agreements. Such hearing may occur at a regularly scheduled meeting of the Board. Such notice shall be at least 30 days prior to the public hearing. Public comments may be submitted to HRSD at any time during the notice period and prior to the public hearing. After the public hearing and the end of the public comment period, no additional posting shall be required based on any public comment received.

Once the negotiation phase for the development of an interim or a comprehensive agreement is complete and a decision to award has been made, the proposed agreement shall be posted in the following manner:

1. On the HRSD website for 30 days prior to the execution of the agreement.

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Procurement Policy – Appendix F
PPEA



Adopted: December 15, 2014

Revised: N/A

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2. In addition to the posting requirements, a copy of the proposals shall be made available for public inspection. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of subdivision 11 of §2.2-3705.6 shall not be required to be posted, except as otherwise agreed to by the HRSD and the private entity.
3. Any studies and analyses considered by HRSD in its review of a proposal shall be disclosed at some point prior to the execution of an interim or comprehensive agreement.

Once an interim agreement or a comprehensive agreement has been entered into, the HRSD shall make procurement records available for public inspection, upon request.

1. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents would have an adverse effect on the financial interest or bargaining position of HRSD or the private entity in accordance.
2. Such procurement records shall not include:
 - a. trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or
 - b. financial records, including balance sheets or financial statements of the private entity that are not generally available to the public through regulatory disclosure or otherwise.

Actual timelines will depend on many factors, including complexity of the project, number of proposals received, staff workload, and Commission meeting schedules.

3.0 Responsibility and Authority

Under the direction of the Director of Finance, the Chief of Procurement, as well as the Director of Engineering, shall be responsible for overall development, management and implementation of this policy.

AGENDA ITEM 19. – August 22, 2023

Subject: Ethics Policy
Revisions

Recommended Action: Approve revised policy.

Brief: The Ethics Policy is one of several policies specifically identified as requiring annual review by the Operations and Nominations (O&N) Committee in the Commission Governance Guidelines. The Commission approved the original Ethics Policy in October 2015 in response to the Ethics Reform Bill passed during the 2015 session. An argument could be made (and has in the past) that Chapter 31 of Title 2.2, the State and Local Government Conflict of Interests Act does not apply to HRSD as we fall somewhere between a state agency and a local government. Despite this ambiguity, HRSD desires to continue to operate as a model governmental entity, so staff proposed the policy, and the Commission adopted it.

Staff presented several changes to the Commission at the July 25, 2023 meeting for review. One change proposed to this policy resolves inconsistent language related to acceptance of gifts. The proposed change aligns with the Virginia Public Procurement Act and other state policies. There were no changes from the Virginia Public Procurement Act this year that affect the Ethics Policy.

Changes to this policy will be incorporated into the biannual training for employees, as required by the policy. The Commission General Counsel, Ms. Robyn Hansen, of Sands Anderson will provide an overview of ethics and conflict of interest for the Commission in September, which will meet the periodic training requirement per the policy for Commission members.

Staff is not aware of any additional changes to be made at this time. The revised [policy](#) has been reviewed by legal counsel.

1.0 Purpose and Need

As a public body, gaining and keeping the trust of the public is paramount. HRSD Commissioners and employees are committed to maintaining high ethical standards in every aspect of their business as members of a public body. As a political subdivision of the Commonwealth, HRSD Commissioners and employees are committed to complying with all applicable laws and regulations governing ethics and conflicts of interest. **This policy is applicable to all HRSD Commissioners and employees.**

2.0 Definitions

Conflict of Interest – A situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

Gift – Any *gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having a monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred.* ~~goods, meals, services, loans, tickets to events, greens fees, travel, lodging or similar items with monetary value or discounts, favors, gratuities, hospitality, forbearance, etc. This includes prizes awarded from drawings or similar games of chance at events attended in an official capacity. This also includes wreaths, candy, cookies, fruit baskets, etc., whether addressed to an individual or to HRSD.~~

Not a Gift – For the purposes of this policy the following are not considered gifts:

- *Gifts with a value of less than \$20;*
- Offer of a ticket, coupon, admission or pass if such item is **not** used;
- Honorary degrees;
- Food or beverage consumed and mementos received at an event at which an individual is performing official duties or is a speaker;
- Registration or attendance fees (not travel costs) at an event at which individual is a speaker or event coordinator;
- Unsolicited awards of appreciation or recognition (plaque, trophy, wall or desk memento);
- Gifts from relatives or Personal Friends;
- *A devise or an inheritance;*
- Travel paid for by the United States government or any of its territories, or any state or political subdivision of such state;
- Travel, meals and activities directly associated with and paid for by a professional association that HRSD pays dues to on behalf of the agency or individual as part of their official duties;
- Scholarships awarded competitively;

- Travel related to an official meeting of HRSD; and
- Travel, lodging, meals, activities and logo clothing and related similar items associated with recruitment activities for permanent employment outside of HRSD while employed in an intern position

HRSD Commissioner – A non-salaried citizen member of the HRSD Commission.

Immediate Family – Includes spouse, children, parents, brothers and sisters, and any other person living in the same household as the employee. (*Code of Virginia*, § 2.2-4368).

Intern Positions – On-the-job experience for high school students, college and university students, or post-graduate adults, hired on a part-time seasonal or part-time temporary basis.

Official Responsibility - Administrative or operating authority, whether intermediate or final, to initiate, approve, disapprove or otherwise affect a procurement transaction, or any claim resulting therefrom.

Pecuniary Interest Arising from the Procurement - A personal interest in a contract as defined in the State and Local Government Conflict of Interests Act (§ [2.2-3100](#) et seq.).

Personal Friend – An individual whose relationship with an HRSD employee or HRSD Commissioner pre-dates employment/appointment with HRSD and the relationship has a history of gift exchange or with whom a personal relationship developed totally unrelated to the employee's or HRSD Commissioner's position with HRSD.

Procurement Transaction - All functions that pertain to the obtaining of any goods, services or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

Public employee - Any person employed by a public body, including elected officials or appointed members of governing bodies.

Widely Attended Event – An event to which at least 25 persons have been invited or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable or professional organization, (ii) who are from a particular industry or profession, or (iii) who represent persons interested in a particular

issue. Golf outings are never considered a widely attended event or a part of a widely attended event.

3.0 Guiding Principles

All HRSD employees having official responsibility for Procurement Transactions shall conduct business in a fair and impartial manner with the avoidance of any impropriety or appearance of impropriety. Transactions relating to the expenditure of public funds require the highest degree of public trust.

Except as may be specifically allowed by the *Code of Virginia* § 2.2-3112, subdivisions B 1, 2, and 3, no HRSD employee having official responsibility for a Procurement Transaction shall participate in that transaction on behalf of HRSD when the employee knows that:

- The employee is contemporaneously employed by a bidder, offeror, or contractor involved in the Procurement Transaction; or
- The employee, the employee's partner, or any member of the employee's immediate family holds a position with a bidder, offeror, or contractor such as an officer, director, trustee, partner or the like, or is employed in a capacity involving personal and substantial participation in the Procurement Transaction, or owns or controls an interest of more than five percent; or
- The employee, the employee's partner, or any member of the employee's immediate family has a pecuniary interest arising from the Procurement Transaction; or
- The employee, the employee's partner, or any member of the employee's immediate family is negotiating, or has an arrangement concerning prospective employment with a bidder, offeror, or contractor.

No HRSD employee having administrative or operating authority, whether intermediate or final, to initiate, approve, disapprove, or otherwise affect a Procurement Transaction, or any claim resulting there from:

- Shall solicit, demand, accept, or agree to accept from a bidder, offeror, contractor, or subcontractor any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal or minimal value present or promised, unless consideration of substantially equal or greater value is exchanged; (*Code of Virginia*, § 2.2-4371)

- Shall accept employment from any bidder, offeror, or contractor with whom the employee dealt in an official capacity concerning Procurement Transactions for a period of one year from the cessation of employment by HRSD unless the employee or former employee provides written notification to HRSD prior to commencement of employment by that bidder, offeror, or contractor. (*Code of Virginia, § 2.2-4370*)

HRSD Commissioners and employees shall conduct themselves beyond reproach. Improprieties or the appearance of improprieties will not be tolerated. The following prohibitions apply to HRSD Commissioners, employees and their Immediate Families:

- Soliciting, accepting or receiving ~~any~~ *any single Gift with a value in excess of \$100 or any combination of Gifts with an aggregate value in excess of \$100 within any calendar year* Gift from any entity or person seeking to contract with HRSD. ~~subject to exemptions for Gifts from relatives or Personal Friends.~~ *Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.*
- Having a Personal Interest in or benefiting from any contract with HRSD other than the employee's own employment contract. Where such interest pre-exists, it shall be disclosed and the HRSD Commissioner or employee shall refrain from voting on or acting on behalf of HRSD in any manner in relation to the contract.
- Participating in a transaction with HRSD where the employee has a Personal Interest in or may benefit from the transaction. Such interest shall be disclosed and the HRSD Commissioner or employee shall refrain from voting on or acting on behalf of HRSD in any manner in relation to the transaction.
- For a period of 12 months post-employment or appointment, HRSD Commissioners and Employees at the Chief Level or above are prohibited from engaging in transactions for compensation with HRSD. All other former employees must provide a written notification to HRSD prior to any such engagement.

Food, beverages, mementos, entertainment or the cost of admission may be accepted when such a Gift is accepted or received while in attendance at a Widely Attended Event and is associated with the event.

~~Gifts shall be returned whenever practicable. If return is not practicable, perishable gifts may be shared with the entire work center. Non-perishable gifts shall be collected and distributed to local charities as appropriate.~~

No person shall be in violation of this policy if the Gift is not used by such person and the Gift is returned to the sender or delivered to a charitable organization within a reasonable period of time.

4.0 Procedures

This policy shall be communicated and provided to all HRSD Commissioners and employees upon commencement of appointment/employment and an acknowledgement of such shall be retained permanently in each employee's personnel file [Enterprise Resource Planning (ERP) System]. HRSD Commissioners' acknowledgements shall be retained by the Commission Secretary.

HRSD Commissioners or employees who have a Personal Interest in a company doing business with HRSD, or believe they have any other conflict requiring disclosure, shall disclose those interests immediately upon discovery of the personal interest in a company doing business with HRSD or other potential conflict. The Conflict of Interest Disclosure Form will include name and address of company doing business with HRSD, name and position of person at the company, as well as start and end date of the conflict.

HRSD Commissioners or employees who receive Gifts at widely attended events that exceed \$100 in value shall disclose those gifts within 60 days of receiving a gift. The Gift Disclosure Form will include the name of the company/vendor giving the gift, estimated value and date received.

Employee disclosure forms will be available in the ERP system. HRSD Commissioner disclosure forms shall be obtained through, filed with and retained by the Commission Secretary. All disclosure forms may be reviewed by legal counsel.

Training on the Ethics Policy shall be provided to all HRSD employees on a biannual basis with records of attendance maintained in the ERP system. Training on the Ethics Policy will be provided to HRSD Commissioners at time of appointment and periodically thereafter.

COMMISSION ADOPTED POLICY
Ethics



Adopted: October 27, 2015

Revised: ~~July 26, 2022~~ August 22, 2023

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5.0 Responsibility and Authority

This policy shall be reviewed annually by the Operations and Nominations Committee and revised as required to conform to current law and regulations.

Approved:

Stephen C. Rodriguez
Commission Chair

Date

Attest:

Jennifer L. Cascio
Commission Secretary

Date

[HRSD Commission Seal]

AGENDA ITEM 20. – August 22, 2023

Subject: Freedom of Information Act – Public Records Policy
Revisions

Recommended Action: Approve revised policy.

Brief: The Freedom of Information Act (FOIA) Commission Adopted Policy related to public records requests is one of several policies specifically identified in the Commission Governance Guidelines as requiring annual review by the Operations and Nomination (O&N) Committee.

Staff presented several changes to the Commission at the July 25, 2023 meeting for review. There were no changes from the Virginia Public Procurement Act this year that affected this policy. However, this year, legislative changes required language be added explaining how charges will be assessed for accessing or searching for requested records, including a fee schedule (Section 3.3 Costs).

The entire policy was also reorganized to streamline and remove inconsistencies by incorporating Appendix A into the body of the policy (new Section 3.0 – FOIA Rights and Responsibilities). Other minor housekeeping and wording clarifications are noted as follows:

Section 2.0 Definitions:

- Reference to Virginia Code definitions
- New definition for “information”
- Clarification of “working papers”

Section 3.0 FOIA Rights and Responsibilities (moved from Appendix)

Section 3.1 The Rights of Requesters:

- Information related to reasonable charges to supply requested records
- Clarification of the responsibilities of the Virginia Freedom of Information Advisory Council
- Addition of comment form

Section 3.2 The Responsibilities of HRSD in Responding to Requests

- Clarification of “working day”
- Clarification of time periods and responses
- New requirement to notify Homeland Security if we receive a request related to public safety

Section 3.3 Costs:

- Deposits are required when an estimate exceeds \$200
- Explanation of labor, paper, and electronic records costs
- Waiver of charges
- Addition of fee schedules

Sections 3.5 and 3.6 – clarification of commonly used exemptions and policy regarding use of exemptions

Staff is not aware of any additional changes to be made at this time. The revised [policy](#) has been reviewed by legal counsel.

The Virginia FOIA also includes a provision for meetings that must be followed by public servants. Counsel will provide an overview of these provisions including an explanation of what constitutes a meeting, proper notice of meetings, minutes and the appropriate use of emails by commission members at the September Commission meeting.

COMMISSION ADOPTED POLICY
Freedom of Information Act –
Public Records



Adopted: December 21, 2004

Revised: ~~September 28, 2021~~
~~August 22, 2023~~

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1.0 **Purpose and Need**

HRSD is occasionally requested to provide records in accordance with the *Virginia* Freedom of Information Act (FOIA), ~~found in Code of Virginia §§ 2.2-3700 through 2.2-3715~~ *of the Code of Virginia*. FOIA guarantees the people of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations broadcasting in or into the Commonwealth access to public records held by public bodies, public officials and public employees. All public records are presumed open unless an exemption is invoked or otherwise prohibited by law.

2.0 **Definitions (See also Virginia Code § 2.2-3701)**

2.1 ***Information*** – *as used in the exclusions established by Code of Virginia §§ 2.2-3705.1 through 2.2-3705.7, means the content within a public record that references a specifically identified subject matter, and shall not be interpreted to require the production of information that is not embodied in a public record.*

2.2 ***Public Records (also referred to herein as “Records”)*** – all writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.

~~2.2.3~~ ***Records Held by Others*** – records consisting of studies, reports, plans, specifications and other project-related information prepared by consultants, contractors, suppliers and vendors working directly for HRSD as part of a specific project or service contract.

~~2.3.4~~ ***Working Papers*** – records prepared by or for ~~certain executive level public officials~~ *the HRSD General Manager* for their personal or deliberative use.

~~3.0~~ **Guiding Principles**

~~Subject to applicable exemptions from mandatory disclosure and laws mandating confidentiality, all public records of HRSD shall be open to the citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations broadcasting in or into the Commonwealth during HRSD’s regular office hours.~~

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3.0 [FOIA Rights and Responsibilities](#)

In an effort to increase awareness of the public's right to information, Virginia requires all public agencies to make their FOIA compliance doctrine "*FOIA Rights and Responsibilities: The Rights of the Requesters and the Responsibilities of HRSD*" available. This section includes:

- A "plain language" explanation of the rights of the requester under FOIA, the procedure to obtain records, and the responsibilities of HRSD in complying with FOIA;
- Information on how to reach HRSD's designated FOIA Officer;
- A general description of the types of public records maintained by HRSD and exemptions in law that permit or require such public records to be withheld from release; and
- HRSD's policy on records it routinely withholds as permitted by FOIA.
- *Policies complying with the following statement, which is provided herein in accordance with Virginia Code § 2.2-3704.1(A)(6).*

"A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall make all reasonable efforts to supply the requested records at the lowest possible cost. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. Prior to conducting a search for records, the public body shall notify the requester in writing that the public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records as set forth in subsection F of § 2.2-3704 of the Code of Virginia."

3.1 The Rights of Requesters

- Requesters have the right to request to inspect or receive copies of public records, *or both. Only HRSD employees will access information and public records stored electronically.*
- HRSD may require the requester to provide their name and legal address.
- Requesters have the right to request that any charges for the requested records be estimated in advance. *HRSD must notify you in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and inquire if you would like to request a cost estimate in advance of supplying the requested records. If you request a cost estimate, the period of time for HRSD's response to the records request does not begin until it receives a response from you regarding the estimate. If there is no response from you within 30 days following provision of the estimate, HRSD will consider the request withdrawn.*
- Records may be requested by U.S. Mail, fax, email, in person, or over the phone. *FOIA does not require that you use any particular method to convey your request.* FOIA *also* does not require that your request be in writing, nor do you need to state that you are requesting records pursuant to FOIA. From a practical perspective, *it is helpful for all parties for requests to be submitted in writing. ~~written requests are preferred This allows you to create a record of your request and~~ provide HRSD with a clear statement of what records you are requesting. This helps to prevent misunderstanding over a verbal request and allow you to create a record of your request.* However, HRSD cannot refuse to respond to your FOIA request if you elect not to submit it in writing.
- Requesters must identify the records they are seeking with reasonable specificity. This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires you to be specific enough to allow HRSD to identify and locate the records that you are seeking.
- HRSD is only required to provide existing public records. FOIA gives you a right to inspect or receive a copy of records. It does not apply to a situation where you are asking general questions about the work of HRSD, nor does it require HRSD to create a record that does not exist.

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- Requesters may choose to receive electronic records in any format used by HRSD in the regular course of business. For example, requesters may elect to receive those records electronically, via email, on a computer disk or flash drive, or to receive a printed copy of those records.
- If HRSD has questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large or complex request. Making a FOIA request is not an adversarial process, but discussion may be needed to understand what records are being sought in the request.
- To request records from HRSD or ask questions about requesting records, you may contact the designated FOIA officer:

Jennifer Cascio
FOIA Officer
HRSD
PO Box 5911
Virginia Beach, Virginia, 23471-0911
757.460.7003
FOIA@hrsd.com

- In addition, the Freedom of Information Advisory Council (FOIA Council) is available to answer any questions you may have about FOIA. *The Council was created in the legislative branch of state government to issue opinions on the operation and application of FOIA, to publish educational materials, and to provide training about FOIA. However, please be aware that the Council is not a records repository and does not process records requests on behalf of other public bodies, nor is the Council an investigative or enforcement agency.* The Council may be contacted by or by phone at 804.698-1810 or toll free at 866.448.4100 or by email at foiacouncil@dls.virginia.gov.
- If the requester believes that their FOIA rights have been violated, they may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, the requester may contact the FOIA Council for a nonbinding advisory opinion.
- *The FOIA Council also accepts comments on the quality of assistance provided to the requester by HRSD. The comment form is available online at <http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>.*

3.2 The Responsibilities of HRSD in Responding to Requests

- HRSD must respond within five working days of receiving a request. "Day One" is considered the *working* day after a request is received. The five-day period does not include weekends, ~~or~~ state holidays, *or when HRSD is closed for business*.
- The reason for the request for public records is irrelevant, and the requester is not obligated to state why they want the records.
- FOIA requires HRSD to make one of the following responses to a request within the five *working* day time period:
 - (1) The requested records are provided in their entirety.
 - (2) The requested records are withheld in their entirety because they are subject to a specific statutory exemption. If all of the records are being withheld, HRSD must send a written response identifying the volume and subject matter of the records being withheld and stating the specific section of the Code of Virginia that authorizes withholding the records.
 - (3) The requested records are provided in part, but are withheld in part. HRSD cannot withhold an entire record if only a portion of it is subject to an exemption. In this instance, HRSD will redact the portion of the record that may be withheld and provide the remainder of the record. HRSD must provide a written response stating, with reasonable particularity, the subject matter of the withheld portions and the specific section of the Code of Virginia that authorizes the withholding of the records.
 - (4) That the requested records cannot be found or do not exist. Only documents that exist will be made available for inspection or produced. It is not the responsibility of HRSD to create any documents to respond to a request. However, if HRSD knows that another public body has the requested records, contact information for the other public body will be included in the response.
 - (5) If it is not practically possible for HRSD to provide the requested records or to determine whether they are available within the five work-day period, including an explanation of the conditions that make

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the response impossible. Thereafter, HRSD shall have seven additional work days, for a total of 12 working days, to respond to the request.

- If the request is for a very large number of records, *or the request is complex*, and HRSD believes that we cannot provide the records within 12 working days without disrupting our other ~~organizational~~ *operational* responsibilities, HRSD may petition the *circuit* court for additional time to respond to the request. However, HRSD will make a reasonable effort to reach an agreement with the requester concerning the production of the records before petitioning the court for additional time.
- *The time periods and responses described above may be tolled or adjusted consistent with the cost-related provisions of FOIA and this Policy.*
- The FOIA Officer shall take all necessary precautions for preservation and safekeeping of the records.
- *If HRSD receives a request for records related to public safety that are excluded under clauses (a) or (b) of Code of Virginia § 2.2-3705.2(14), HRSD shall notify the Secretary of Public Safety and Homeland Security or their designee of such request and the response made by HRSD to the request.*

3.3 Costs

FOIA allows HRSD to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. No charges will include general overhead costs and HRSD will not impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of HRSD. Any duplicating fee charged by HRSD shall not exceed the actual cost of duplication.

If HRSD estimates that it will cost more than \$200 to respond to a request, ~~we may require you to pay~~ a deposit, not to exceed the amount of the estimate, shall be required before proceeding with the request. The period for providing a response to the request does not include the time between when a deposit is requested and when a requester responds.

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All deposits shall be paid by credit card or by check or money order payable to HRSD and mailed or delivered to HRSD's office at 1434 Air Rail Avenue, Virginia Beach, Virginia 23455. Any outstanding balance *will be immediately due and payable* ~~must be paid by the requester before or as the responding~~ *upon providing the requested records* ~~are released~~. Any balance remaining from the deposit shall be returned to the requester.

If a requester owes HRSD money from a previous FOIA request that has remained unpaid for more than 30 days, HRSD may require payment of the past-due bill before responding to a new FOIA request.

- 3.3.1** Labor Costs: Time necessary to respond to the request, including to locate, retrieve, and/or reproduce records will be charged at the hourly rate for the staff person responding to the request *as listed in the fee schedule below*.
- 3.3.2** Paper Copies: Cost for providing paper copies will be based on prices established in HRSD's copier (machine usage fee) and paper supply contracts *as listed in the fee schedule below*. Larger drawings and blueprints will be copied by outside contractors and charged at their usual rate. Postage and other material fees will be charged at their actual costs.
- 3.3.3** *Electronic Records: Costs for providing electronic records will be charged at the hourly rate as listed in the fee schedule below. Any materials such as flash drives provided to the requester will be charged at their actual costs.*
- 3.3.4** There will be no mark-up or profit charged to the above-mentioned costs nor shall HRSD charge any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the business of HRSD. *HRSD will make all reasonable efforts to supply the requested records at the lowest possible cost, including utilizing the appropriate staff person to respond to the request.*
- 3.3.5** *Charges may be waived if the request is specific and limited such that responsive electronic records can be found and produced for less than \$200. However, HRSD maintains the right to recover all costs incurred consistent with FOIA.*

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3.3.6 Fee Schedule

- Paper Copies:

Size	Cost per Page
8 ½" x 11"	\$0.13
8 ½" x 14"	\$0.14
11" x 17"	\$0.15

- Hourly rate of person searching for records:

<u>Grade</u>	<u>Hourly Rate</u>	<u>Title</u>
4	\$24.93	Coordinators
5	\$27.17	GIS CAD & Safety Technician
6	\$30.91	Public Information Specialists/Procurement Specialist/Contract Specialists
7	\$35.18	FOIA Officer/Supervisor/Specialists/Chief Systems Operators/Engineering Analysts
8	\$41.80	Analysts/Safety Professionals/Ops Superintendents/Supervising Specialists
9	\$47.57	Managers/Scientists
10	\$51.86	Process Engineers
11	\$59.01	Chiefs
12	\$73.17	Directors

IT Staff:

<u>Grade</u>	<u>Hourly Rate</u>	<u>Title</u>
4	\$26.17	Admin Coordinator
5	\$28.52	Telecom Coordinator
6	\$32.46	Systems Analyst/Web portal programmer
7	\$36.94	IT Helpdesk supervisor
8	\$43.89	Analysts/Developers/Administrators
9	\$49.95	Managers and Engineers
11	\$61.96	Chiefs
12	\$76.83	Director

3.4 Types of Records

Records maintained by HRSD include, for example, *minutes of HRSD Commission meetings*, personnel records, record drawings, and contracts into which HRSD has entered. If you are unsure whether HRSD has the record(s) you seek, please contact the HRSD FOIA Officer directly.

3.5 Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure in its discretion. For a full list of exemptions, see the Code of Virginia § 2.2-3705.1 *et seq.* Exemptions HRSD may use include, but are not limited to, the following:

- Personnel records § 2.2-3705.1(1)
- Records subject to attorney-client privilege § 2.2-3705.1(2)
- Vendor proprietary information § 2.2-3705.1 (6)
- Appraisals and cost estimates of real property subject to a proposed purchase, sale or lease, prior to the completion of such purchase, sale or lease § 2.2-3705.1 (8)
- *Information relating to the negotiation and award of a contract, prior to a contract being awarded § 2.2-3705.1 (12)*
- The portions of records that contain account numbers or routing information for any credit card, debit card or any other account with a financial institution of any person or public body § 2.2-3705.1(13)
- General Manager's *correspondence and* working papers § 2.2-3705.7(2)
- *Customer account information § 2.2-3705.7(7).*
- *Information and records containing written advice of counsel, information protected by attorney-client privilege, and legal memoranda and other work product for litigation or administrative investigations § 2.2-3705.1 (2), (3).*
- Information, such as social security numbers, made confidential under other laws.

3.6 Policy Regarding the Use of Exemptions

HRSD reserves the right to withhold, exempt or redact any and all records that are allowed or required to be withheld, exempted, redacted, or excluded from production by law. It is HRSD's policy to ~~exempt any and all records that are allowed to be exempted, redacted or excluded from production by law~~ *withhold any information and records to protect.*

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- *the privacy of HRSD personnel and officials,*
- *the property and pecuniary interests of HRSD,*
- *the privacy of customers,*
- *legal advice, work product, or attorney-client privilege,*
- *HRSD's interests related to administrative investigations and litigation,*
- *matters for discussion in closed meeting of the HRSD Commission, and*
- *the safety of HRSD systems and facilities, and the public generally.*

3.7 Resources available to the public:

- Chapter 37 of Title 2.2 of the Code of Virginia, as amended, also known as The Virginia Freedom of Information Act;
- the FOIA Council; and
- the Virginia Coalition for Open Government.

4.0 HRSD's Procedures

4.1 Any requests for ~~information~~ *public records* should be immediately forwarded to the FOIA Officer (~~Commission Secretary~~), who will log when and by whom the request was received. The FOIA Officer will provide the General Manager with a copy of each request and seek their guidance on obtaining legal advice, if necessary, and determining who should respond. The FOIA Officer will coordinate the response and assure the request is acted upon in the prescribed amount of time, logging the response date. The Director of Communications will serve as backup FOIA Officer when necessary.

4.2 The FOIA Officer shall be trained ~~annually~~ by legal counsel ~~or the Virginia Freedom of Information Advisory Council~~, *the FOIA Council, or through an online course offered by the FOIA Council. Training shall be completed as required by the Code of Virginia.*

Approved: _____
~~Frederick N. Eloffson~~ *Stephen C. Rodriguez*
Commission Chair
Date _____

Attest: _____
Jennifer L. Cascio
Commission Secretary
Date _____

AGENDA ITEM 21. – August 22, 2023

Subject: Finance Committee Appointment
Fiscal Year 2024

Recommended Action: Chair to appoint Finance Committee.

Brief: In accordance with the HRSD Commission Governance Guidelines (adopted October 2013), the Commission maintains two standing committees: (1) Finance and (2) Operations and Nominations. These committees report as needed to the full Commission.

The Finance Committee meets periodically to review HRSD's financing activities, budgets, and annual audits. Three members of the Commission are appointed each year by the Chair to serve on the Finance Committee for a one-year term beginning July 1.

The Finance Committee will meet as follows for FY-2024:

- | | |
|--|------------------|
| · Annual Comprehensive Financial Report (ACFR) review | November 2023 |
| · Commissioner budget work session (after regular meeting) | January 23, 2024 |
| · CIP review and prioritization meeting | TBD March 2024 |
| · Commissioner budget work session (after regular meeting) | March 26, 2024 |
| · Preliminary annual operating budget review | March/April 2024 |
| · Other financial issues | As needed |

All meetings of the Finance Committee are public meetings subject to the Virginia Freedom of Information Act (FOIA) requirements. Committee members serve at the pleasure of the Chair without limitation as to the number of one-year terms. Committee members continue serving until a replacement is appointed by the Chair.

AGENDA ITEM 22. – August 22, 2023

Subject: New Business

AGENDA ITEM 23. – August 22, 2023

Subject: Unfinished Business

AGENDA ITEM 24. – August 22, 2023

Subject: Commissioner Comments

AGENDA ITEM 25. – August 22, 2023

Subject: Informational Items

Recommended Action: No action is required.

Brief: The following items listed below are presented for information.

- a. Management Reports
 - (1) [General Manager](#)
 - (2) [Communications](#)
 - (3) [Engineering](#)
 - (4) [Finance](#)
 - (5) [Information Technology](#)
 - (6) [Operations](#)
 - (7) [Talent Management](#)
 - (8) [Water Quality](#)
 - (9) [Report of Internal Audit Activities](#)
- b. [Strategic Measures Summary – FY-2023](#)

August 17, 2023

Re: General Manager's Report

Dear Commissioners:

Work continues on improving our monthly reports and aligning them with our Strategic Plan. Please do not hesitate to provide any comments on the new versions.



Environmental Responsibility

Staff received the draft Consent Decree modification from the EPA and Department of Justice for the Rehabilitation Action Plan deadline extensions and improvements to the High Priority Project implementation plan. We are hoping it will be finalized in the coming months.

Treatment Compliance and System Operations: The metro conveyance system experienced one minor 40-gallon Sanitary Sewer Overflow (SSO) due to a leaking hose attachment. The Small Communities had four SSOs with three due to large storm events and the other due to a potential line blockage.

Staff met with the Anheuser Busch Williamsburg brewery managers to discuss the ongoing impact of the Bud Light boycott. Reduced flow from the brewery has a significant impact on the Williamsburg Treatment Plant operations. The brewery mentioned there could be more weekend shutdowns until the boycott ends. Meanwhile, we are advancing some design options in the unfortunate event that reduced brewery operations continue. This should buy us some time to implement any process improvements.

Water Quality: No civil penalties were issued this month.



Financial Stewardship

Regional unemployment is at 3.1%, which is lower than both Virginia and the U.S. Initial unemployment claims are trending downwards as the regional economy remains strong. Single Family Home permits continue to decline along with homes sold as the high mortgage rates and low inventory impact the market.

HRSD revenues are starting the fiscal year on target with slightly higher than expected Facility Charges and strong Interest Income. Accounts Receivables Aging remains steady. Expenses remain under control as inflation eases.

Staff will be submitting a revised Water Infrastructure Finance and Innovation Act (WIFIA) Master Financing Agreement to reallocate Tranche 3 (which was primarily for the VIP plant) to James River, Nansemond, and VIP. This will allow us to borrow at essentially the 30-year U.S. Treasury rate which is significantly lower than what HRSD could get in the open market and provide financing flexibility due to the number of WIFIA program benefits. In addition, staff submitted a Virginia Clean Water Loan application in the amount of \$150 million, but the final amount will depend on availability.



Talent

The Engineering Department held “Law School for Engineers” taught by Sands Anderson. It was well done and helpful for all attendees to understand HRSD’s Enabling Act and other legal issues we often face. It was also recorded for other interested staff members.

The compensation study is underway as our consultant, Mercer, is holding interviews with several key stakeholders. The study should be completed early next year.

Our benefit consultant, MMA, began summarizing responses for our health care Request for Proposal as Cigna’s contract is ending next year.

I participated in the following meetings/activities with HRSD personnel:

1. Attended the Law School for Engineers
2. Met with Finance staff on the updated Plan of Finance
3. Held a Town Hall meeting with the Technical Services Division staff
4. Met with staff to discuss the updated SWIFT messaging points



Community Engagement

On July 19, staff provided a tour to the Virginia Aquarium. There is a strategic tie between our two organizations since HRSD is responsible for clean waterways and the Virginia Aquarium’s mission is protecting marine life. As part of our goal to show value to our ratepayers, one way is to connect the dots on how clean waterways provide healthy habitats for sea turtles, dolphins and other sea life. This will help to provide a key connection for the value we provide to our ratepayers. We are working on different ways that our organizations can partner.

On July 20, I presented HRSD’s Integrated Plan to the Hampton Roads Planning District Commission (HRPDC) as recommended by the Commission. The HRPDC appreciated the update and how it saves the region \$5 billion. HRPDC staff will work with us to schedule a tour of the SWIFT Research Center for their Commission as many of them have not seen it.

Staff are working closely with the City of Norfolk on their Lambert's Point Forum. Unfortunately, the Forum scheduled for July 19 was rescheduled for August 9 due to inclement weather. We expect good attendance as the July event had 120 citizens registered.

Work and testing continue on the City of Chesapeake's migration to the Model 3 billing structure where they are integrated fully into our system. The "go live" is scheduled for the fall.

I participated in the following external meetings/activities:

1. Attended the NACWA Board meeting
2. Met with the York County Administration on various issues
3. Discussed potential 2024 legislative issues with the Virginia Marine Resources Commission (VMRC) Commissioner
4. Held a number of meetings with City of Norfolk staff on Lambert's Point
5. Provided input on the Crisis Communication plan via interview
6. Held a tour for the Virginia Aquarium staff
7. Started a new Mentor/Mentee relationship as part of a new program by the Virginia Water Environment Association (VWEA)
8. Presented HRSD's Integrated Plan to the HRPDC
9. Presented HRSD's Integrated Plan to the Association of Clean Water Agencies
10. Met with MEB to discuss their Community Commitment Plan



Innovation

The Engineering Department is working with Virginia Tech's Earth Observation and Innovation Center on using satellite imagery both before and after the start of SWIFT to measure the ground surface impacts over a large geographic area. This data could be very helpful in quantifying the benefits of SWIFT.

The Cybersecurity Division continues to test and deploy applications enhanced threat detection, anomalous activity isolation and detailed alert and alarm notifications.

Staff is working on an ion exchange pilot as a polishing step to maximize the capacity of Granular Activated Carbon (GAC) to remove PFAS. The data will be used to develop the business case to determine the lowest life cycle cost.

The Director of Water Quality is participating in an EPA grant opportunity for the Evaluation of Antimicrobial Resistance in Wastewater and Sewage Sludge Treatment and Its Impact on the Environment. HRSD would offer in-kind services.

Thanks for your continued dedicated service to HRSD, the Hampton Roads region, the Commonwealth, and the environment.

I look forward to seeing you in person in Virginia Beach at 9 am on Tuesday, August 22, 2023.

Respectfully submitted,

Jay Bernas, P.E.
General Manager

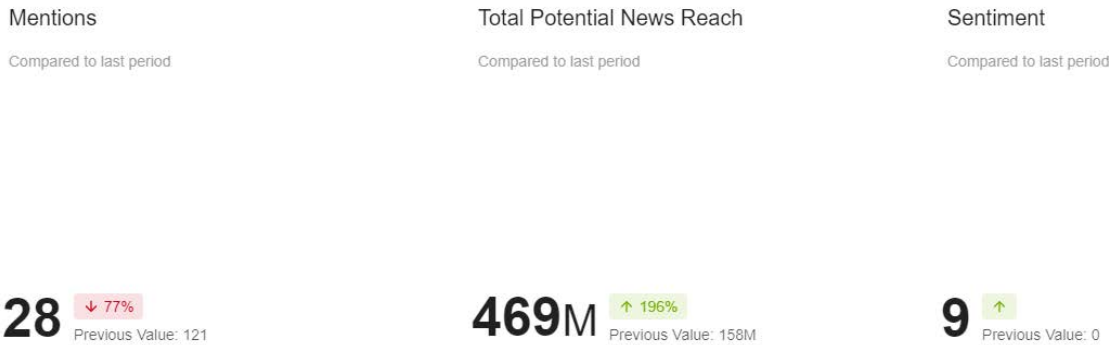
TO: General Manager
 FROM: Director of Communications
 SUBJECT: Monthly Report for July 2023
 DATE: August 10, 2023

A. Publicity and Promotion




1. HRSD and/or SWIFT were mentioned or featured in 20 news stories or media/social media mentions. Topics included:
 - a. The future of Lambert's Point Golf course
 - b. Pump stations being built, rehabilitated in Norfolk's Larchmont community
 - c. Newport News, Hampton Roads Sanitation District sues Seaview Lofts owners
 - d. HRSD's wastewater surveillance program

2. Analysis of media coverage

What are the key results for July?

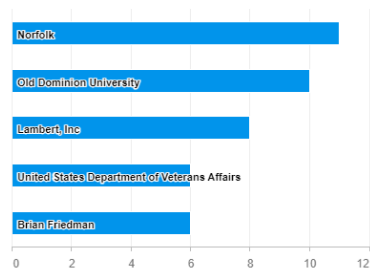


What is the top performing news content?

<p>Top Article by Reach</p>	<p>Top Article by Reach and Volume</p>	<p>Top Article by Social Echo</p>
 <p>MSN.com · Dana Smith <small>Editorial US Jul 3 · 3:11 PM</small></p> <p>'A lot of potential' Norfolk weighs on the future of closed Lambert's Point golf course</p> <p><small>... near Old Dominion University. The golf course closed after Hampton Roads Sanitation District bought about 40 acres of the property for ...</small></p> <p>Social Echo f 0 t 0 v 0 o 0</p> <p>169M Reach Neutral ○</p>	 <p>MSN.com · Dana Smith <small>Editorial US Jul 3 · 3:11 PM</small></p> <p>'A lot of potential' Norfolk weighs on the future of closed Lambert's Point golf course</p> <p><small>... near Old Dominion University. The golf course closed after Hampton Roads Sanitation District bought about 40 acres of the property for ...</small></p> <p>Social Echo f 0 t 0 v 0 o 0</p> <p>169M Reach Neutral ○</p>	 <p>WAVY-TV · Brett Hall <small>Editorial US Jul 7 · 1:39 PM</small></p> <p>Newport News allows occupancy of some units at troubled apartment tower a year after it was condemned</p> <p><small>... new issues. Last month, both the City of Newport News and Hampton Roads Sanitation District (HRSD) sued Seaview Apartments LLC for the ...</small></p> <p>Social Echo f 23 t 9 o 0</p> <p>2.07M Reach Neutral ○</p>

What are the top entities and keywords?

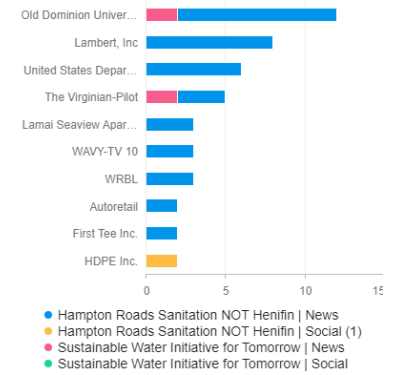
Top Entities



Top Keywords

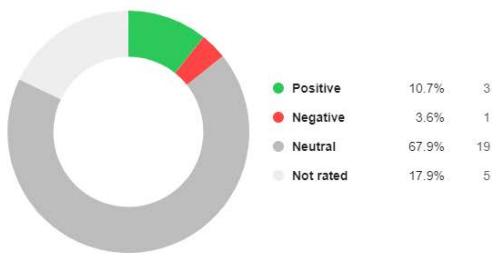


Top Organizations

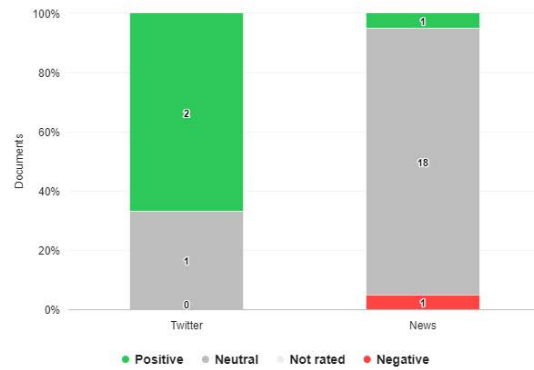


How favorable is the content?

Sentiment Share of Voice



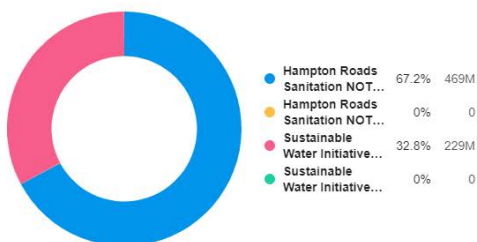
Sentiment by Source Type



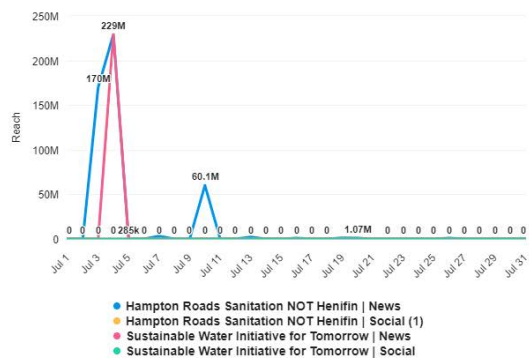
(Negative content was July 13 story on WHRO, "[Flooding Threatens sewage infrastructure in Hampton Roads, officials say.](#)")

What is the potential reach?

Share of Voice by Reach



Potential News Reach

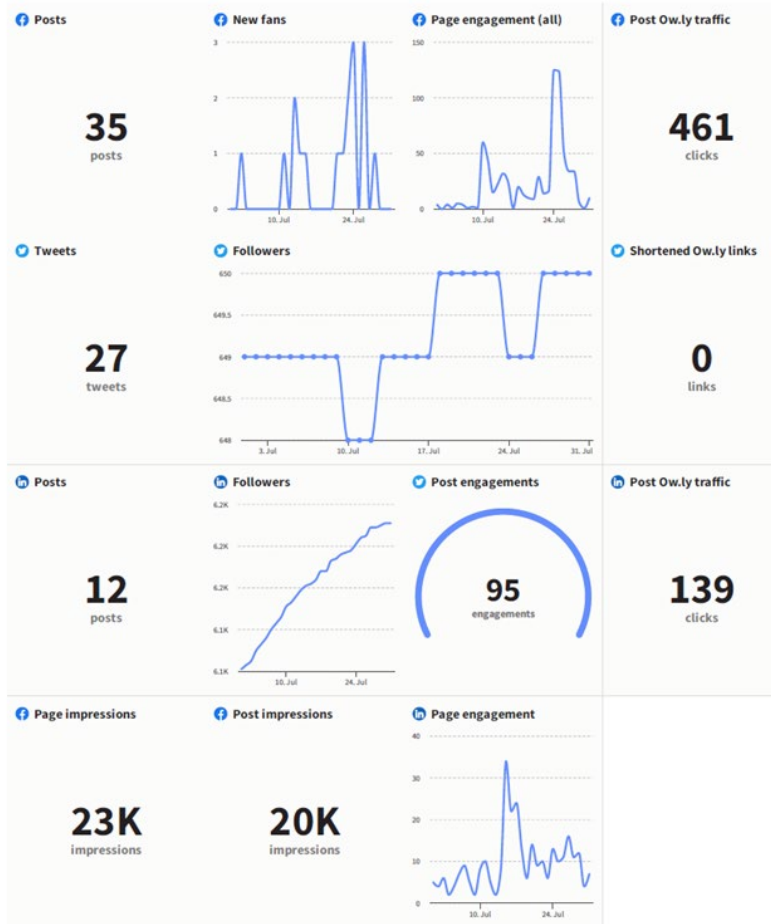




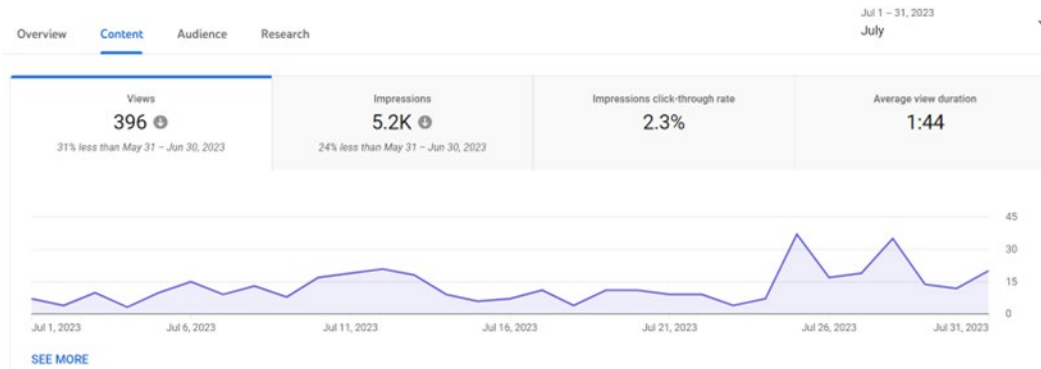
Community Engagement

B. Social Media and Online Engagement

1. Metrics – Facebook, Twitter and LinkedIn



2. YouTube



3. Top posts on Facebook, Twitter, and YouTube

a. Top Facebook post



b. Top Tweet



- c. Top YouTube Videos
 - (1) [The Wastewater Treatment Process](#) (65 views)
 - (2) [National Infrastructure Week: James River SWIFT](#) (59 views)
 - (3) [HRSD Employee Testimonials - Robert](#) (52 views)
 - (4) [SWIFT Research Center: What is the Potomac Aquifer](#) (30 views)
 - (5) [What Is Asset Management? Celebrating Infrastructure Week at HRSD](#) (26 views)

4. Website and Social Media Impressions and Visits

- a. Facebook:
 - (1) 22,621 page impressions
 - (2) 20,046 post impressions reaching 18,947 users
 - (3) Facebook Engagement of 716 (529 reactions, 132 shares, and 55 comments)
- b. Twitter:
 - (1) 2,989 tweet impressions
 - (2) 121 profile visits
 - (3) 3 mentions
- c. HRSD.com/SWIFTVA.com: 61* page visits (number may not be reflective of total actual website visits due to recent property changes within Google Analytics. Numbers should return to normal for August.)
- d. LinkedIn Impressions:
 - (1) 10,652 page impressions
 - (2) 8,348 post impressions
- e. YouTube: 540 views
- f. Next Door unique impressions: 13,697 post impressions from 22 targeted neighborhood postings and one region-wide posting shared with 584,762 total residents
- g. Blog Posts: (1) [Reduce, Reuse, Regrow! My Experience Growing My Own Lettuce](#)
- h. Construction Project Page Visits – 1,842 total visits (not including direct visits from home page, broken down as follows:
 - (1) 1,460 visits to individual pages
 - (2) 382 to the status page

C. News Releases, Advisories, Advertisements, Project Notices, Community Meetings and Project Web Postings:

- 1. News Releases: 1
- 2. Traffic Advisories: 1
- 3. Construction Notices and/or notices to neighbors: 10

4. Advertisements: 0
5. Project Notices: (via 12 door hangings to 1,153 residences)
6. Project/Community Meetings: 0
7. New Project Web Pages: 1
8. New Project Videos: 0

D. Special Projects and Highlights

1. Director accompanied General Manager and Water Quality staff to provide a tour of the SWIFT Research Center to Virginia Aquarium leadership and staff and to begin looking into partnership opportunities for educational collaboration.
2. Director participated in the quarterly HRPDC regional public information subcommittee meeting.
3. Director and staff conducted candidate interviews for a full-time Community Outreach and Education Specialist to grow the department, increase our outreach and educational offerings to the service area in fulfillment of our Strategic Plan Community Outreach priority.

E. Internal Communications

1. Director participated in the following internal meetings and events:
 - a. Crisis Management Planning taskforce meeting
 - b. Crisis Communications plan development meetings with consultant
 - c. SWIFT Community Commitment Plan steering team meeting
 - d. Website refresh customer survey development meeting
 - e. Security Update meetings
 - f. Bi-weekly GM briefings
 - g. Discharge Monitoring Report (DMR), SWIFT Quality Steering Team (QST) and HRSD QST meetings
 - h. Weekly check-in meetings with Deputy General Manager
2. Director also conducted biweekly Communications department status meetings and weekly one-on-one check-in meetings.
3. Staff attended 20 project progress and outreach development meetings with various project managers.

F. Metrics

1. Educational and Outreach Activities: 4
 - a. 07/05/2023 – SWIFT tour, HRSD employees | 5 attendees
 - b. 07/12/2023 – SWIFT tour, classroom activity and career talk | 8 attendees
 - c. 07/19/2023 – SWIFT tour, classroom activity and career talk | 10 attendees
 - d. 07/20/2023 – SWIFT tour, Portsmouth Youth Academy | 10 attendees
2. Community Meetings and Open House events: 0
3. Number of Community Partners: 1
 - Portsmouth Public Schools
4. Additional Activities Coordinated by Communications Department: 4
 - a. 06/02/2023 -- Shored Up Event | 40 attendees
 - b. 06/06/2023 -- Larchmont Elementary School Career Day | 90 attendees |
 - c. 06/07/2023 -- ATP Tour Commonwealth Challenge Youth Academy | 20 attendees
 - d. 06/20/2023 -- VIP Tour ERP Norfolk State Students | 15 attendees |

Respectfully,

Leila Rice, APR
Director of Communications

TO: General Manager
FROM: Director of Engineering
SUBJECT: Engineering Monthly Report for July 2023
DATE: August 10, 2023



Environmental Responsibility

Condition assessment of existing HRSD outfall pipelines has been a continued responsibility and unique challenge. These outfalls are located in numerous rivers, the Chesapeake Bay and the Atlantic Ocean. Inspection and repairs to these outfalls require specialty firms with underwater capabilities. In the coming year we will be inspecting the outfalls from the Atlantic, James River, York River and Williamsburg treatment plants. The inspection of the James River Outfall and Diffuser is particularly critical since improvements are needed at this location due to the active plant improvement work.

As part of the Interceptor System Management, Operations and Maintenance (MOM) requirements and the Consent Decree to reduce sanitary sewer overflows, HRSD conducts a biannual inspection of all cathodic protection systems. The cathodic protection systems have been installed to control the rate of corrosion on buried pipe assets. This work was completed for FY-2023 and all deficiencies were addressed including the replacement of a rectifier which protects force main pipe at the Elizabeth River.



Financial Stewardship

Capital Improvement Program (CIP) spending for the final month of FY-2023 was below the planned spending target.

CIP Spending (\$M):

	Current Period	FYTD
Actual	50.22	364.95
Plan	54.25	411.00

The final plan-to-actual-spend ratio is 89% which is above recent years and is a good indicator that HRSD is implementing the CIP in accordance with planning projections. HRSD has an even more ambitious target to spend \$580 million in FY-2024. Internal staffing and external resources are in place to deliver at this higher level of spending in the coming fiscal year. This high level of spending will continue for the next few years with delivery of the Sustainable Water Initiative for Tomorrow (SWIFT) Program.



Talent

Staff retention and recruitment remain significant priorities for the Engineering Department. Three positions are needed to fully staff the Engineering Department. Interviews are underway to fill each of these open positions and we hope to be fully staffed by the Fall.

Training and continuous learning are critical to the success of the Engineering Department. We recently held an internal training workshop entitled, Law School for Engineers. This training was provided by the HRSD legal firm, Sands Anderson. Topics discussed during this workshop included the HRSD Enabling Act, contracts, FOIA, and real estate matters. With the large number of new employees within the Engineering Department, this training gave staff a foundation on some of the many legal implications of our work.



Community Engagement

Staff coordinated an event including both the Associated General Contractors of Virginia and the Virginia Association of Trade and Industrial Educators at the HRSD Nansemond Treatment Plant and the SWIFT Research Center. This event included a tour of the active construction efforts at the plant and a review of the HRSD SWIFT Program.

In a continued effort to provide outreach to underserved communities, staff made a virtual presentation to the National Association of Black Women in Construction. This presentation included a review of some of HRSD's upcoming capital improvement projects and the procurement process necessary to compete for this work.



Innovation

Staff are coordinating an effort with Virginia Tech's Earth Observation and Innovation Center. This work will consider satellite imagery both before and after the activation of the SWIFT Research Center groundwater recharge efforts. The goal is to compare this method of measuring the earth's surface to the extensometer data being gathered at the Nansemond Treatment Plant site (and other sites) to better understand the possible ground movement caused by the recharge of SWIFT Water™ into the aquifer. There is optimism that the use of satellite imagery will provide a better understanding of ground surface movement over a larger geographic area.

The Engineering Department is working with a group to participate in a Water Research Foundation (WRF) effort entitled, *One Water Program Management*. We will be sharing our experiences of the SWIFT Program with this group to look for ways to better deliver these types of challenging initiatives in the future.

Strategic Planning Metrics Summary

1. Educational and Outreach Events: 5

- a. 07/08/2023 – Staff participated as a judge at the Virginia American Water Works Association (VA AWWA) Model Water Tower Student Competition.
- b. 07/12/2023 – Staff made a virtual presentation of HRSD’s Capital Improvement Program to the National Association of Black Women in Construction (NABWIC).
- c. 07/13/2023 – Staff moderated a webinar on Capital Program Financing and Funding Strategies sponsored by both the VWEA and VA AWWA organizations.
- d. 07/13/2023 – Staff spoke as part of a panel at a webinar entitled, *Construction Trends in Today’s Economy*, sponsored by the Water Environment Federation (WEF).
- e. 07/18/2023 – Staff participated in the Design-Build Institute of America (DBIA) National Awards Jury to determine award winning programs, projects and individuals over the past year.
- f. 07/19/2023 – Staff conducted a tour of the SWIFT Research Center for the Harbour View Civic League.
- g. 07/19/2023 – Staff provided a presentation of HRSD’s SWIFT Program to the Portsmouth Middle School.

2. Number of Community Partners: 7

- a. VA AWWA
- b. NABWIC
- c. VWEA
- d. Portsmouth Public Schools
- e. WEF
- f. Harbour View Homeowners Association
- g. DBIA

3. Number of Research Partners: 2

- a. Earth Observation and Innovation Center at Virginia Tech
- b. Water Research Foundation

4. Monthly Metrics Summary:

Item #	Strategic Planning Measure	Unit	July 2023
M-1.4a	Total Training Hours per Full Time Employee (54) - Current Month	Hours / #FTE	5.29
M-1.4b	Total Training Hours per Full Time Employee (54) - Cumulative Fiscal Year-to-Date	Hours / #FTE	5.29
M-5.2	Educational and Outreach Events	Number	7
M-5.3	Number of Community Partners	Number	7
M-5.4	Number of Research Partners	Number	2

Bruce W. Husselbee

Bruce W. Husselbee, PhD, P.E., DBIA

TO: General Manager
FROM: Director of Finance
SUBJECT: Monthly Report for July 2023
DATE: August 14, 2023



Financial Stewardship

The financial records are held open through the first two weeks of August to ensure proper classification of revenues and expenditures related to FY 2023. Our independent auditors, Cherry Bekaert, LLC, will start year-end audit field work in early September.

Staff initiated a review of Water Infrastructure Finance and Innovation Act (WIFIA) Tranche 3 funding. After several meetings with the Environmental Protection Agency (EPA), HRSD will be submitting an application to revise the HRSD-WIFIA Master Financing Agreement (MFA). The requested revisions to the MFA are for additional funding to help cover cost increases for current Sustainable Water Initiative For Tomorrow (SWIFT) projects under construction, and also create a new Tranche to cover future funding of SWIFT activities at the Virginia Initiative Plant (VIP). Staff will meet over the next several months to prepare and submit the application.

Staff submitted a Clean Water loan program application in the amount of \$150 million.

Staff received a draft of the Consent Decree modifications from the Department of Justice. This effort should conclude in the next month, granting rehabilitation plan deadline extensions on three projects, and approving an improved implementation plan for the high priority projects.

Accounts Receivable balances remained steady for the month of July 2023.

Since mid-November 2022, HRSD has been working with the Virginia Department of Social Services' third party to distribute Virginia Low-Income Household Water Assistance Program (LIHWAP) funding. Original funding is officially exhausted, distributing over \$16 million dollars in less than seven months to over 53,000 households across the Commonwealth.

More than \$6.5 million was applied to over 10,000 low-income qualified HRSD and HRUBS customer accounts for water, sewer and wastewater charges.

HRSD coordinates and accepts LIHWAP payments on behalf of HRUBS partner localities.

As of June 2023	HRSD	City/County	Total LIHWAP
Norfolk	\$ 936,435.04	\$ 2,194,260.29	\$ 3,130,695.33
Newport News	\$ 938,899.39		\$ 938,899.39
Suffolk	\$ 244,660.00	\$ 662,834.96	\$ 907,494.96
Chesapeake	\$ 273,288.99	\$ 398,827.42	\$ 672,116.41
Virginia Beach	\$ 403,740.41		\$ 403,740.41
Portsmouth	\$ 367,453.46		\$ 367,453.46
James City	\$ 30,396.97	\$ 39,784.57	\$ 70,181.54
Smithfield	\$ 6,499.66	\$ 9,924.27	\$ 16,423.93
King William	\$ 8,100.12	\$ 1,621.08	\$ 9,721.20
Urbanna	\$ 4,032.53	\$ 1,706.41	\$ 5,738.94
Aqua	\$ 4,946.18		\$ 4,946.18
Isle of Wight	\$ 3,714.25		\$ 3,714.25
Windsor	\$ 3,472.44		\$ 3,472.44
Gloucester	\$ 3,189.56		\$ 3,189.56
Surry County	\$ 2,208.48	\$ 756.10	\$ 2,964.58
Town of Surry	\$ 1,754.72	\$ 145.41	\$ 1,900.13
Williamsburg	\$ 111.80		\$ 111.80
	\$ 3,232,904.00	\$ 3,309,860.51	\$ 6,542,764.51

Virginia received an additional \$2.4 million in LIHWAP funds and is in the process of making funds available for disbursement. Customer applications are still being accepted until funding is exhausted. In accordance with LIHWAP guidelines, all funding must be spent by the end of September 2023.

A. Interim Financial Report

1. Operating Budget for the Period Ended July 31, 2023

	Adopted Budget	Current YTD	Current YTD as % of Budget (8% Budget to Date)	Prior YTD as % of Prior Year Budget
Operating Revenues				
Wastewater	\$ 405,832,000	\$ 33,254,856	8%	8%
Surcharge	1,600,000	92,104	6%	7%
Indirect Discharge	4,400,000	443,973	10%	10%
Fees	2,894,000	251,298	9%	8%
Municipal Assistance	800,000	139,571	17%	13%
Miscellaneous	1,295,000	30,749	2%	8%
Total Operating Revenue	416,821,000	34,212,551	8%	9%
Non Operating Revenues				
Facility Charge	6,095,000	750,320	12%	7%
Interest Income	3,000,000	909,754	30%	26%
Build America Bond Subsidy	1,954,000	-	0%	0%
Other	620,000	48,845	8%	31%
Total Non Operating Revenue	11,669,000	1,708,919	15%	9%
Total Revenues	428,490,000	35,921,470	8%	9%
Transfers from Reserves	-	-	0%	0%
Total Revenues and Transfers	\$ 428,490,000	\$ 35,921,470	8%	9%
Operating Expenses				
Personal Services	\$ 70,450,193	\$ 5,237,197	7%	11%
Fringe Benefits	28,485,720	2,047,095	7%	8%
Materials & Supplies	14,768,127	316,713	2%	3%
Transportation	1,993,014	37,467	2%	3%
Utilities	16,749,019	799,229	5%	5%
Chemical Purchases	17,093,255	603,598	4%	4%
Contractual Services	42,035,805	2,356,578	6%	7%
Major Repairs	10,354,024	121,172	1%	6%
Capital Assets	1,064,500	-	0%	0%
Miscellaneous Expense	3,868,973	240,323	6%	4%
Total Operating Expenses	206,862,630	11,759,372	6%	8%
Debt Service and Transfers				
Debt Service	76,150,000	13,948,730	18%	19%
Transfer to CIP	145,217,370	12,101,448	8%	8%
Transfer to Risk management	260,000	21,667	8%	8%
Total Debt Service and Transfers	221,627,370	26,071,845	12%	12%
Total Expenses and Transfers	\$ 428,490,000	\$ 37,831,217	9%	10%

2. Notes to Interim Financial Report

The Interim Financial Report summarizes the results of HRSD's operations on a basis of accounting that differs from generally accepted accounting principles. **Revenues are recorded on an accrual basis, whereby they are recognized when billed**, and expenses are generally recorded on a cash basis. No provision is made for non-cash items such as depreciation and bad debt expense.

This interim report does not reflect financial activity for capital projects contained in HRSD's CIP.

Transfers represent certain budgetary policy designations as follows:

- a. Transfer to CIP: represents current period's cash and investments that are designated to partially fund HRSD's capital improvement program.
- b. Transfers to Reserves: represents the current period's cash and investments that have been set aside to meet HRSD's cash and investments policy objectives.

3. Reserves and Capital Resources (Cash and Investments Activity) for the Period Ended July 31, 2023

HRSD - RESERVE AND CAPITAL ACTIVITY

July 31, 2023

	General Reserve				Capital		
	General	CARES - ARPA	Debt Service	Risk Mgmt Reserve	Paygo	Debt Proceeds	
	Unrestricted	Restricted	Restricted	Unrestricted	Unrestricted	Restricted	
Beginning - July 1, 2021	\$ 204,412,258	\$ 4,406	\$ 33,134,065	\$ 4,539,551	\$ 3,115,384	\$ -	
Current Year Sources of Funds							
Current Receipts	35,619,091						
Line of Credit					31,420,145		
VRA Draws					-		
WIFIA Draws					8,092,839		
CARES Transfer In	730,692						
Days Cash on Hand Transfer In							
Transfers In	-			21,667	12,101,448		
Sources of Funds	36,349,783	-	-	21,667	51,614,432	-	
Total Funds Available	\$ 240,762,041	\$ 4,406	\$ 33,134,065	\$ 4,561,218	\$ 54,729,816	\$ -	
Current Year Uses of Funds							
Cash Disbursements	31,621,359				46,045,493		
CARES Transfer Out		-					
Days Cash on Hand Transfer Out							
Transfers Out	12,123,115						
Uses of Funds	43,744,474	-	-	-	46,045,493	-	
End of Period - July 31, 2023	\$ 197,017,567	\$ 4,406	\$ 33,134,065	\$ 4,561,218	\$ 8,684,323	\$ -	
Unrestricted Funds	\$ 210,263,108						

4. Capital Improvements Budget and Activity Summary for Active Projects for the Period Ended July 31, 2023

HRSD - PROJECT ANALYSIS

July 31, 2023

Classification/ Treatment Service Area	Appropriated Funds	Expenditures prior to 7/1/2023	Expenditures Year to Date FY2024	Total Project Expenditures	Encumbrances	Available Funds
Administration	73,738,240	30,147,734	142,062	30,289,796	1,122,672	42,325,772
Army Base	163,448,800	125,866,880	50,604	125,917,484	594,740	36,936,576
Atlantic	240,329,164	83,457,057	616,164	84,073,221	17,196,067	139,059,876
Boat Harbor	516,174,791	93,175,955	11,235,745	104,411,700	337,608,052	74,155,039
Ches-Eliz	183,518,801	121,933,822	637,130	122,570,952	2,011,297	58,936,552
Eastern Shore	62,075,892	26,927,768	56,843	26,984,611	16,818,784	18,272,497
James River	349,972,248	106,257,591	7,336,381	113,593,972	209,596,974	26,781,302
Middle Peninsula	103,516,303	29,052,916	1,233,189	30,286,105	8,380,661	64,849,537
Nansemond	497,486,169	98,383,735	7,787,151	106,170,886	307,970,636	83,344,647
Surry	60,391,465	41,079,533	155,771	41,235,304	11,124,425	8,031,736
VIP	181,908,482	36,717,151	1,564,579	38,281,730	37,032,487	106,594,265
Williamsburg	28,535,758	25,312,002	96,139	25,408,141	403,914	2,723,703
York River	82,232,518	21,386,479	962,750	22,349,229	13,510,977	46,372,312
General	1,148,512,984	257,322,171	12,604,277	269,926,448	305,815,477	572,771,059
	3,691,841,615	1,097,020,794	44,478,785	1,141,499,579	1,269,187,163	1,281,154,873

5. Active Capital Grants

Grant Name	Funder	Project	CIP#	Application Submitted	Amount Requested	HRSD Award Amount
American Rescue Plan Act	VDEQ	Eastern Shore Infrastructure Improvements - Transmission Force Main Phase II (Accomac Sewer Collection System)	ES010200	11/28/2022	\$ 8,367,000	\$ 4,183,500
American Rescue Plan Act	VDEQ	James River Treatment Plant Advanced Nutrient Reduction Improvements	JR013400	10/7/2022	\$ 50,000,000	\$ 16,940,000
American Rescue Plan Act	VDEQ	Nansemond Treatment Plant Advanced Nutrient Reduction Improvements Phase II	NP013820	10/7/2022	\$ 50,000,000	\$ 14,640,000
FY2024 Congressionally Directed Funding Warner-Kaine	CDF FY24	Eastern Shore Wastewater Improvements	ES010100	3/9/2023	\$ 9,677,112	\$ -
Water Quality Improvement Fund, Conveyance	VDEQ	Chesapeake-Elizabeth Treatment Plant Conveyance	Multiple	2/7/2023	\$ 100,647,746	\$ -
Water Quality Improvement Fund, Conveyance	VDEQ	Eastern Shore TFM Phase 1	ES010100	5/2/2022	\$ 4,900,000	\$ -
Water Quality Improvement Fund, Nutrient Reduction	VDEQ	James River SWIFT - Advanced Nutrient Reduction Improvements	JR013400	3/23/2023	\$ 344,741,547	\$ -
					\$ 568,333,405	\$ 35,763,500

6. Debt Management Overview

HRSD - Debt Outstanding (\$000's)				July 31, 2023	
	Principal June 2023	Principal Payments	Principal Draws	Principal July 2023	Interest Payments
Fixed Rate					
Senior	165,093	(12,430)	-	152,663	(963)
Subordinate	750,930	(48)	8,093	758,975	(3)
Variable Rate					
Subordinate	50,000	-	-	50,000	(150)
Line of Credit	68,580		31,420	100,000	(354)
Total	\$ 1,034,603	\$ (12,478)	\$ 39,513	\$ 1,061,638	\$ (1,470)

HRSD- Series 2016VR Bond Analysis			July 28, 2023
	SIFMA Index	HRSD	Spread to SIFMA
Maximum	4.71%	4.95%	0.24%
Average	0.83%	0.66%	-0.17%
Minimum	0.01%	0.01%	0.00%
As of 07/28/23	3.98%	3.90%	-0.08%

* Since October 20, 2011 HRSD has averaged 66 basis points on Variable Rate Debt

Subsidised Debt Activity

Source	Funder	Loan Amount	Current Drawn Total	% Remain	Initial Draw Date - Projected
WIFIA Tranche 1	EPA	\$ 225,865,648	\$ 99,961,920	56%	Ongoing
WIFIA Tranche 2	EPA	\$ 476,581,587	\$ 42,654,208	91%	July 2023
WIFIA Tranche 3	EPA	\$ 346,069,223	\$	100%	July 2025
Clean Water Pprogram 2022	DEQ	\$ 100,000,000	\$ 49,051,335	51%	Ongoing
Clean Water Pprogram 2023	DEQ	\$ 50,000,000	\$	100%	March 2024

7. Financial Performance Metrics for the Period Ended July 31, 2023

HRSD - UNRESTRICTED CASH

Can be used for any purpose since it is not earmarked for a specific use and is extremely liquid

		Days Cash on Hand	Adjusted Days Cash on Hand
Total Unrestricted Cash	\$ 210,263,108		371
Risk Management Reserve	\$ (4,561,218)	(8)	363
Capital (PAYGO only)	\$ (8,684,323)	(15)	348
Adjusted Days Cash on Hand	\$ 197,017,567		348

Risk Management Reserve as a % of Projected Claims Cost is 25% YTD compared to 25% Policy Minimum
Adjusted Days Cash on Hand Policy Minimum is 270-365 days.

HRSD - SOURCES OF FUNDS

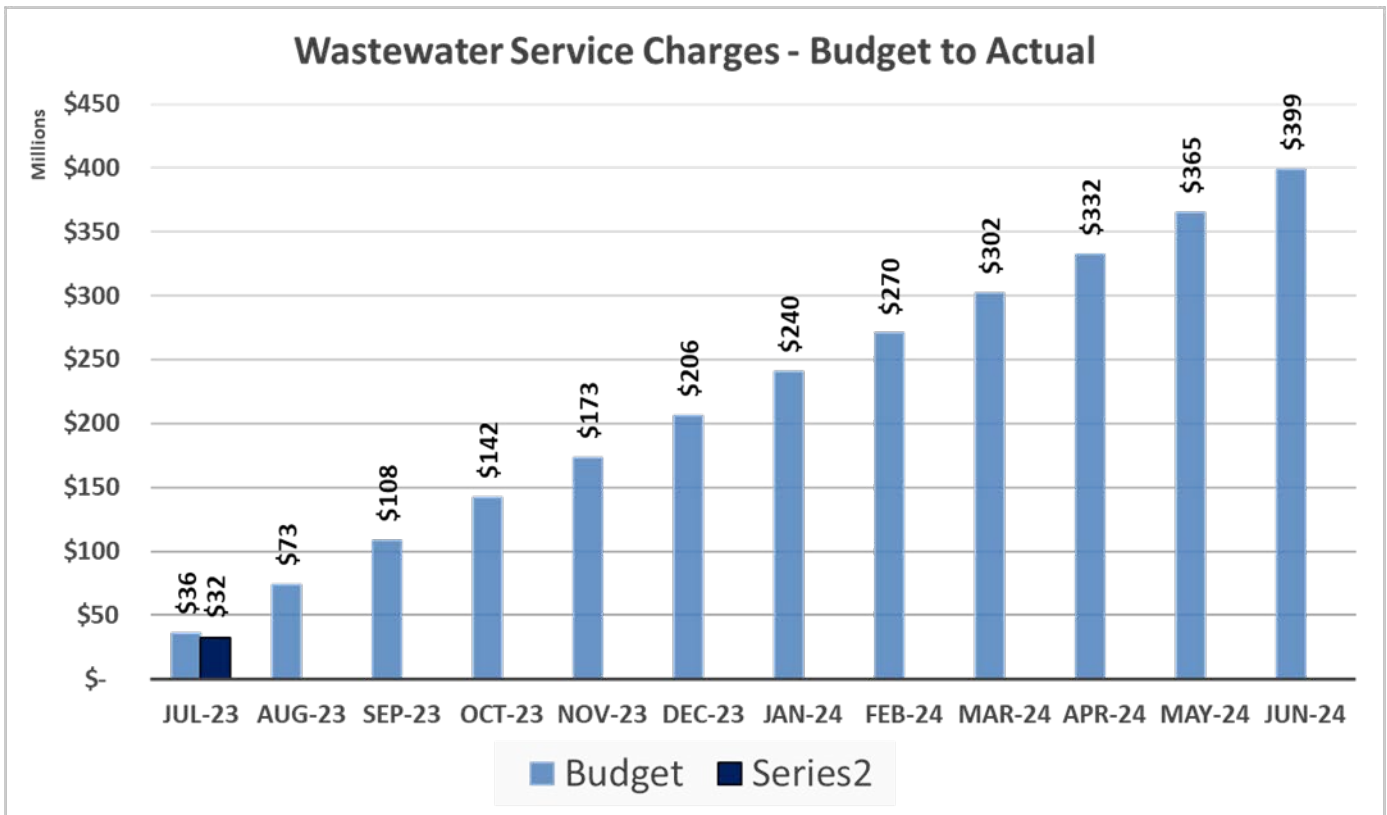
July 31, 2023

Primary Source	Beginning	YTD	YTD	YTD	Ending	Allocation of	Credit Quality	Current
	Market Value				Market Value			
	July 1, 2022	Contributions	Withdrawals	Income Earned	July 31, 2023			Yield
BAML Corp Disbursement Account	30,761,730	71,762,995	71,487,890	98,479	31,135,314	19.3%	N/A	0.55%
VIP Stable NAV Liquidity Pool	129,511,237	-	-	587,029	130,098,266	80.7%	AAAm	5.33%
Total Primary Source	\$ 160,272,967	\$ 71,762,995	\$ 71,487,890	\$ 685,508	\$ 161,233,580	100.0%		

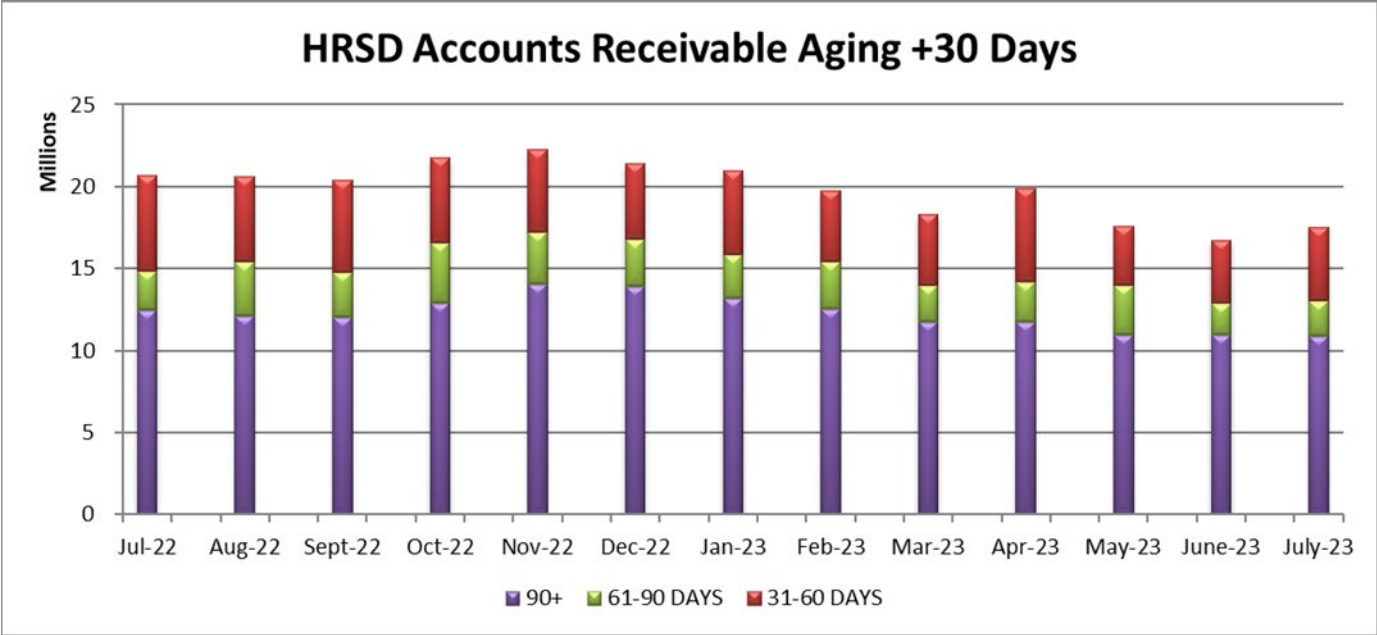
Secondary Source	Beginning	YTD	YTD	YTD	Ending	Ending Cost	LTD	Yield to
	Market Value				Market Value			
	July 1, 2022	Contributions	Withdrawals	& Realized G/L	July 31, 2023			at Market
VIP 1-3 Year High Quality Bond Fund	63,074,075	-	1,040	163,377	63,297,282	65,051,179	(1,753,898)	
Total Secondary Source	\$ 63,074,075	\$ -	\$ 1,040	\$ 163,377	\$ 63,297,282	\$ 65,051,179	\$ (1,753,898)	

	Total	Fund Alloc
Total Primary Source	\$ 161,233,580	71.8%
Total Secondary Source	\$ 63,297,282	28.2%
TOTAL SOURCES	\$ 224,530,862	100.0%

8. Summary of Billed Consumption

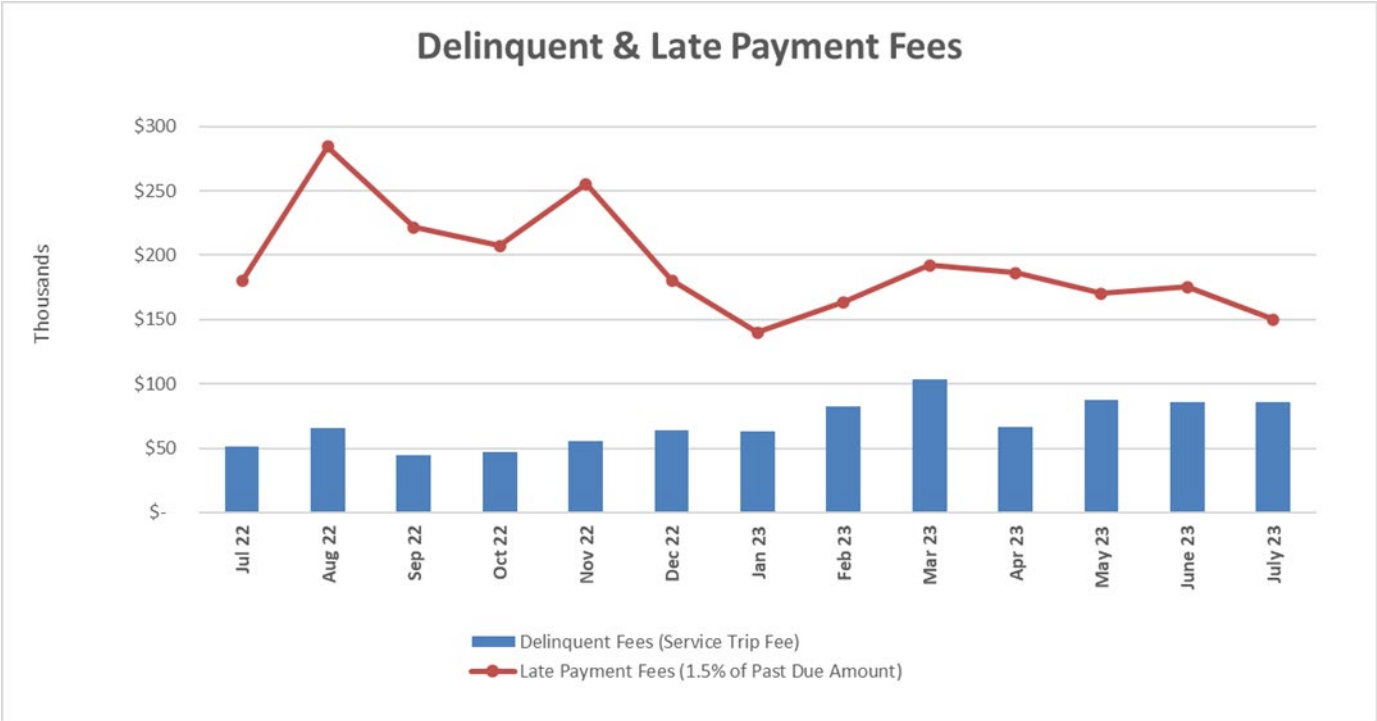


Summary of Billed Consumption (,000s ccf)							
Month	FY2024 Cumulative Budget Estimate	% Difference		% Difference		% Difference	
		FY2024 Cumulative Actual	From Budget	Cumulative FY2023 Actual	From FY2023	Cumulative 3 Year Average	From 3 Year Average
July	4,678	4,504	-3.7%	4,682	-3.8%	4,803	-6.2%
Aug	9,644	-	N/A	9,652	N/A	9,543	N/A
Sept	14,196	-	N/A	14,208	N/A	14,297	N/A
Oct	18,663	-	N/A	18,680	N/A	18,863	N/A
Nov	22,756	-	N/A	22,777	N/A	22,307	N/A
Dec	27,109	-	N/A	27,133	N/A	27,430	N/A
Jan	31,641	-	N/A	31,669	N/A	32,004	N/A
Feb	35,568	-	N/A	35,601	N/A	35,952	N/A
March	39,770	-	N/A	39,807	N/A	40,351	N/A
Apr	43,694	-	N/A	43,735	N/A	44,473	N/A
May	48,027	-	N/A	48,072	N/A	48,548	N/A
June	52,500	-	N/A	52,549	N/A	53,329	N/A



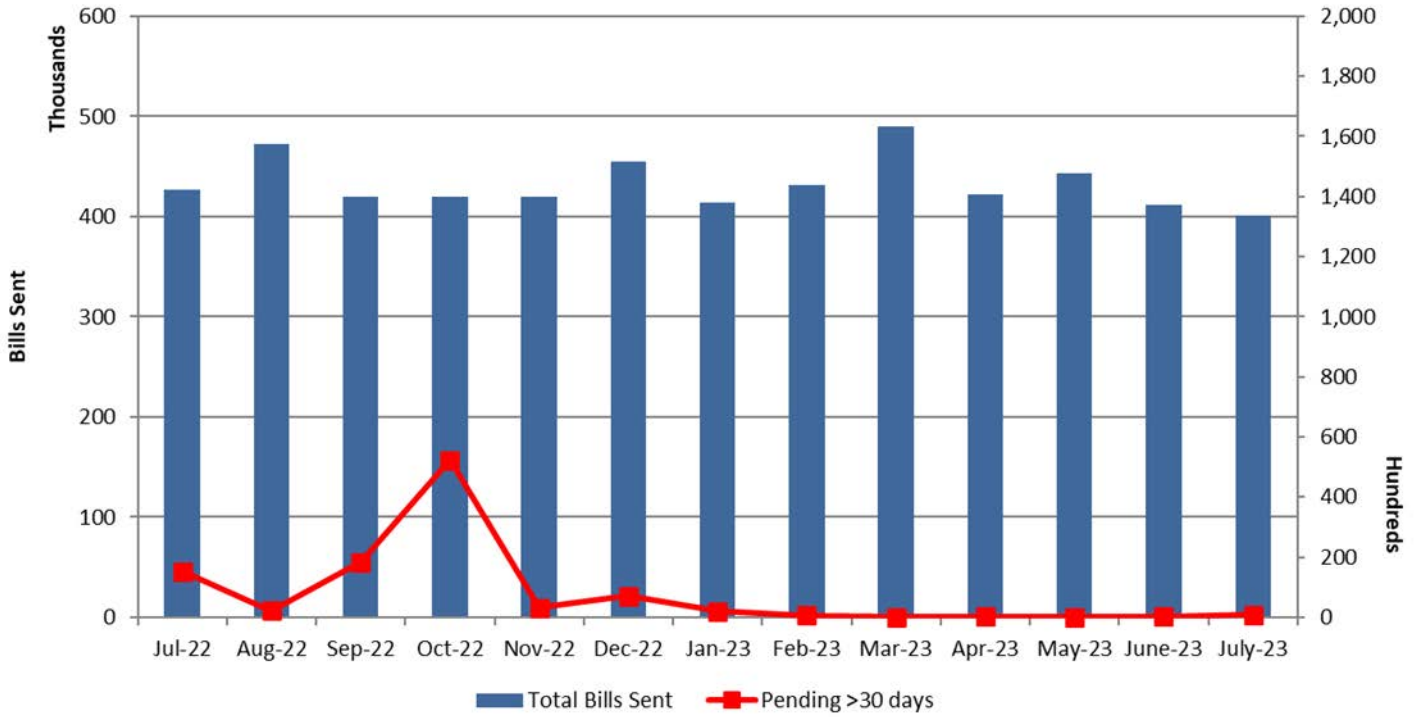
B. Customer Care Center

1. Accounts Receivable Overview

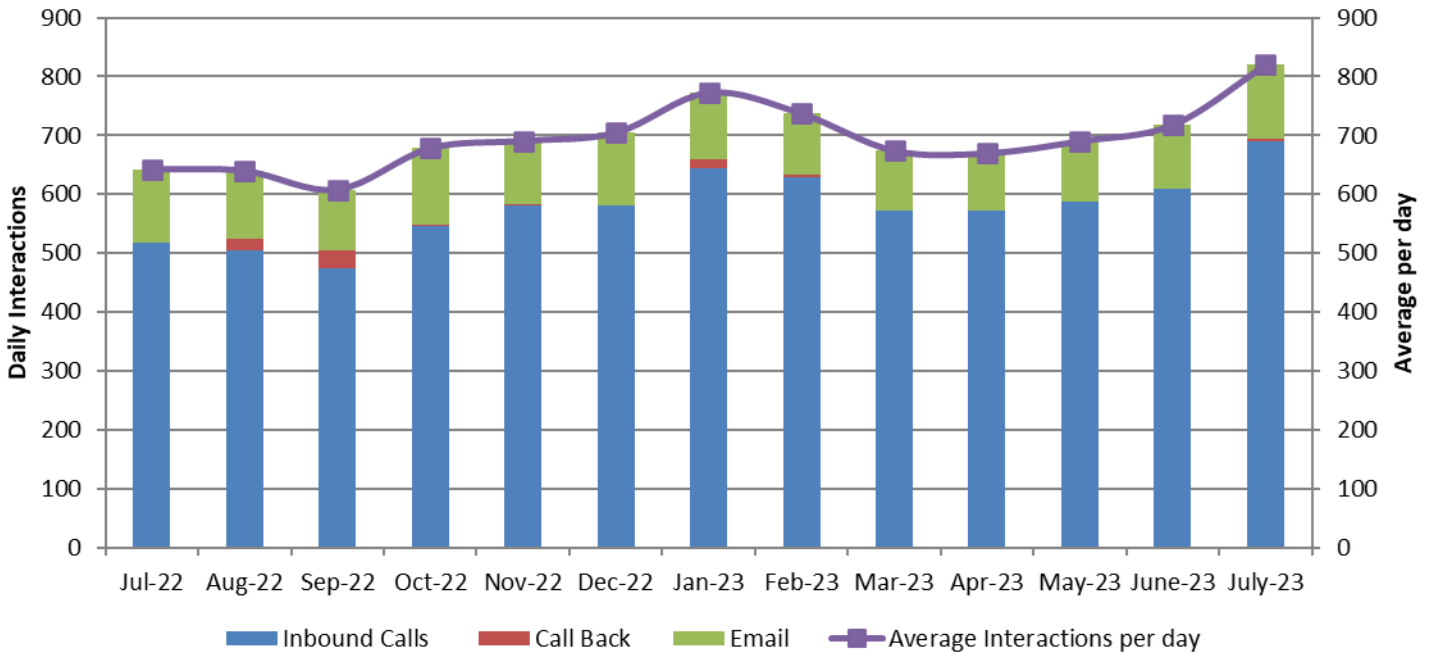


Apr 20-Feb 22 Field Activity was suspended late March 2020 in response to COVID-19

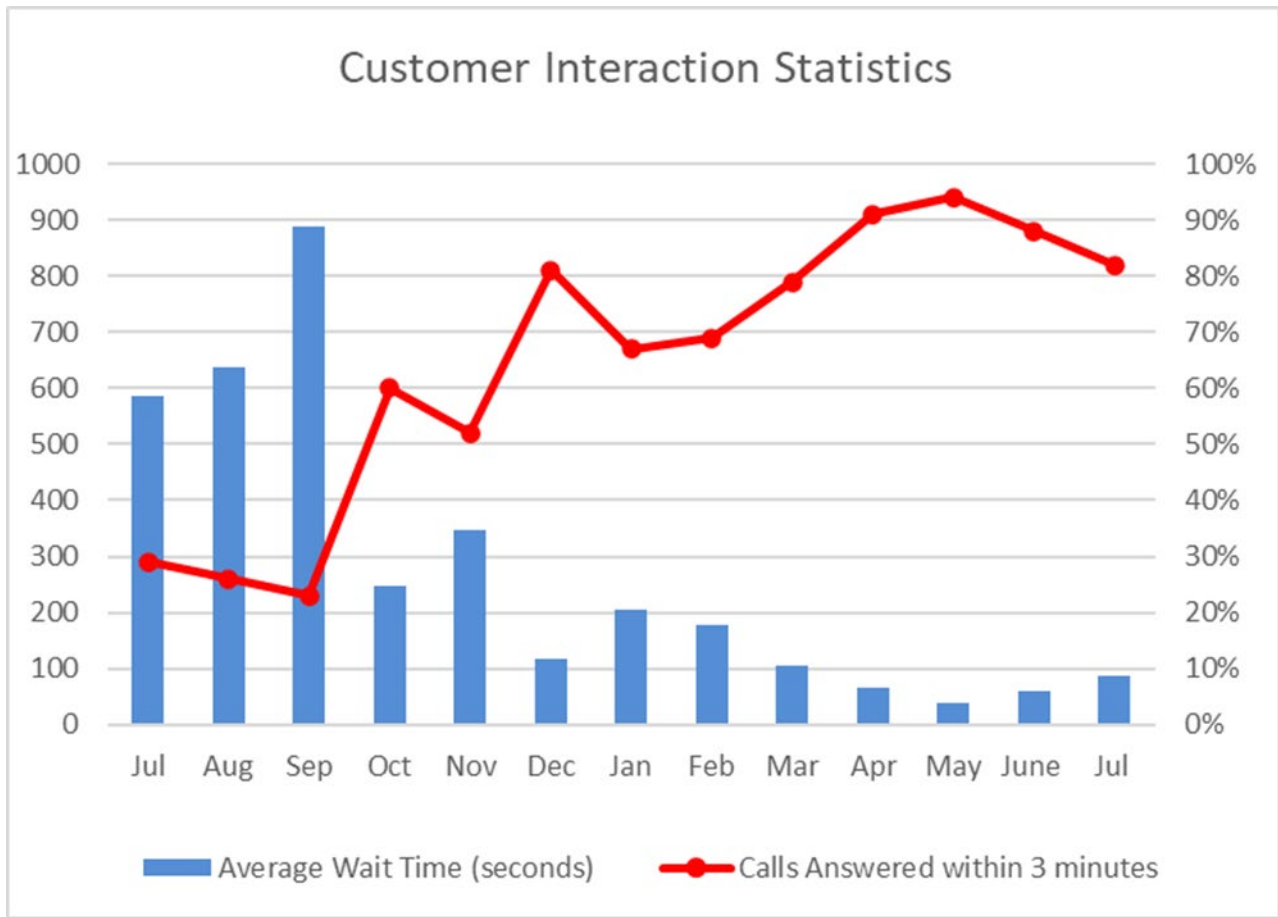
Billing Summary



Call Center Interactions (per day)

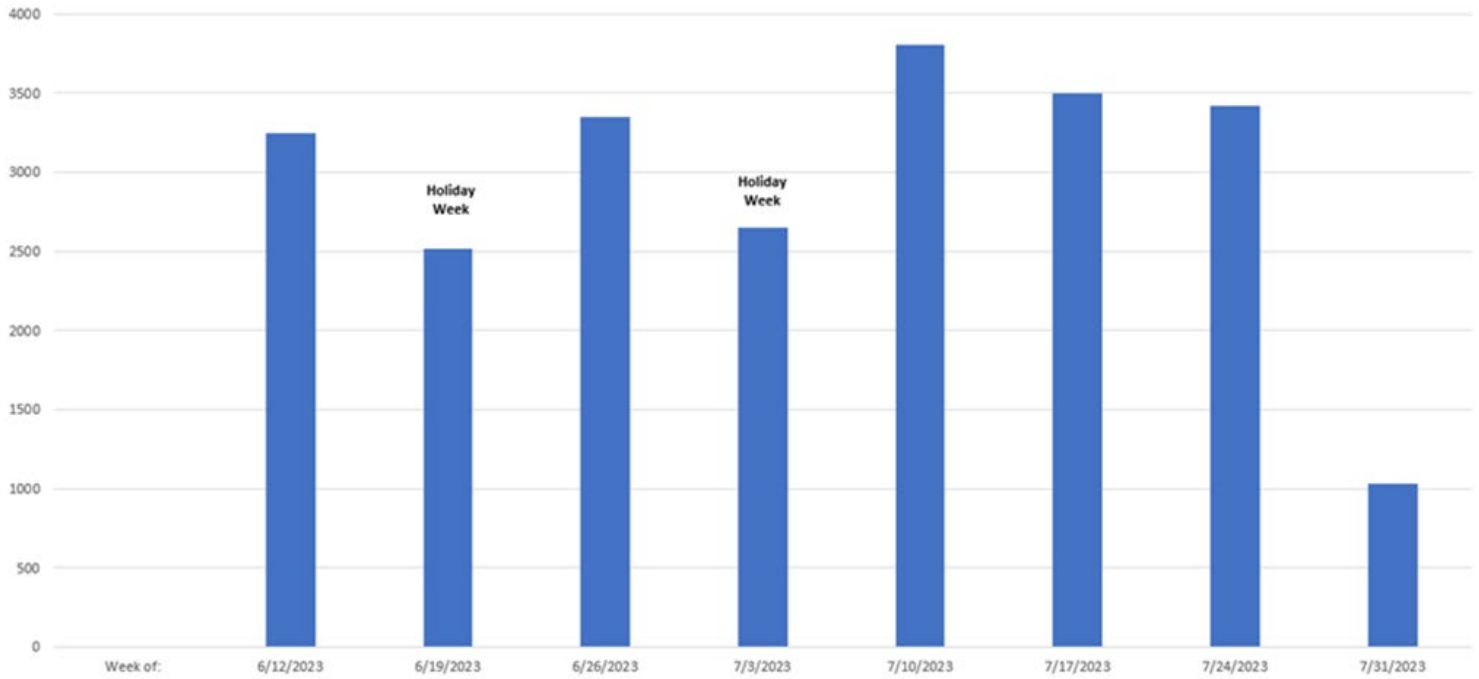


2. Customer Care Center Statistics



Customer Interaction Statistics	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Jul
Calls Answered within 3 minutes	29%	26%	23%	60%	52%	81%	67%	69%	79%	91%	94%	88%	82%
Average Wait Time (seconds)	587	638	887	246	347	117	206	177	105	66	37	60	87
Calls Abandoned	25%	25%	31%	14%	18%	8%	12%	11%	7%	5%	4%	5%	7%

Total Calls Received by Week



C. Procurement Statistics

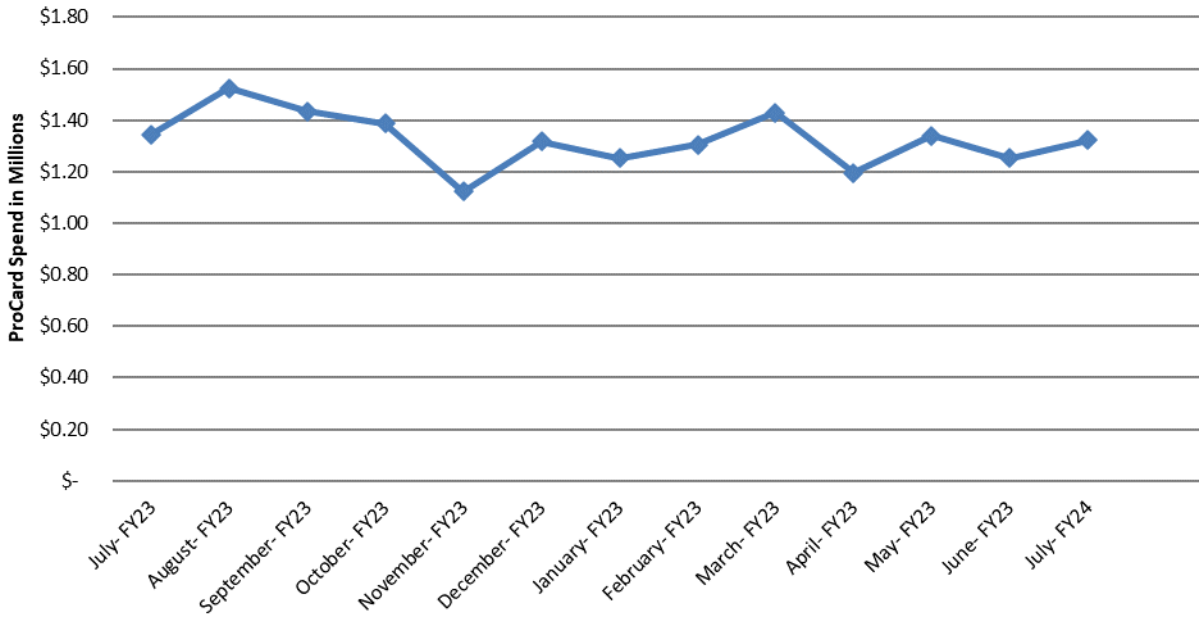
Savings	Current Period	FYTD
Competitive Savings ¹	\$29,458	\$29,458
Negotiated Savings ²	\$218	\$218
Salvage Revenues	\$2,410	\$2,410
Corporate VISA Card - Estimated Rebate	\$19,703	\$19,703

*Increased FYTD amount by \$11,161 for Salvage Revenues not recorded in monthly totals.

¹ Competitive savings are those savings obtained through the informal/formal bidding process. All bids received (except for the lowest responsive/responsible bid) added together and averaged. The average cost is subtracted from the apparent low responsive/responsible bidder.

² Negotiated savings are savings obtained during a Request for Proposal process, or if all bids received exceed the budgeted amount, or if only one bid is received.

ProCard Spend FY24



E. Monthly Strategic Planning Metrics Summary

1. Educational and Outreach Events: 0
2. Community Partners: 0
3. Monthly Metrics

Item #	Strategic Planning Measure	Unit	July 2023
	Wastewater Revenue	Percentage of budgeted	102%
	General Reserves	Percentage of Operating Budget less Depreciation	111%
	Liquidity	Days Cash on Hand	355 Days
	Accounts Receivable (HRSD)	Dollars	\$37,355,090
	Aging Accounts Receivable	Percentage of receivables greater than 90 days	29.2%

4. Annual Metrics

Item #	Strategic Planning Measure	Unit	FY-2023
M-2.4	Infrastructure Investment	Percentage of Total Cost of Infrastructure	*
M-4.4	Affordability	6.5 CCF Monthly Charge/Median Household Income ^[1]	*
	Billed Flow	Percentage of Total Treated	*
	Senior Debt Coverage	Cash Reserves/Senior Annual Debt Service	*
	Total Debt Coverage		*

* These metrics will be reported upon completion of the annual financial statements.

Respectfully,

Steven G. de Mik

Steven G. de Mik
Deputy General Manager/CFO

Attachments: [Quarterly Performance 4th Quarter FY23](#)
[HRSD's Operating Cash Strategies and Retiree Health Trust \(OPEB\)](#)

^[1] Median Household Income is based on the American Community Survey (US Census) for Hampton Roads

Hampton Roads Sanitation District
Qtrly Performance Report
For the Quarter Ending June 30, 2023

Total Portfolio Summary

Operating Strategies	June 30, 2023	March 31, 2023
Primary Source	\$ 160,272,967	\$ 148,170,542
Secondary Source	63,074,075	63,378,993
	\$ 223,347,042	\$ 211,549,536

Primary Source Summary

The Primary Source Portfolio consists of BAML Corp Disbursement Account \$30.76m and VaCo/VML VIP Stable NAV Liquidity Pool \$129.51m. BAML Corp Disbursement Account returned 0.55% for the quarter ending June 30, 2023. VIP LIQ Pool Fund 30 Day Avg Net Yield was 5.25% as of June 30, 2023. VIP Stable NAV Liquidity Pool performed 0.01% above Va Local Government Investment Pool's (the market benchmark) in the month of June 2023. VaCo/VML VIP Stable NAV Liquidity Pool's weighted average credit rating was A-1 for the quarter.

Secondary Source Summary

The Secondary Source Portfolio consists of VaCo/VML VIP 1-3 Year High Quality Bond Fund. VIP 1-3 Year High Quality Bond Fund's Yield to Maturity at Market was 4.98% in June, which was 0.05% less than ICE BofA ML 1-3 yr AAA-AA Corp/Gov Index (the market benchmark) performance. The weighted average credit rating for VaCo/VML VIP 1-3 Year High Quality Bond Fund's portfolio was AA for the quarter.

Retirement Health Plan Trust	June 30, 2023	March 31, 2023
Investment Assets	67,392,631	65,310,526
Liquidity Assets	47,049	46,489
Combined Assets	\$ 67,439,680	\$ 65,357,015

Retiree Health Plan Trust Summary

The Retiree Health Plan Trust portfolio returned 3.19% (investment assets) for the quarter ended June 30, 2023, below the 3.43% return of the Blended Benchmark.* Inflation has continued to cool in the second quarter with headline U.S. Consumer Price Inflation falling to its lowest rate in more than two years at 3% year-over-year (YoY) in June. Core price inflation (excluding volatile food and energy prices), rose 4.8%, moderating from the 5.6% pace at the end of the first quarter. Sticky shelter costs continue to lead prices higher, while falling gasoline and energy services have been deflationary.

*Performance is unreconciled and does not include funds from Boyd Watterson.

Total Portfolio Value			
	June 30, 2023		March 31, 2023
Investment Assets	\$	67,392,631	\$ 61,323,101
Combined Assets	\$	67,439,680	\$ 61,369,108

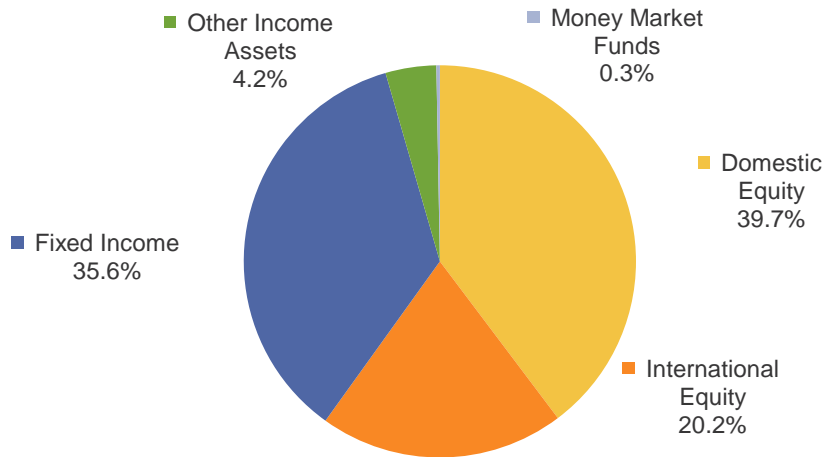
Portfolio Recap & Strategy

- The Retiree Health Plan Trust portfolio returned 3.19% (investment assets) for the quarter ended June 30, 2023, below the 3.43% return of the Blended Benchmark.*
- Inflation has continued to cool in the second quarter with headline U.S. Consumer Price Inflation falling to its lowest rate in more than two years at 3% year-over-year (YoY) in June. Core price inflation (excluding volatile food and energy prices), rose 4.8%, moderating from the 5.6% pace at the end of the first quarter. Sticky shelter costs continue to lead prices higher, while falling gasoline and energy services have been deflationary.
- In the first quarter, U.S. gross domestic product (GDP) grew at an annualized rate of 2%. This marked a slowdown from the 3.2% and 2.9% growth in the third and fourth quarters of 2022, but a sharp revision upwards from the previous estimate and market expectation or 1.3%. Globally, the World Bank's June forecast for global growth in 2023 was revised up to 2.1% from a 1.7% forecast issued in January, but well below the 2022 growth rate of 3.1%.
- The U.S. economy continued to expand in June, though unequally with strength in services offsetting manufacturing contraction. While the S&P Global US Composite PMI remained expansionary at 53.0 the Manufacturing PMI index fell to a six-month low of 46.3 while services rose to 54.1. Consumer demand remains key for a continued expansion and we are closely monitoring personal balance sheets.
- The S&P 500 Index (S&P) posted a positive return of 8.74% for the second quarter of 2023. As of June 30, 2023, the trailing 1-year return for the index is 19.56%. Within S&P 500, two of the 11 GICS sectors ended with negative quarterly returns. Utilities (-2.53%), Energy (-0.89%) and Consumer Staples (0.45%) were the worst performers. While the best performing sectors were: Information Technology (17.20%), Consumer Discretionary (14.58%) and Communication Services (13.07%).
- Markets outside of the United States, as measured by the MSCI ACWI ex-U.S. Index, significantly underperformed their U.S. counterparts, returning 2.44% for the quarter. Seven of the 11 sectors posted strong positive returns for the quarter with Information Technology (6.13%), Industrials (5.44%) and Financials (4.85%) being the best performing sectors. The worst performing sectors were: Communication Services (-4.57%), Materials (-2.73%) and Real Estate (-2.50%).
- REITs, as measured by the FTSE NAREIT Equity REITs Index, gained 2.62% in the second quarter of 2023, compared to a 2.68% increase in the prior quarter. Sector performance was mixed during the second quarter. The best performers were the Data Centers and Apartments sectors, which posted returns of 11.61% and 8.59%, respectively. The worst performers during the quarter were the Diversified and Self-Storage sectors, which posted returns of -10.01% and -3.51%, respectively. The Office sector, which has been plagued by concerns surrounding the future of in-person work, fell only 0.38% during quarter; however, the sector has returned -27.93% over the twelve-month period ending June 2023.

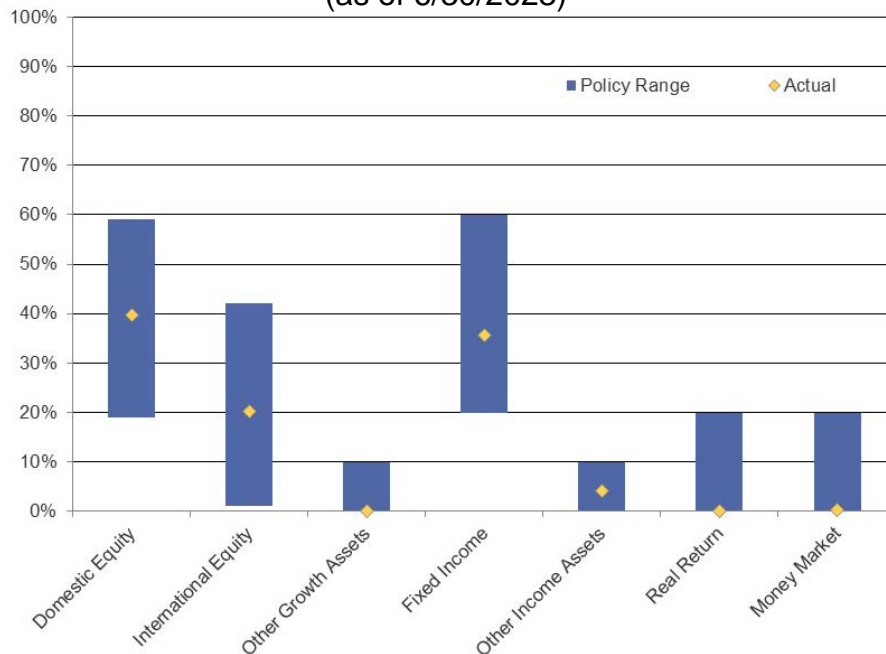
*Performance is unreconciled and does not include funds from Boyd Watterson. See page 3 for detailed information about the Blended Benchmark.

Security Type	June 30, 2023	% of Portfolio	March 31, 2023	% of Portfolio	Permitted by Policy
Domestic Equity	\$ 26,791,319	39.7%	\$ 25,035,267	40.8%	19% - 59%
International Equity	\$ 13,616,391	20.2%	\$ 13,564,145	22.1%	1% - 41%
Fixed Income	\$ 24,016,006	35.6%	\$ 19,838,660	32.3%	20% - 60%
Other Income Assets	\$ 2,821,798	4.2%	\$ 2,821,798	4.6%	0% - 10%
Money Market Funds	\$ 194,166	0.3%	\$ 109,238	0.2%	0% - 20%
Totals	\$ 67,439,680	100.0%	\$ 61,369,108	100.0%	

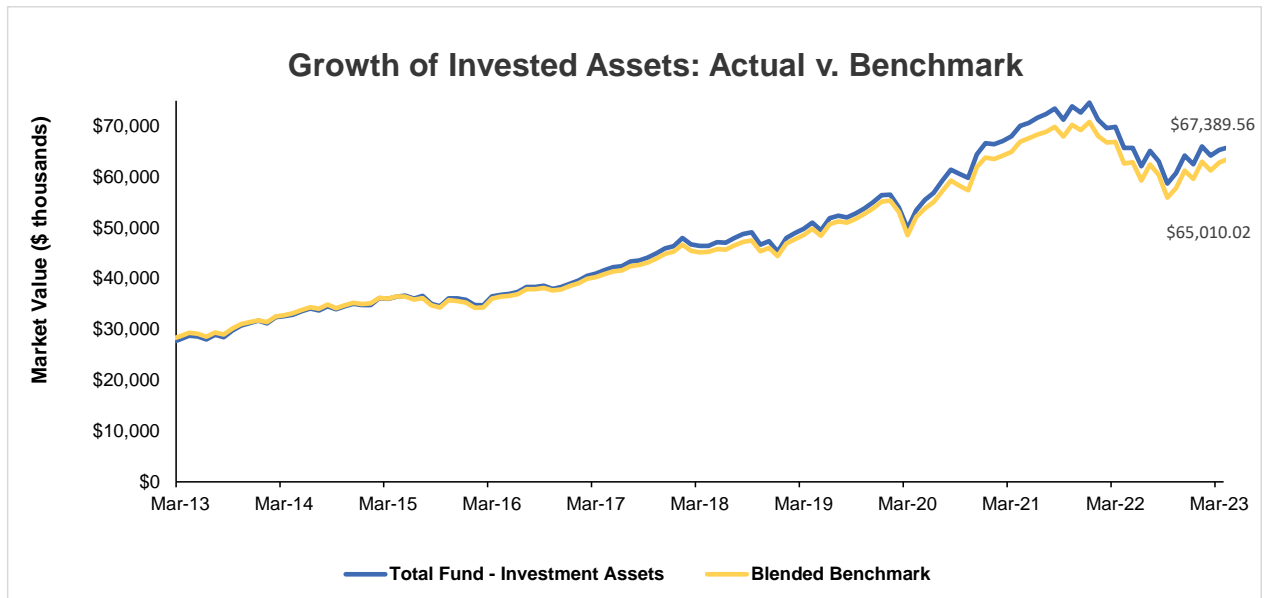
Portfolio Composition (as of 6/30/2023)



Asset Allocation (as of 6/30/2023)



Index	Market Value	%	2 Quarter	Year To Date	Trailing 1 Year	Trailing 3 Year	Trailing 5 Year	Apr-2013 To Jun-2023*	Since Inception	Inception Date
Domestic Equity	\$ 26,791,319.39	39.76								
Vanguard Total Stock Market ETF	\$ 24,185,202.04	35.90	8.42%	16.18%	18.96%	13.76%	11.31%	12.27%	19.77%	4/1/2020
Russell 3000 Index			8.39%	16.17%	18.95%	13.89%	11.39%	12.31%	19.88%	4/1/2020
Jensen Quality Growth Fund	\$ 2,606,117.35	3.87	5.88%	10.75%	14.45%	13.82%	12.62%	13.27%	12.00%	4/1/2019
S&P 500			8.74%	16.89%	19.59%	14.60%	12.31%	12.85%	13.10%	4/1/2019
International Equity	\$ 13,616,390.60	20.21								
Vanguard Total International Stock ETF	\$ 6,810,972.08	10.11	2.64%	9.47%	12.37%	7.56%	3.74%	4.61%	12.58%	4/1/2020
MSCI AC World ex USA (Net)			2.44%	9.47%	12.72%	7.22%	3.52%	4.31%	11.67%	4/1/2020
J. O. Hambro International Select	\$ 702,402.42	1.04	4.80%	13.54%	12.73%	1.38%	2.54%	6.51%	5.88%	1/1/2016
MSCI AC World ex USA (Net)			2.44%	9.47%	12.72%	7.22%	3.52%	4.31%	5.74%	1/1/2016
Harding Loevner International Equity	\$ 1,391,714.86	2.07	3.05%	11.06%	16.84%	6.64%	4.58%	6.15%	6.64%	7/1/2020
MSCI AC World ex USA (Net)			2.44%	9.47%	12.72%	7.22%	3.52%	4.31%	7.22%	7/1/2020
Vanguard FTSE Developed Markets ETF	\$ 3,323,851.68	4.93	3.13%	11.14%	16.53%	9.03%	4.42%	5.45%	0.35%	3/1/2022
MSCI EAFE (net)			2.95%	11.67%	18.77%	8.93%	4.39%	5.17%	1.64%	3/1/2022
Hartford Schroders Emerging Markets Equity	\$ 1,387,449.56	2.06	1.83%	7.01%	3.79%	2.10%	1.40%	2.65%	-0.45%	3/1/2018
MSCI EM (net)			0.90%	4.89%	1.75%	2.32%	0.93%	2.04%	-1.03%	3/1/2018
Fixed Income	\$ 24,016,005.88	35.64								
Baird Core Plus	\$ 6,624,080.88	9.83	-0.44%	2.59%	0.48%	-3.10%	1.42%	1.90%	1.96%	5/1/2014
Blmbg. U.S. Aggregate			-0.84%	2.09%	-0.94%	-3.97%	0.77%	1.25%	1.31%	5/1/2014
DoubleLine Core Fixed Income	\$ 2,852,788.19	4.23	-0.59%	2.95%	-0.09%	-2.48%	0.59%	1.60%	0.37%	9/1/2017
PGIM Total Return Bond	\$ 5,309,994.71	7.88	0.00%	3.17%	0.71%	-3.28%	1.11%	2.02%	0.75%	9/1/2017
Blmbg. U.S. Aggregate			-0.84%	2.09%	-0.94%	-3.97%	0.77%	1.25%	0.36%	9/1/2017
Voya Intermediate Bond	\$ 2,842,595.12	4.22	-0.53%	2.68%	-0.28%	-3.31%	1.08%	N/A	-1.62%	1/1/2020
Blmbg. U.S. Aggregate			-0.84%	2.09%	-0.94%	-3.97%	0.77%	1.25%	-1.75%	1/1/2020
iShares Core US Aggregate Bond ETF	\$ 3,533,546.25	5.24	-0.85%	2.26%	-0.93%	-3.97%	0.74%	1.20%	-0.96%	2/1/2023
Blmbg. U.S. Aggregate			-0.84%	2.09%	-0.94%	-3.97%	0.77%	1.25%	-0.95%	2/1/2023
iShares Intermediate-Term Corporate Bond ETF	\$ 1,225,665.09	1.82	-0.38%	3.55%	2.13%	-2.99%	2.08%	1.89%	-0.76%	10/1/2019
ICE BofA U.S. Corporate 5-10 Year Index			-0.39%	3.25%	1.86%	-2.96%	2.18%	2.46%	-0.71%	10/1/2019
BBH Limited Duration	\$ 549,200.40	0.82	1.28%	2.98%	4.54%	1.87%	2.34%	1.95%	1.63%	2/1/2023
Blmbg. U.S. Treasury: 1-3 Year			-0.60%	0.98%	0.15%	-1.12%	0.93%	0.72%	0.24%	2/1/2023
MainStay MacKay High Yield Corp Bond Fund	\$ 1,078,135.24	1.60	1.30%	5.27%	8.89%	3.95%	3.68%	N/A	-0.27%	6/1/2021
ICE BofA High Yield Master II			1.63%	5.42%	8.87%	3.21%	3.18%	4.09%	-1.75%	6/1/2021
Other Income	\$ 2,818,728.00	4.18								
Boyd Watterson GSA Fund	\$ 2,818,728.00	4.18	0.50%	-0.11%	1.43%	5.33%	N/A	N/A	5.58%	7/1/2019
NCREIF Property Income			N/A	N/A	N/A	N/A	N/A	N/A	N/A	7/1/2019
Cash Equivalent	\$ 147,117.29	0.22								
First American Government Obligation - Z	\$ 147,117.29	0.22	1.21%	2.25%	3.64%	1.26%	1.44%	0.87%	1.31%	1/1/2004
Total Fund - Investment Assets	\$ 67,375,588.28	100.00	3.19%	7.78%	8.52%	8.52%	5.55%	5.97%	7.39%	9/1/2009
Blended Benchmark*			3.43%	9.04%	9.67%	5.36%	5.79%	6.03%	7.16%	9/1/2009



*Active Strategy implemented April 1, 2013. Since inception to June 30, 2017, the Blended Benchmark was 33% Russell 3000 / 21% MSCI ACWI ex USA net) / 3% FTSE NAREIT Equity REITs / 3% Bloomberg Commodity TR / 40% Bloomberg Barclays Aggregate. From July 1, 2017 to present, the Blended Benchmark was 39% Russell 3000 / 21% MSCI ACWI ex USA net) / 40% Bloomberg Barclays Aggregate.

TO: General Manager
FROM: Director of Information Technology
SUBJECT: Information Technology Department Report for July 2023
DATE: August 14, 2023



Innovation

Preparation continues for the upcoming Surface Pro replacement and Windows 11 upgrade. Preliminary master disk images are being compiled and tested within ITD, prior to functional testing by end users.

The Cybersecurity Division is working on several application and monitoring implementations within the business and operational technology networks. Following successful installation and testing, HRSD's networked infrastructure will further benefit from enhanced threat detection, anomalous activity isolation, and detailed alert and alarm notifications.

The IT Help Desk processed 358 work orders and requests for assistance in July, ensuring availability of computing resources to those working locally and remotely.

Staff are in the process of migrating existing Uninterruptable Power Supplies (UPS) to a centralized power management system. The system will monitor and manage UPS functionality, power consumption, and orderly shutdown of network hardware in accordance with established procedures.

Datacenter server consolidation and hardware decommissioning efforts are ongoing to ensure supportability, compatibility, and warranty coverage.



Community Engagement

In preparing for the City of Chesapeake's upcoming migration to Customer Care and Billing (CC&B) Model 3 billing, staff are preparing for another mock data conversion. This "dress rehearsal" involves the transformation of existing accounts so that Chesapeake will be able to utilize CC&B as its utility billing system. The mock conversions ensure that data integrity is maintained, and time constraints are met.

Respectfully,

Don Corrado

TO: General Manager
FROM: Director of Operations
SUBJECT: Operations Report for July 2023
DATE: August 14, 2023

A. Interceptor Systems

1. North Shore (NS)

- a. There were no Sanitary Sewer Overflows (SSOs).
- b. There were no odor complaints, one interceptor complaint, and 13 system alarms during the month. The interceptor complaints were due to an open door at a pump station. Most of the system alarms were due to issues regarding pump fails and temporary pump installations at several pump stations.
- c. There were seven Miss Utility 'No Shows' and six after-hour emergency tickets reported for the month.
- d. HRSD's Technical Services Division (TSD) contacted NS Operations about a contractor's need to dispose of nearly 2,000 gallons of a 50% caustic solution. This exact chemical (and concentration) is used as part of the injection program for both the Smithfield and Gloucester force mains to reduce venting requirements during the summer. At approximately \$5 per gallon, this hauling and coordination provided nearly \$10,000 in free chemicals to HRSD for use in the coming months.

2. South Shore (SS)

- a. There was one SSO reported this month. On July 8, while staff completed a pump station check at the Robin Hood Road Pump Station in Norfolk, they found a leaking hose attached to the external pump. Staff replaced the hose and cleaned the spill. Approximately 40 gallons leaked into a nearby storm culvert that drains to Wayne Creek, a tributary of the Lafayette River.
- b. There were no odor complaints and no Miss Utility no shows reported this month.
- c. There were three interceptor complaints reported this month. Two were associated with the City of Norfolk Department of Utilities and one with the City of Chesapeake Department of Public Utilities.

B. Major Treatment Plant Operations

1. Army Base Treatment Plant (ABTP), Virginia Initiative Plant (VIP), Treatment Projects Team (TPT) (ACV Group)

a. ABTP

- (1) The plant met all Virginia Pollution Discharge Elimination System (VPDES) permit requirements and no odor complaints.
- (2) Industrial Automation Programmers, Electrical & Instrumentation (E&I), and plant staff completed the installation and programming of the new hypo pumps.

b. VIP

- (1) Ammonia-Based Aeration Control is operating at an average Dissolved Oxygen (DO) level in the aeration tanks of 0.5 mg/L for June. No supplemental carbon chemical addition was used for denitrification, resulting in a savings on both energy and chemicals for the plant.
- (2) Staff installed a low-level ammonia probe in the aeration effluent channel to enhance ammonia-based aeration control.
- (3) Staff installed a dewatering centrifuge rotating assembly that was acquired from the Boat Harbor Plant and prepared another rotating assembly for shipment and rebuild. The plant now has two functioning centrifuges.

c. TPT

- (1) Staff spent much of the month supporting the Small Communities Division:
 - (a) Completed Godwin install at Church Street PS for Small Communities Divisions (SCD).
 - (b) Onancock TP with maintenance activities one or two days a week.
 - (c) poured concrete pad for storage tank for the Non-Potable Water project at Onancock.
 - (d) Completed install of the extended aeration tank walls to prevent spill at Onancock.
 - (e) Completed repair of leaking pipe penetration leading to scum collectors AT Onancock.
 - (f) King William Treatment Plant (KWTP) beam replacement project is 50% complete.
- (2) Team completed installation of spray headers and gate extensions for MIFAS tanks 1-3 at James River Treatment Plant (JRTP).

2. Atlantic (ATP), Boat Harbor (BHTP), and Nansemond (NTP) Treatment Plant (ABN Group)

a. ATP

- (1) The plant met all Virginia Pollution Discharge Elimination System (VPDES) permit requirements.
- (2) Three of the plant's four blowers, which supply air to the aeration process, failed this month due to electrical and mechanical issues. Staff have determined the same electrical component failed on all three blowers. Staff were able to purchase one truck and install it on #3 blower to make the blower operational. Currently the plant can run two blowers in automatic and a third blower (#4) in manual. The remaining trucks will need to be ordered with a lead time of up to 52 weeks.
- (3) Influent screen #3 failed because of the July 9 rain event and has significant damage to the drive chain. The other screens remain functional and should be able to handle peak flows in the event of a storm.
- (4) The plant continues to receive heavy scum and floating solids to the primaries, especially after rain events. Staff are required to work after hours, holidays, and weekends to remove the scum to prevent damage to the primaries and processes further down the line. There are 6 clarifiers, we typically run with 5 in service, and one on stand-by. Three primaries become inoperable this month, with one tank remaining out of service for repairs.
- (5) Staff and contractors started train #1 for odor control station D, which caught fire during the summer of 2022. So far, there have been a few challenges with this start up. The airflow rates and H₂S removal were not what was expected, which plant staff are working through, to include getting the media replaced as soon as possible.
- (6) The new Electrical & Instrumentation (E&I) offices are almost complete, and E&I staff began moving into this area.
- (7) Staff attempted filling aeration tanks five and six with non-potable water to allow maintenance staff to perform preventive maintenances on other aeration tanks. The drain valves for both tanks are not seating and the 12 drain valves associated with the six aeration tanks may need to be replaced. If replacement is necessary, it will be included in the FY 2025 Major Repairs and Replacements budget requests.

b. BHTP

- (1) No odor exceptions occurred, no odor complaints were reported, and there were no MACT 129 deviations in the month of July.
- (2) One THC reportable event occurred on July 18 due to a failed calibration to which E&I staff performed a manual calibration to end the event.

- (3) Staff began nitrification efforts in May with major changes to plant process. This month, staff worked closely with the Treatment Process Engineer to troubleshoot and optimize the side stream process. This is an ongoing effort.

c. NTP/Sustainable Water Initiative for Tomorrow (SWIFT) Research Center

- (1) The plant had no VPDES permit violations, no odor exceptions, or odor complaints during the month.
- (2) There was one SSO reported this month. On July 19, the final effluent pumps were not keeping up with effluent flow due to discharge valves being partially closed. These pumps do not have variable frequency drives and the valves are operated locally to prevent the effluent pumps from emptying the channel and shutting the pump off, with a 30-minute lock out on the pump. When the operator reached the pumps to manually open the valve further, the channel was already overflowing onto ground, with 1,500 gallons of final effluent being lost to the ground. This issue will be resolved in the ANRI CIP project, which is currently under construction.
- (3) The total volume of SWIFT recharge into the Potomac aquifer for the month of July was 10.87 million gallons (MG) (37.8% Recharge Time based on 650gpm).
- (4) There were a couple of instances that prevented SWIFT aquifer recharge for the month of July. These were:
 - (a) The planned quarterly shutdown (7/5 – 7/7)
 - (b) High TIN (7/9, 7/10, 7/15, 7/19 & 7/30)
 - (c) Potable water shutdown (7/12)
 - (d) Contractor hit a drain line (7/17)

3. James River (JRTP), Williamsburg (WBTP), and York River (YRTP) Treatment Plant (JWY Group)

a. JRTP

- (1) The treatment plant met all VPDES permit requirements. There was one reportable spill and no odor scrubber exceptions. The spill occurred from an NPW leak when the contractor's excavator drove over a pile of rocks that was on top of the line and crushed the NPW line.
- (2) JRTP maintenance staff replaced the core on the #6 integrated fixed-film activated solids (IFAS) tanks, single-stage blowers after receiving a new one from the factory.
- (3) On the Advanced Nutrient Removal Improvements (ANRI)/SWIFT Project, rebar was erected and concrete poured for the #1 secondary clarifier tank and the flow distribution chamber. On the SWIFT side, concrete was poured for floors on the intermediate pump station, ultraviolet room, SWIFT pump station wet well, and the equalization tank.

- (4) Work on ANRI/SWIFT-related projects off-site included drilling work on four of the six wells, clearing and grading for the trail that will loop around the treatment plant, and construction of the boardwalk.

b. WBTP

- (1) The treatment plant met all VPDES permit requirements. There were no reportable wastewater deviations, one reportable air deviation, 10 incinerator air exceptions, and no odor scrubber exceptions. The air deviation was a use of incinerator emergency bypass stack due to a failure of the induced draft fan's variable frequency drive. The incinerator air exceptions were a failure of the total hydrocarbon meter to record two valid readings per an hour due to calibration issues.
- (2) A contractor completed application of an epoxy liner to the #1 primary clarifier influent distribution chamber, and a new stainless-steel baffle is being constructed by a contractor for future installation by WBTP maintenance staff.

c. YRTP

- (1) The treatment plant met all VPDES permit requirements. There were no reportable wastewater deviations and no odor scrubber exceptions.
- (2) YRTP maintenance staff worked on repairs across aeration tanks #1, #2, #3, and #4. Repairs included replacement of diffusers, reinstalling wire cages around air mixing equipment, and reattachment of zone separation walls.
- (3) The contractor worked on finishing and painting drywall and installing electrical conduit, wire, outlets, and fixtures in the major expansion portion of the renovation on the Administration Building Renovation Project.
- (4) The contractor repairing primary tanks, influent and effluent piping mobilized equipment and materials to start repairs. Bypass piping will be needed during different phases of the project to keep primary clarifiers in service.

d. Multiple Hearth Incinerator (MHI) Operations Events Summary

- (1) All plants (Army Base, Boat Harbor, Virginia Initiative, and Williamsburg) met the 100 PPM THC limit with continuous emissions monitoring valid data captured of greater than 71%.
- (2) The MHIs had no deviation from the required 129 Sewage Sludge Incineration (SSI) rule minimum operating parameters, two minor bypass event and one reportable bypass event that lasted more than an hour. events (<60 minute).

C. Small Communities Division (SCD)

1. Middle Peninsula

- a. There were two SSOs reported in the KWTP Service area this month:
 - (1) A large thunderstorm inundated parts of the King William service area on July 6. A high well alarm came through for the main pump station and staff found a low rim manhole (KW-MH-C20) overflowing. The nearby Central Garage weather station recorded 1.24" over one hour during this thunderstorm. Approximately 3,375 gallons of raw wastewater overflowed to the ground draining to Jackpen Creek.
 - (2) The UV and GAC systems overflowed due to a potential line blockage on July 8. A camera was used to inspect the effluent line and found the blockage, which was also cleared by pushing the camera through it. Investigation of the blockage and corrective action is ongoing. Approximately 735 gallons of membrane filtrate and GAC effluent were released to the concrete pad draining to Moncuin Creek.
- b. There were no permits exceedances or odor complaints this month.
- c. There were no Miss Utility "No Shows" and one emergency ticket for the month.

2. West Point Treatment Plant (WPTP)

- a. Staff and the TPE continue working on fine-tuning overall treatment plant performance.
- b. The tertiary wet weather pump has been rebuilt and was installed in July 2023.

3. King William Treatment Plant (KWTP)

- a. Staff performed disinfection on the reuse well and ran additional samples before returning to reuse operations.
- b. Several meetings with SCD staff, E&I, and TPEs were held to maximize flow through the plant. Programming changes with the EQ tanks and more routine membrane maintenance have increased plant performance.

4. King William Collection System

Temporary Gravity Meters have been installed in the gravity system to better evaluate I&I sources. Analysis is ongoing.

5. Mathews Collection System

HRSD's Project Team is currently working on installing a bypass pump at Church Street Pump Station.

6. Surry Systems

- a. There were no odor complaints or collection system issues.
- b. On July 16 and 17 a line of thunderstorms inundated the Dendron PS service area. Pump stations were observed to be operating properly. The following raw wastewater overflow events were reported.
 - (1) July 16, Dendron PS1, 80 gallons to Cypress Swamp with a total rainfall of 0.50”.
 - (2) July 17, Dendron PS1, 140 gallons to Cypress Swamp with a total rainfall of 0.83”.
- c. No Miss Utility “no shows” and no after-hour emergency tickets were reported for the month.

7. Lawnes Point

- a. There were no SSOs reported this month.
- b. Due to a grease issue at Mt. Ray PS, all pump and haul trucks were routed to Hardy Elementary Public School to determine if Lawnes Point is contributing to our system issues from Surry.

8. Eastern Shore (ES)

- a. Nassawadox Treatment Plant exceeded the weekly average permit level (23mg/L) for TSS on the weeks of 7/16 (23.8mg/L) and 7/23 (23.5mg/L). The monthly average permit level for TSS (15mg/L) was also exceeded (19.5mg/L). The hot temperatures and low volume of wastewater coming into the plant led to algae blooms which staff attempted to eliminate. Staff also increased the Polymer dosage into the clarifier and adjusted aeration schemes to help lower the TSS. The plant will be shut down in the next six weeks once the new pipeline and pump stations are in service at the end of August.
- b. There were no SSOs or Odor complaints this month.
- c. There were no odor complaints or collections system complaints.

9. Onancock Treatment Plant

- a. The project team completed multiple projects for Onancock. Much of our staff are new employees. Being able to rely on a group of experienced and skilled individuals to accomplish goals while we develop the skill sets of our current staff has been invaluable.
- b. Win-911 system went online for our Supervisory Control and Data Acquisition (SCADA) system to be able to send alarms to operators for various problem conditions.

- c. All Operations and Maintenance (O&M) manuals have been digitized.
- d. Staff have been working with TSD to track the source of the foam and pink influent. The foam has been triggering level indicators in the plant membranes and has caused multiple membranes to shut down over the past few weeks.
- e. Staff were heavily involved with the Eastern Shore Transmission Force Main CIP this month, with multiple walkthrough inspections. Staff also met with Accomack County to discuss turnover of remaining assets to HRSD and drafted a change order to bring the three additional pump stations up to HRSD standards.

D. Electrical & Instrumentation (E&I)

1. The NS Manager reviewed a buss inspection report provided by the electrical contractor for ABTP, BHTP, NTP, SS Operations Center, SS Pump Stations, VIP, and WBTP. The report identified electrical equipment that showed signs of buss deterioration and flaking which can lead to a potential equipment failure. The Electrical Manager will coordinate with each work center to determine a plan of action.
2. Staff discovered the steam boiler water fill actuated valve was not closing completely at ATP. This allowed water level in the boiler to exceed limits which resulted in the boiler control panel initiating shutdown and alarms. Staff performed troubleshooting on the system and adjusted the actuator. Staff also discovered a failed circuit board. A new board was ordered and installed.
3. To mitigate terminal erosion issues caused by flooding, the flow meters in the Odor D scrubber drain were upgraded at ATP. Staff worked with plant staff to complete installation of the Magnetic Flow Tubes and Transmitter for the remaining Odor Control trains. The flow meters were tested successfully and returned to normal operation.
4. HRSD acquired Norfolk Pump Station 57 from the City of Norfolk. Due to equipment issues, the station is currently being operated using temporary bypass Godwin pumps. SS Operation requested that E&I set up alarms for the temporary pumps. Staff also installed float balls and an additional level transmitter to the Godwin pumps for more reliable control of the bypass pumps.
5. Staff worked with contractors, and Interceptors Division staff to update the existing controls to the new SCADA Remote Terminal Unit (RTU) controls and aided in the successful completion of cutover testing for the new Ovation SCADA System at Bagby Avenue, Monroe Place, Cypress Avenue, and Powhatan Avenue PSs. These sites are now active on the new Ovation SCADA systems.
6. Staff continue to work with contractors and other HRSD staff to support several other capital improvement projects. This month was dedicated to Larchmont area and Eastern Shore (ES) Infrastructure Improvements Phase 1, Hessian, Lynn Shores Directional Control Valve (DCV), and Marina Drive Pump Station. These projects are in various stages from design to final inspections of installation.
7. A meeting with key internal stakeholders is scheduled to develop a scope of work to solicit professional engineering services to provide a technical memorandum (TM) to

highlight equipment condition and end of useful life, code requirements, equipment clearances, operational concerns. The meeting will focus on the potential cost to rehab or replace Morrison Pump Station.

8. Staff responded to four SCADA communication failures and six Telog communication failures. A communication failure is defined as a total loss of communication at a site that may require staff to respond to the site location during and/or after normal working hours.

E. Support Systems

1. Facilities Maintenance (FM)

- a. Staff coordinated the following:
 - (1) Removal of the billing kiosk in Customer Care lobby and installed new glass in its place.
 - (2) Surveyed the Lamberts Point Golf Course to enable a fence to be installed later between the City of Norfolk and HRSD property.
- b. The Carpentry Shop (CS) completed 13 work orders.
- c. The Machine Shop (MS) had 10 projects with two total pump rebuilds.

2. Infrastructure Assessment (IA)

- a. Staff continue to work with TSD and the Automotive Superintendent on the transition of Underground Storage Tanks (UST) inspections to the IA group. IA staff is currently working on specifications to create an inspection and service contract. Staff also performed six inspections with DEQ at various locations.
- b. The Concrete Coatings staff supervised several coating and concrete rehabilitation projects at ATP, NTP, VIP, and WBTP.

F. Resource Recovery

1. Staff continue to investigate ideas for ways to recover energy from the methane created in the wastewater collection and treatment processes.
2. Work continues to replace the current Daily Plant Operator Report software (DPOR) with the new system, Water Information Management System (WIMS).
3. Dominion changed the way in which HRSD receives bills and information on energy consumption. Staff continue to work closely with Finance to decipher the new billing process and continue to work with Operations to determine needs regarding the electricity bills.

G. Water Technology and Research

With drinking water maximum contaminant levels looming for several PFAS compounds, we have launched a new research thrust at the SWIFT Research Center (SRC) focused on maximizing the capacity of Granular Activated Carbon (GAC) for the adsorption of the target compounds, Perfluorooctanoic Acid and Perfluorooctane Sulfonic Acid, as well as developing operational tools and strategies for GAC contactor operation at James River Treatment Plant. We are also evaluating ion exchange as a high-rate process to be used to polish the target compounds after GAC. A new ion exchange pilot skid was purchased from Intuitech and was delivered to the SRC in July. Results from ion exchange resin testing will be combined with a business case analysis to determine the lowest life cycle cost for meeting these new treatment objectives.

H. MOM reporting numbers

MOM Reporting #	Measure Name	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
2.7	# of PS Annual PMs Performed (NS)	3											
2.7	# of PS Annual PMs Performed (SS)	4											
2.7	# of Backup Generator PMs Performed (Target is 4.6)	12											
2.8	# of FM Air Release Valve PMs Performed (NS)	234											
2.8	# of FM Air Release Valve PMs Performed (SS)	154											
2.9	# of Linear Feet of Gravity Clean (NS) (Target is 2,417 for HRSD)	2,808											
2.9	# of Linear Feet of Gravity Clean (SS) (Target is 2,417 for HRSD)	5,994											
2.9	# of Linear Feet of Gravity CCTV Inspection (HRSD Target 3,300 LF)	0											

Respectfully submitted,
Christel Dyer
 Acting Director of Operations

TO: General Manager

FROM: Director of Talent Management

SUBJECT: Talent Management Monthly Report for July 2023

DATE: August 9, 2023



Talent

Staff retention and recruitment remain significant priorities for the Talent Management Department. Four vacancies need to be filled to fully staff the Talent Management Department. Gina Foote, Vocational Training Instructor and Leira Sechong, HR Coordinator, were promoted from part-time to full-time employees. We continue to search for qualified candidates and hope to be fully staffed by early next year.

Human Resources (HR): In June, the Commission approved the selection of Mercer as the vendor for our compensation study. Initial meetings were held to review the scope and introduce the complete team handling this huge project. Initial data requests were provided, and data was gathered and shared with Mercer. MMA, HRSD’s benefit consultant, worked to summarize the 14 responses received to the medical, dental, vision, spending accounts, voluntary benefit Request for Proposal (RFP). A team from HR will be working closely with MMA to review responses and interview vendors in August. Our HR Business Analyst continued working with our consultant on system changes to benefit interfaces.

Participation in HRSD’s Wellness Program continues to increase. The Wellness Specialist conducted onsite visits, virtual lunch and learns, emailed informational flyers, and facilitated virtual guided meditation sessions. A meeting was held to discuss the first annual Wellness, Health, and Safety fair. This fair will be held in October on both sides of the water. We will have local vendors, hands on demonstrations, field day events, and mobile mammography which will be open to the community.

July’s turnover was relatively low. The separation reasons are shown in the table below:

Employee Separation Reason	July 2023	Total (April 2022 - July 2023)
Career/Better Opportunity	0	26
Content of work	0	5
Family circumstances	1	6
Dismissal	1	17
Death in Service	2	2
Going to school	0	1
Lack of Opportunity for Advancement	0	2
Moving from the area	0	6
Salary	2	10

Employee Separation Reason	July 2023	Total (April 2022 - July 2023)
Retirement	4	25
End of Assignment (PT)	0	27
Administrative Separation	0	2
Unknown	1	4

Organization Development and Training (ODT): Training and continuous learning are critical to the success of HRSD. Several sessions of the Leadership and Management Academy (LAMA) and the mandatory quality trainings were conducted by HRSD's facilitators and our consultant Hick-Carter-Hicks (HCH). ODT continued working with departments to curate online learning paths. The Training Manager is working with the General Manager and facilitators to revise the Workcenter Planning Day Initiative. The Apprenticeship Program transition to a day program has been completed and is ready for implementation in the fall.

Safety: The workers' compensation claims administration was transitioned from HR to Safety. We selected a new third-party administrator, Sentry for our injured worker program. Staff conducted required safety trainings and medical monitoring. Weekly, monthly, and quarterly safety inspections, testing, and monitoring were performed at various workcenters and construction sites. There were three work-related injuries in July.



Community Engagement

Staff provided outreach at career events. This outreach was focused on the variety of careers fields represented at HRSD. We shared information about our open positions and our Apprenticeship Program, how we positively impact the local waterways, and our generous benefits. We explained how to apply for a position at HRSD and answered questions about what it's like to work at HRSD.

Strategic Planning Metrics Summary

1. Education and Outreach Events: (2)
 - a. 07/13/2023 Naval Air Station (NAS) Oceana Job Fair
 - b. 07/21/2023 Virginia Employment Commission (VEC) Veteran/Military Spouse Employer Panel
2. Community Partners: (2)
 - a. United States Navy
 - b. Virginia Employment Commission

3. Monthly Metrics Summary:

Item #	Strategic Planning Measure	Unit	July 2023
SM 2	Educational and Outreach Events	Number	2
SM 3	Community Partners	Number	2
SM 11	Turnover Rate without Retirements	Percentage	0.84%
SM 12	Turnover Rate with Retirements	Percentage	1.32%
SM 13	Average Time to Fill Positions	Days	241
SM 14	Number of Vacancies	Number	56
Total Turnover Rate by Department			
	Communications	Percentage	0.00%
	Engineering	Percentage	0.00%
	Finance	Percentage	5.00%
	GM	Percentage	0.00%
	IT	Percentage	0.00%
	Operations	Percentage	1.02%
	Talent Management	Percentage	0.00%
	Water Quality	Percentage	0.86%
H 11	Average Number of Applicants per Position	Number	7.96
H 12	Positions Filled with Internal Applicants	Percentage	42.3%

Respectfully submitted,

Dorissa Pitts-Paige

Director of Talent Management

TO: General Manager
FROM: Director of Water Quality (DWQ)
SUBJECT: Monthly Report for July 2023
DATE: August 9, 2023



Environmental Responsibility

1. HRSD's Regulatory Performance:
 - a. The monthly Discharge Monitoring Report (DMR) Summary and Items of Interest: [Effluent and Air Emissions Summary](#)
 - b. Water Quality Staff participated in Department of Environmental Quality (DEQ) Underground Storage Tank (UST) inspections at multiple South Shore pump stations and the Virginia Initiative and Army Base treatment plants on July 19 and 20.

2. Pretreatment and Pollution Prevention (P3) Program Highlights:

No civil penalties were issued by the P3 Division in July.

3. Advocacy
 - a. The Sustainability Environment Advocacy (SEA) Group reported no activities for the month of July.
 - b. Director participated in the following advocacy and external activities:
 - (1) Attended the National Association of Clean Water Agency's (NACWA) Utility Management Conference and co-chaired the biosolids committee meeting. The biosolids committee meeting revolved largely around the current management challenges related to per- and polyfluoroalkyl substances (PFAS) while we await completion of the Environmental Protection Agency's (EPA) risk assessment process.
 - (2) Completed the Virginia Department of Health's (VDH) survey on utility interest in engaging in fentanyl surveillance efforts. Fentanyl monitoring as part of wastewater surveillance was included in Governor Youngkin's Executive Order (EO) 26. This EO directed VDH to develop a cost-effective plan for wastewater surveillance of fentanyl as part of an overall strategy to address the fentanyl epidemic.

- (3) Participated in the Chesapeake Bay Total Maximum Daily Load (TMDL) Tracking Team. This team consists of local government, wastewater and stormwater stakeholder representation from Virginia and Maryland to track on-going activities of EPA's Chesapeake Bay Program (CBP).
- (4) Nominated to co-chair the CBP's Wastewater Treatment Workgroup, joined by co-chair Justin Carl, the General Manager of AlexRenew. This workgroup will be tasked with addressing Combined Sewer Overflow (CSO) inputs in the Phase 7 of the Chesapeake Bay Watershed modeling. This update will likely also include consideration of loads from the exfiltration of sewers in developed areas.
- (5) Participated in the Virginia Association of Municipal Wastewater Agencies (VAMWA) quarterly biosolids call. This included a discussion of the CBP's Toxics Contaminants Workgroup and an interest by that group in characterizing PFAS contamination within the Chesapeake Bay watershed.



Financial Stewardship

Supported the generation of high-quality data for use in permitting and environmental management decisions through our Municipal Assistance Program (MAP), which offers services to other municipal and regional authorities throughout the state. HRSD costs for this program are reimbursed by the customer. Below are program highlights for the month.

HRSD provided sampling and analytical services to the following to support monitoring required for their respective VPDES permits:

- a. City of Franklin
- b. Northumberland County
- c. Westmoreland County



Talent

1. Director participated in the following meetings/activities with HRSD personnel:
 - a. Several meetings to discuss accelerating the development of PFAS analytical method(s) in-house. This is driven by delayed data turnaround from our contract laboratory and by an increased need to provide rapid analytical results to meet the SWIFT Water PFOA treatment objective. An additional Full Time Equivalent (FTE) was approved at the July 25, 2023 Commission Meeting to support method development and the increased analytical workload. The FTE was not included in the FY 2024 approved budget. The budget will not be modified, and the costs associated with this additional position will be absorbed.

- b. Presentation on nutrient compliance for the Technical Services Division monthly technical brief
 - c. Stakeholder interview with consulting staff on compensation philosophy and structures.
 - d. Stakeholder interview with consulting staff on crisis communications planning.
2. Catherine Svingos, Central Environmental Laboratory (CEL) Supervising Chemist, received notification for acceptance to the 2023-2024 VWEA/VA-AWWA Water Leadership Academy.



Community Engagement

1. Supported Microbial Source Tracking (MST) investigations in partnership with Hampton Roads' localities. This work is required as part of HRSD's Integrated Plan. Sampling and analytical services were provided for the localities and projects identified below:
 - a. City of Chesapeake (Southern Branch)
 - b. City of Hampton (New Market Creek)
 - c. City of Newport News (Southeast Newport News)
 - d. City of Norfolk (Mason Creek)
 - e. City of Suffolk (downtown)
 - f. City of Virginia Beach (Thalia Creek)
 - g. James City County
2. Educational and Outreach Events: (3)
 - a. 07/05/2023: SWIFT Presentation at the Elizabeth River Project's (ERP) Technical Subcommittee meeting
 - b. 07/12/2023: CEL tour for Students Participating in the 2023 Commonwealth Challenge Youth Academy
 - c. 07/19/2023: Provided a tour of SWIFT Research Center to staff from the Virginia Aquarium
3. Community Partners: (8)
 - a. City of Chesapeake
 - b. City of Virginia Beach
 - c. Hampton Roads Planning District Commission (HRPDC) Fats, Oils & Grease (FOG) Subcommittee
 - d. Lynnhaven River Now Citizen Monitoring project
 - e. US Fish and Wildlife Service
 - f. VDH – Chesapeake Local Health District
 - g. VDH – Division of Shellfish Sanitation
 - h. VDH – Wastewater Surveillance Program

4. Director participated in the ERP Knitting Mill Creek Eco-District Steering Committee meeting, where we continued to refine the eco-district branding and the business and community engagement strategies.



Innovation

The Director participated in the Water Research Foundation (WRF) meeting to discuss proposal submission for EPA’s grant opportunity: Evaluation of Antimicrobial Resistance in Wastewater and Sewage Sludge Treatment and Its Impact on the Environment. HRSD is offering in-kind support of the WRF-led submission.

Monthly Metrics

Item #	Strategic Planning Measure	Unit	July 2023
M-1.4a	Training During Work Hours Per Full Time Employee (122) (Current Month)	Total Hours / # FTE	2.59
M-1.4b	Total Training During Work Hours Per Full Time Employee (122) (Cumulative Fiscal Year-to-Date)	Total Hours / # FTE	2.59
M-2.5	North Shore/South Shore Capacity Related Overflows	# within Level of Service	0

Annual Metrics

Item #	Strategic Planning Measure	Unit	FY-2023
M-3.1	Permit Compliance	# of Exceedances: # of Permitted Parameters	11:61,689
M-3.3	Carbon Footprint	Tons per MG	*
M-4.2	R & D Budget	Percentage of Total Revenue	*%
M-5.4	Value of Research	Number	*
M-5.5	Number of Research Partners	Number	*
	Average Daily Flow	Total MGD for all Treatment Plants	135.73
	Rolling 5 Year Average Daily Flow	MGD	145.71
	Rainfall reported at Norfolk International Airport	Inches	39.73"

*These metrics will be reported upon closeout of fiscal year financials.

Respectfully submitted,

Jamie Heisig-Mitchell

Director of Water Quality

EFFLUENT SUMMARY FOR JULY 2023

PLANT	FLOW mgd	% of Design	BOD mg/l	TSS mg/l	FC #/UBI	ENTERO #/UBI	TP mg/l	TP CY Avg	TN mg/l	TN CY Avg	CONTACT TANK EX
ARMY BASE	10.86	60%	2	2.3	2	<1	0.34	0.58	4.0	3.7	9
ATLANTIC	47.18	87%	17	10	8	1	NA	NA	NA	NA	20
BOAT HARBOR	11.88	48%	6	10	3	12	1.2	0.58	27	26	5
CENT. MIDDLESEX	0.014	56%	<2	<1.0	<1	<1	NA	NA	NA	NA	NA
JAMES RIVER	11.78	59%	6	4.9	2	<1	0.49	0.46	9.6	11	18
KING WILLIAM	0.082	82%	<2	<1.0	NA	1	0.096	0.088	1.8	1.8	NA
NANSEMOND	16.76	56%	3	3.5	1	1	0.53	0.56	3.6	3.9	3
NASSAWADOX	0.018	18%	4	20	<1	1	0.82	0.46	15	15	NA
ONANCOCK	0.235	31%	<2	<1.0	<1	1	0.47	0.21	2.7	1.8	NA
URBANNA	0.067	67%	7	18	2	2	6.1	4.4	16	13	NA
VIP	31.37	78%	2	1.5	7	<1	0.65	0.42	3.5	3.8	10
WEST POINT	0.423	71%	16	7.1	3	4	2.9	3.1	14	18	1
WILLIAMSBURG	8.41	37%	6	3.1	2	2	0.89	0.70	2.8	3.1	24
YORK RIVER	11.37	76%	2	1.5	1	2	0.22	0.26	3.1	4.6	8
	<u>150.44</u>										

Tributary Summary

	% of Capacity
North Shore	53%
South Shore	75%
Small Communities*	49%

Tributaries	Annual Total Nitrogen			Annual Total Phosphorus		
	Discharged	Operational		Discharged	Operational	
	YTD	Projection	CY23	YTD	Projection	CY23
	%	Lbs	%	%	Lbs	%
James River	33%	2,350,000	66%	26%	225,672	72%
York River	40%	219,845	76%	42%	15,485	80%
Rappahannock	42%	NA	NA	51%	NA	NA

Permit Exceedances: Total Possible Exceedances, FY24 to Date: 3:4,711
Pounds of Pollutants Removed in FY24 to Date: 17,549,847
Pollutant Lbs Discharged/Permitted Discharge FY24 to Date: 17%

Rainfall (inch)

	<u>North Shore (PHF)</u>	<u>South Shore (ORF)</u>	<u>Small Communities (FYJ)</u>
Month	3.40"	8.81"	7.53"
Normal for Month	5.82"	6.09"	5.59"
Year to Date Total	25.68"	30.20"	25.39"
Normal for YTD	28.94"	27.62"	28.53"

*Small Communities includes Eastern Shore

AIR EMISSIONS SUMMARY FOR JULY 2023

	No. of Permit Deviations below 129 SSI Rule Minimum Operating Parameters								Part 503e Limits		
	Temp 12 hr ave (F)	Venturi(s) PD 12 hr ave (in. WC)	Precooler Flow 12 hr ave (GPM)	Spray Flow 12 hr ave (GPM)	Venturi Flow 12 hr ave (GPM)	Tray/PBs Flow 12 hr ave (GPM)	Scrubber pH 3 hr ave	Any Bypass Stack Use	THC Mo. Ave (PPM)	THC DC (%)	BZ Temp Daily Ave Days >Max
MHI PLANT											
ARMY BASE	0	0	0	0	0	0	0	1	60	71	0
BOAT HARBOR	0	0	0	n/a	0	0	0	0	8	100	0
VIP	0	0	0	n/a	0	0	0	0	37	100	0
WILLIAMSBURG	0	0	0	n/a	0	0	0	1	20	92	0

ALL OPERATIONS

DEQ Reportable Air Incidents:	0
DEQ Request for Corrective Action:	0
DEQ Warning Letter:	0
DEQ Notice of Violation:	0
Other Air Permit Deviations:	0
Odor Complaints Received:	11
HRSD Odor Scrubber H2S Exceptions:	0

Items of Interest – July 2023

MULTIPLE HEARTH INCINERATION (MHI)

Total Hydrocarbon (THC) monthly averages (not to exceed 100 ppm) were met by all four MHI plants (Army Base, Boat Harbor, Virginia Initiative, and Williamsburg) with a THC continuous emissions monitoring (CEM) valid data captured of greater than 71%.

The MHIs had no deviations from the required 129 SSI rule minimum operating parameters and two (2) minor bypass events (<60 minute).

Submitted to DEQ on July 10 Army Base's quarterly MHI HCI report. Report identified compliance with the HCI emissions limit as demonstrated by the stack test in April.

AIR PERMITS and ODOR CONTROL.

DEQ issued HRSD the invoices for the annual air permit fees on July 9, 2023. The emission inventories and associated invoices were reviewed and deemed accurate for submittal to Accounting for a direct pay request. The \$62,091.20 for HRSD's eight main treatment plants for CY22 is due DEQ August 31, 2023.

July 27, HRSD submitted to EPA, through the energy share contract with NRG and E2Comply, the semiannual compliance reports for Boat Harbor and Nansemond. The reports provide operating information on each plants non-emergency engines covered by the reciprocating internal combustion engine (RICE) rule.

DEQ issued VIP's Title V federal operating permit on July 27, 2023. The renewed air permit is valid for five (5) years and expires on July 26, 2028.

July 28, HRSD provided comments on Williamsburg's draft Title V permit. The permit is pending renewal with DEQ and review by EPA.

There were no odor control scrubber system hydrogen sulfide (H₂S) exceptions measured and documented in July.

Atlantic Plant received eleven (11) odor complaints from Ocean Lakes neighbors. Plant Staff and TSD responded to all complaints and followed up with our neighbors with investigation results as documented and relayed to them accordingly.

During July 2023, Atlantic Plant's odor control station D train 1 has been completely restored and placed into service post the fire on July 31, 2022.

TREATMENT

DEQ was notified of the following reportable events:

James River

On July 31 a large excavator was driven onto a pile of rock placed over an eight inch non potable water (NPW) line for distribution on the construction site. The weight of the rock and excavator caused a crack to the recently repaired NPW line resulting in approximately 4,800 gallons of NPW being released onto the ground and into a nearby storm drain.

Nansemond

On July 19 final effluent pumps were not keeping up with effluent flow due to discharge valves being partially closed. These pumps do not have variable frequency drives, and the valves are operated locally to prevent the effluent pumps from rapidly emptying the channel and shutting off the pumps off, starting a 30-minute lock out on the pumps to cool the electrical gear. When the operator reached the pumps to manually open the valve, the channel was already overflowing and approximately 1500 gallons of fully treated effluent soaked into the ground. These issues associated with final effluent pump station operation will be fixed with the ongoing plant expansion project.

SYSTEM

On July 8, staff were onsite at Robin Hood Road PS when a low oil alarm went off. The pump was turned off for maintenance and once restored and back in service, an aluminum hose clamp failed causing 40 gallons of raw wastewater to release onto the ground.

SYSTEM/TREATMENT, SMALL COMMUNITIES, AND EASTERN SHORE

King William

On July 6 a large thunderstorm inundated parts of the King William service area. A high well alarm came through for the main pump station and staff found a low rim manhole (KW-MH-C20) overflowing. The King William TP saw 0.25" of rainfall in 1 hour with 0.31" overall; the nearby Central Garage weather station recorded 1.24" over one hour during this thunderstorm. Staff verified the station pumps and bypass pumps were all running properly. Approximately 3,375 gallons of raw wastewater overflowed to the ground draining to Jackpen Creek.

On July 8 the UV and GAC systems overflowed due to a potential line blockage. Staff reduced filtrate flow from both treatment trains and bypassed the GAC feed pump station well stopping the overflow event. A camera was used to inspect the effluent line and found the blockage which was also cleared by pushing the camera through it. Investigation of the blockage and corrective action is ongoing, approximately 735 gallons of membrane filtrate and GAC effluent were released to the concrete pad draining to Moncuin Creek.

Nassawadox Riverside

During the weeks of July 16 and July 23, 2023, the weekly maximum concentration for the final effluent TSS limit was exceeded at the Nassawadox Riverside (NR) facility (VA0027537). The monthly average TSS concentration limit was also exceeded for July.

	Reported Value	Permit Limit
TSS (07/16/23 weekly avg)	24 mg/L	23 mg/L
TSS (07/23/23 weekly avg)	24 mg/L	23 mg/L
TSS (July monthly avg)	20 mg/L	15 mg/L

The Nassawadox plant struggled with clarifier performance and solids settling in July. MLSS accumulated in the aeration basin instead of the clarifier and subsequently resuspended creating elevated TSS values. Additionally, excessive algae growth in the influent equalization tank also occurred, accumulating in the clarifier. Different aeration schemes and increased coagulant dosage were implemented to control algae growth in both the clarifier and the equalization tank. It appears the plant is improving as the last two TSS values for the month were trending downward. NR met all other weekly and monthly permit limits. The Treatment Plant is currently scheduled to be decommissioned in September 2023.

Surry

On July 16 and 17 a line of thunderstorms inundated the Dendron PS service area. Pump stations were observed to be operating properly. The following raw wastewater overflow events were reported:

- July 16, Dendron PS1, 80 gallons to Cypress Swamp with a total rainfall of 0.50”.
- July 17, Dendron PS1, 140 gallons to Cypress Swamp with a total rainfall of 0.83”.

2023 Metals, Ammonia, and TKN

		Limit	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec
Central Middlesex	Ammonia	0.56	0.02	NA	NA	0.06	NA	NA	<0.02					
	TKN	3.0	NA	<0.50	NA	1.7	NA	NA	0.72					
King William	Zinc	*	54	NA	NA	35	NA	NA	NA					
	TKN	3.0	1.9	1.1	1.6	0.76	0.61	0.53	0.47					
Nassawadox Riverside	Cadmium	2.0	<0.50	<0.50	<0.50	<0.50	<0.50	<0.50	<0.50					
	Copper	23	<5.0	<5.0	<5.0	5.2	<5.0	<5.0	<5.0					
	Nickel	38	14	18	14	<10	<10	<10	<10					
	Zinc	150	<50	<50	<50	<50	<50	<50	<50					
	Ammonia	1.7	0.31	0.67	0.44	0.14	0.19	0.09	0.08					
Onancock	Copper	12	2.2	NA	NA	0.80	NA	NA	0.52					
	Ammonia	0.90, 2.0	0.04	0.03	0.03	0.08	0.04	0.77	0.07					
Surry County	Copper	5.9	2.0	NA	NA	NA	NA	NA	NA					
	Zinc	56	24	NA	NA	NA	NA	NA	NA					
	Ammonia	0.77	NA	NA	NA	NA	NA	NA	NA					
	TKN	3.0	NA	NA	NA	NA	NA	NA	NA					
Urbanna	Ammonia	3.83, 9.08	0.04	0.16	0.02	0.02	0.92	0.05	0.05					

*No limit. Treatment objective 53 ug/L
 Units: TKN, Ammonia: mg/L. Metals: ug/L

2023 MONTHLY FLOW AVERAGES

	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YR AVG	FY AVG
Army Base	9.10	9.87	9.09	8.47	8.46	9.28	10.86						9.31	10.86
Atlantic	44.58	46.31	43.65	41.11	41.28	44.62	47.18						44.10	47.18
Boat Harbor	11.60	12.95	11.16	10.39	10.31	12.27	11.88						11.51	11.88
C.Middlesex	0.013	0.013	0.013	0.010	0.010	0.011	0.014						0.012	0.014
James River	12.46	13.31	11.87	12.13	12.03	12.42	11.78						12.29	11.78
King William	0.070	0.065	0.058	0.062	0.076	0.083	0.082						0.071	0.082
Lawnes Point	0.000	0.000	0.000	0.000	0.000	0.000	0.000						0.000	0.000
Nansemond	15.97	16.61	15.77	15.59	15.75	15.38	16.76						15.97	16.76
Nassawadox	0.016	0.015	0.013	0.013	0.014	0.015	0.018						0.015	0.018
Onancock	0.170	0.194	0.207	0.208	0.197	0.207	0.235						0.203	0.235
Surry, County	0.011	0.000	0.000	0.000	0.000	0.000	0.000						0.002	0.000
Surry, Town	0.000	0.000	0.000	0.000	0.000	0.000	0.000						0.000	0.000
Urbanna	0.035	0.039	0.046	0.050	0.056	0.063	0.067						0.051	0.067
VIP	27.26	30.12	27.54	27.47	27.99	29.68	31.37						28.77	31.37
West Point	0.466	0.470	0.389	0.359	0.373	0.330	0.423						0.401	0.423
Williamsburg	7.73	8.09	7.96	8.48	7.76	8.59	8.41						8.14	8.41
York River	12.69	13.74	12.00	12.37	12.31	12.67	11.37						12.45	11.37
North Shore	44.47	48.09	42.99	43.36	42.42	45.95	43.44						44.39	43.44
South Shore	96.91	102.91	96.06	92.64	93.47	98.95	106.16						98.16	106.16
Small Communities	0.78	0.80	0.73	0.70	0.72	0.71	0.84						0.75	0.84
TOTAL	142.16	151.79	139.78	136.70	136.62	145.61	150.44						143.30	150.44

Bold values indicate monthly plant flow average >95% of permitted design flow



The following Internal Audit Status document has been prepared by SC&H for the HRSD Commission. Below is a summary of projects in process, upcoming projects, and the status of current management action plan monitoring.

I. Projects in Process

Accounts Payable and ProCards

- **Tasks Completed (July 2023)**
 - Conducted audit entrance meeting.
 - Commenced planning procedures.
- **Upcoming Tasks (August 2023)**
 - Conduct initial process understanding interviews.
 - Begin planning documentation procedures (e.g., flowcharts, RCM, audit program).

Personally Identifiable Information

- **Tasks Completed (July 2023)**
 - Sent follow up questions.
 - Continued drafting report.
- **Upcoming Tasks (August 2023)**
 - Finalize fieldwork procedures.
 - Internal review of fieldwork objectives.
 - Finalize draft report.
 - Conduct meetings with Business Owners to discuss findings.

Remote Access

- **Tasks Completed (July 2023)**
 - Finalized fieldwork program.
 - Scheduled fieldwork discussion meeting.
- **Upcoming Tasks (August 2023)**
 - Attend fieldwork discussion meeting.
 - Send Initial PBC list.
 - Begin testing procedures.

II. Upcoming Projects

- Design and Construction Estimating: October 2023



III. Management Action Plan Status

SC&H performs on-going management action plan (MAP) monitoring for completed internal audits/projects. SC&H begins MAP follow-up approximately one year following the completion of each audit and periodically follows up until conclusion.

For each recommendation noted in an audit report, SC&H gains an understanding of the steps performed to address the action plan and obtains evidence to confirm implementation, when available.

The following describes the current project monitoring status. This listing does not include audits which were determined by HRSD Management and the Commission to include confidential or sensitive information.

Audit	Next Follow-up	Recommendations		
		Closed	Open	Total
Succession Planning*	January 2024	2	2	4
Safety Division	September 2023	2	1	3
Freedom of Information Act	December 2023	0	1	1
Family Medical Leave Act (FMLA)	April 2024	0	4	4
D&C: CIP Project Management	Closed	13	0	13
HR Benefits	Closed	15	0	15
Inventory	Closed	5	0	5
Procurement/ProCard	Closed	11	0	11
Engineering Procurement	Closed	8	0	8
Corporate Governance: Ethics Function	Closed	5	0	5
Treatment Plant Operations	Closed	9	0	9
Permitting	Closed	2	0	2
Payroll	Closed	3	0	3
Customer Care Division	Closed	4	0	4
Pollution Source Control	Closed	8	0	8
Fleet Services	Closed	17	0	17
Biosolids Recycling	Closed	8	0	8
Unifier/ERP Integration	Closed	4	0	4
Emergency Repairs	Closed	3	0	3
SWIFT Program	Closed	12	0	12
Totals		131	8	139

* Indicates a change since last period

Annual Metrics

Item	Strategic Planning Measure	Unit	Target	FY-10	FY-11	FY-12	FY-13	FY-14	FY-15	FY-16	FY-17	FY-18	FY-19	FY-20	FY-21	FY-22	FY-23
M-1.1a	Employee Turnover Rate (Total)	Percentage	< 8%	5.63%	4.09%	6.64%	7.62%	8.22%	9.97%	6.75%	6.66%	9.99%	6.63%	6.78%	6.31%	16.04%	9.74%
M-1.1b	Employee Turnover Rate within Probationary Period		0%		2.22%	8.16%	14.58%	9.68%	0.66%	0.13%	0.90%	1.01%	2.10%	3.08%	5.44%	1.64%	1.97%
M-1.2	Internal Employee Promotion Eligible	Percentage	100%		59%	80%	70%	71%	64%	69%	68%	85%	85%	63%	78%	65%	75%
M-1.3	Average Time to Fill a Position	Calendar Days	< 30		70	60	52	43.76	51	56	67	67	66	60	95	74.52	150.24
M-1.4	Training Hours per Employee - cumulative fiscal year-to-date	Hours	> 40		30.0	43.8	37.5	35.9	42.8	49.0	48.4	41.1	40.9	39.3	28.2	32.3	37.4
M-1.5a	Safety OSHA 300 Incidence Rate Total Cases	# per 100 Employees	< 3.5	6.57	6.15	5.8	11.2	5.07	3.87	7	5.5	5.7	4.1	4.8	4.1	4.53	4.9
M-1.5b	Safety OSHA 300 Incidence Rate Cases with Days Away	# per 100 Employees	< 1.1	0.74	1.13	1.33	0.96	1.4	0.82	1.9	1	1.1	0.8	1.34	1.3	1.09	0.94
M-1.5c	Safety OSHA 300 Incidence Rate Cases with Restriction, etc.	# per 100 Employees	< 0.8	3.72	4.27	2.55	4.5	2	1.76	3.6	2.8	2.8	1.8	1.6	4.1	3.43	2.7
M-2.1	CIP Delivery - Budget	Percentage			113%	96%	124%	149%	160%	151%	156%	160%	170%	170%	123%	120%	129%
M-2.2	CIP Delivery - Schedule	Percentage			169%	169%	161%	150%	190%	172%	173%	167%	159%	159%	155%	152%	141%
M-2.3a	Total Maintenance Hours	Total Available Mtc Labor Hours Monthly Avg			16,495	22,347	27,615	30,863	35,431	34,168	28,786	28,372	31,887	29,596	28,722	28,030	27,904
M-2.3b	Planned Maintenance	Percentage of Total Mtc Hours Monthly Avg			20%	27%	70%	73%	48%	41%	43%	44%	59%	59%	62%	61%	61%
M-2.3c	Corrective Maintenance	Percentage of Total Mtc Hours Monthly Avg			63%	51%	12%	10%	18%	25%	25%	24%	18%	19%	16%	15%	17%
M-2.3d	Projects	Percentage of Total Mtc Hours Monthly Avg			18%	22%	20%	18%	32%	34%	32%	32%	27%	25%	22%	24%	22%
M-2.4	Infrastructure Investment	Percentage of Total Cost of Infrastructure	2%		8.18%	6%	6%	4%	7%	7%	5%	5%	4	5%	7%	6%	*
M-3.3	Carbon Footprint	Tons per MG Annual Total			1.61	1.57	1.47	1.46	1.44	1.45	1.58	1.66	1.58	1.7	1.75	1.89	*
M-3.6	Alternate Energy (Incl. Green Energy as of FY19)	Total KWH			0	0	0	5,911,289	6,123,399	6,555,096	6,052,142	5,862,256	47,375,940	56,473,800	58,044,110	53,931,273	*
M-4.1a	Energy Use: Treatment	kWh/MG Monthly Avg			2,473	2,571	2,229	2,189	2,176	2,205	2,294	2,395	2,277	2,408	2,459	2,439	*
M-4.1b	Energy Use: Pump Stations	kWh/MG Monthly Avg			197	173	152	159	168	163	173	170	181	174	170	218	*
M-4.1c	Energy Use: Office Buildings	kWh/MG Monthly Avg			84	77	102	96	104	97	104	104	95	102	82	136	*
M-4.2	R&D Budget	Percentage of Total Revenue	> 0.5%		1.0%	1.4%	1.0%	1.3%	1.0%	0.8%	1.3%	1.4%	1.8%	1.3%	1.4%	1.4%	*
M-4.3	Total Labor Cost/MGD	Average Daily Flow		\$1,028	\$1,095	\$1,174	\$1,232	\$1,249	\$1,279	\$1,246	\$1,285	\$1,423	\$1,348	\$1,487	\$1,545	\$1,542	*
M-4.4	Affordability	Median Household Income	< 0.5%		0.48%	0.48%	0.41%	0.43%	0.53%	0.55%	0.59%	0.60%	0.64%	0.71%	0.67%	0.65%	*
M-4.5	Total Operating Cost/MGD	365/5-Year Average Daily Flow		\$2,741	\$2,970	\$3,262	\$3,316	\$3,305	\$3,526	\$3,434	\$3,592	\$3,959	\$3,823	\$4,048	\$4,311	\$4,436	*
M-5.1	Name Recognition	Percentage (Survey Result)	100%	67%	71%	N/A	62%	N/A	60%	N/A	N/A	53%	N/A	53%	N/A	N/A	N/A
M-5.4	Value of Research	Percentage - Total Value/HRSD Investment			129%	235%	177%	149%	181%	178%	143%	114%	117%	143%	138%	128%	*
M-5.5	Number of Research Partners	Annual Total Number			42	36	31	33	28	35	15	20	26	32	27	39	*
	Rolling 5 Year Average Daily Flow	MGD		157.8	155.3	152	154.36	155.2	151.51	153.09	154.24	152.8	152.23	149.84	149.72	145.75	145.71
	Rainfall	Annual Total Inches		66.9	44.21	56.21	46.65	46.52	51.95	54.14	66.66	49.24	53.1	48.49	54.04	38.18	39.73
	Billed Flow	Annual Percentage of Total Treated		71.9%	82.6%	78%	71%	73%	74%	72%	73%	76%	72%	78%	72%	84%	*
	Senior Debt Coverage	Net Revenue/Senior Annual Debt Service	> 1.5	2.51%	2.30%	2.07%	1.88%	1.72%	1.90%	2.56%	3.10%	3.59%	4.84%	5.80%	6.03%	7.55%	*
	Total Debt Coverage	Net Revenue/Total Annual Debt	> 1.4	1.67%	1.67%	1.46%	1.45%	1.32%	1.46%	1.77%	1.93%	2.03%	2.62%	2.81%	2.66%	3.04%	*

*to be reported

AGENDA ITEM 26. – August 22, 2023

Subject: Closed Meeting

Recommended Action: Approve a motion to go into closed meeting to consider acquisition of real property for a public purpose of publicly held real property located in the City of Suffolk as provided for in Code of Virginia §2.2-3711A3.

Exemption Description: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

AGENDA ITEM 27. – August 22, 2023

Subject: Reconvened Meeting

Recommended Action: Pursuant to Section 2.2-3712.D of the Code of Virginia, we will now have a roll call vote to certify that to the best of each Commission member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements under this chapter, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered. Any Commissioner who believes there was a departure from these two requirements shall so state prior to the vote, indicating the substance of the departure.