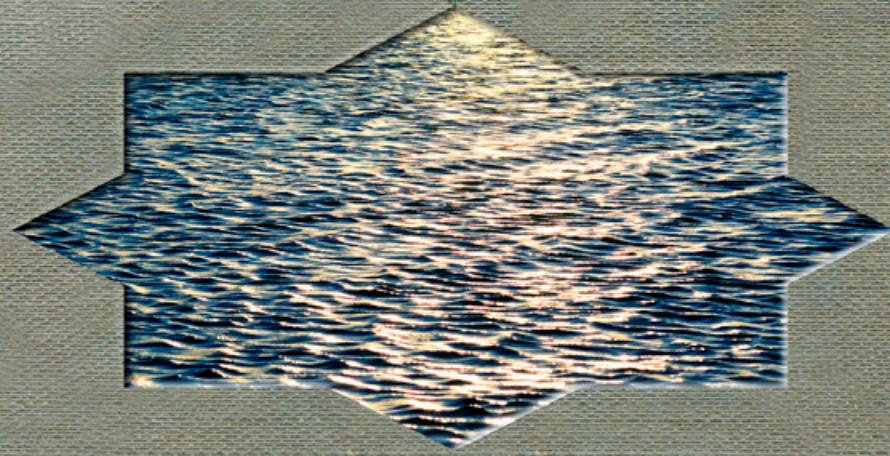


ENSURING FUTURE GENERATIONS INHERIT

Clean Waterways

HRSD's First 75 Years

BY TONY LILLIS



Visionary citizens of the region,
on November 5, 1940,
passed the referendum that established
the Hampton Roads Sanitation District,
a political subdivision of the
Commonwealth of Virginia.



As it prepares to commemorate
the 75th anniversary of its creation,
HRSD is paying tribute to those with the
courage to vote to eliminate sewage pollution
in the tidal waters of the Chesapeake Bay by
publishing the story of their legacy. We hope
that by understanding HRSD's contributions to
the health of area waterways and the economy of
Coastal Virginia, those we serve will appreciate
their role in "Living the Legacy."



FEBRUARY 2015



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Chapter

Oysters Provide the Clue

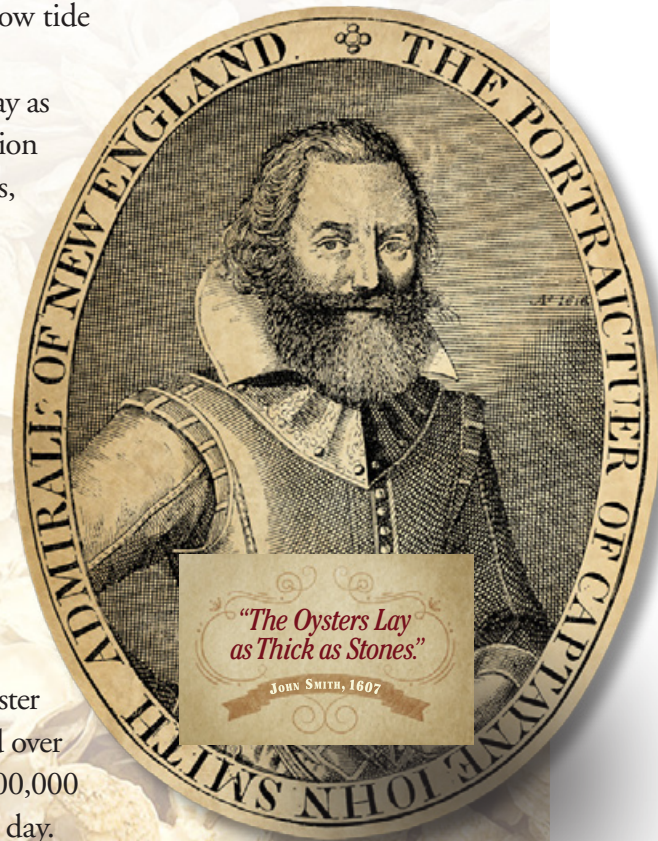
Water is a way of life in Hampton Roads; it is the one thing that both unifies and divides us as a region. It is also a critical component of our economy, our recreation, our lifestyle, and our history. Accordingly, seafood plays a large role in the local economy. And the oyster is central in the history of the Hampton Roads Sanitation District, the region's wastewater treatment utility.

JOHN SMITH AND THE LONDON COMPANY CAME ASHORE AT WHAT IS NOW **FIRST LANDING STATE PARK ON APRIL 26, 1607**. Soon after arriving, they reportedly discovered oysters roasting over a deserted fire, and later were served oysters by local Native Americans. They were stunned by the size of the oysters, which measured 13 inches long, and which at low tide could be harvested by hand.

Captain Smith noted the region as a place where oysters “lay as thick as stones.” Smith also wrote that the Bay’s seafood population included “sturgeon, grampus, porpoise, seals, stingrays... brits, mullets, white salmon (rockfish), trout, soles, perch of three sorts” and a variety of shellfish.

By the mid-18th century, a seafood industry began to develop in Tidewater, Virginia. In 1753, even with an abundant oyster population, oyster beds were planted along the Eastern Shore. In 1821, permission was given “eight schooner owners” to “transfer oysters” out of Elizabeth City County (now Hampton) and Virginia.

In Hampton, the oyster industry started in earnest in 1881 with the founding of J. S. Darling and Son. Darling came to Hampton in 1865 from New York. Though there were other oyster firms, J. S. Darling and Son became perhaps the largest oyster company in the world. During oyster season, the firm employed over 250 people with a fleet of 25 to 30 canoes, processing around 200,000 bushels annually. Oysters were shucked and shipped the same day.



J. S. Darling and Son, which would become one of the largest oyster producers in the world, was founded in Hampton in 1881.



During oyster season, J. S. Darling and Son employed more than 250 people with a “fleet of 25 to 30 canoes,” and processed around 200,000 bushels a year.



The practice at the time was to release untreated raw sewage directly into the rivers surrounding Hampton Roads. By 1925, contaminated oysters were a serious problem, which culminated in 10,000 acres of Hampton Roads waters being closed to their harvest. To the shellfish industry that encompassed not just oystermen, but boat builders, ice providers, wholesalers and retailers, this was devastating.

In response, the General Assembly in 1927 created the Spratley Commission to study the effects of pollution on the seafood industry. Its report stated the following:

“A most serious question affecting the oyster industry is that of the constantly increasing pollution and contamination of the salt tidal waters. While this pollution affects every branch of the seafood industry up to the present time the injury has been greatest to the oyster...The pollution question is grave....”

As the problems got worse, other commissions and studies followed, including the Calrow Report of 1934 by Major Charles J. Calrow. It concluded the following:

“In addition to the injury to the seafood industry, it is the sense of this commission that the continued pollution of the said tidal waters constitute a menace to public health, and will seriously affect the future of the bathing resorts and watering places in this area..Pollution has been found at Willoughby Beach, off Buckroe Beach, and at Old Point it has become seriously objectionable.”

*“The Pollution Question is Grave”
– THE SPRATELY COMMISSION, 1927*



Two other important studies were completed. One was by the Fisheries Commission under Richard Armstrong and the other was a report of the U.S. Public Health Service by H. R. Crohurst, its sanitary engineer. Each concluded that pollution caused by raw sewage discharged into local waters was bad and getting worse. Funded by a Public Works Authority (PWA) grant of \$25,000 along with a supplemental grant of \$15,000 by the Civil Works Administration (CWA), the U. S. Public Health Service report was the most significant. It offered “a complete scientific, bacteriological study and report of the cause, extent, and effect of sewage pollution in the Hampton Roads area.”

Among his conclusions, Crohurst proposed that

“one sanitary district be formed to finance, construct, and operate the proposed sewage works”

and concluded that six sewage disposals plants should be built: three in Norfolk, two in Portsmouth and one in Newport News. The estimated cost was \$6 million.

Statistics backed up his conclusions that disposal facilities were required to stem the flow of pollution. There were 15,226 oystermen in 1907 but only 3,344 by 1934. Onshore employment in the form of processors, suppliers and other workers declined from 7,616 to 1,672. Between 1920 and 1932, vessels declined from 170 to 134. By 1935, 60,000 acres of oyster bottoms were condemned. Most alarming was that over 25 million gallons of raw sewage was being discharged into local waters every day.

HRSDC *is Established*

With increasing economic pressures and public health concerns, and fueled by the Crohurst report, the Virginia Assembly created the Hampton Roads Sewage Disposal Commission (HRSDC) on March 27, 1934. However, while enactment was a step forward, no funds were authorized for the commission to conduct its business.

Nevertheless, under the direction of Chairman Robert B. Preston, a Norfolk engineer, the commission was formed on July 1, 1934, and included J. J. Baecher of Norfolk as vice chairman; A. E. S. Stephens, a Smithfield attorney and member of the House of Delegates, as secretary; J. M. Overton of Portsmouth; and J. S. Darling of Hampton, grandson of the founder of the oyster company of the same name and its current president.

Their mission was to act as a liaison between the local communities, the General Assembly and the governor, and to determine the extent and effect of pollution and how to eliminate it.

The first meeting of the HRSDC was held in the governor's office on October 17, 1934. Its first order of business was to find funding in the amount of \$15,000. State funding was explored via the Health Department and the Commission of Fisheries, but the attorney general ruled funds from these departments were not "legally available." With no state money appropriated, they looked next to the U. S. government, but it was determined that federal money could not be used to finance a state agency.

Finally, the local communities of Hampton Roads were approached to provide revenues from their Alcoholic Beverage Control fund. While several communities were amenable, unanimous consent was needed for the funding. With 13 cities, towns and counties, that goal was a significant early challenge in "regionalism."

The localities were approached for funding on a pro rata basis including the cities of Norfolk (\$6,630), Portsmouth (\$2,346), Newport News (\$1,734), Suffolk (\$510), South Norfolk (\$408) and Hampton (\$306); the towns of Phoebus (\$250) and Smithfield (\$250); and the counties of Elizabeth City (\$1,020), Isle of Wight, Nansemond, Norfolk and Warwick (\$459).

Norfolk Mayor W. R. L. Taylor and Portsmouth City Manager E. B. Hawks promised to take action but because of potential costs and tax burdens, Mayor Taylor announced he was "not convinced" of a need for a sewage disposal system. He was quickly rebuked by the Norfolk County Medical Society pollution committee chair, Dr. Franklin D. Wilson, who stated "the pollution situation is a health menace of major proportions."

Meanwhile, Isle of Wight and Nansemond County officials indicated they were "vitaly interested in halting pollution" which had destroyed some of the "greatest oyster producing areas in the world." The effort to raise the \$15,000 continued to meet resistance though, with an editorial in the Newport News *Daily Press* noting that a city council meeting grew heated to the point of "personal animosity."

"In addition to the injury to the seafood industry, it is the sense of this commission that the continued pollution of the said tidal waters constitute a menace to public health, and will seriously affect the future of the bathing resorts and watering places in this area."

– **THE CALROW REPORT, 1934**

1934

A 1934 report by the U.S. Public Health Service offered "a complete scientific, bacteriological study and report of the cause, extent and effect of sewage pollution in the Hampton Roads area," and proposed "one sanitary district be formed" to include six sewage disposal plants: three in Norfolk, two in Portsmouth and one in Newport News.

A Plan for *Six* Sewage Treatment Plants

Even with funding for essential HRSDC operating expenses unavailable, Preston moved forward to press the case for funding on a much larger scale: the six sewage disposal plants, as recommended in the Crohurst report.

In order to achieve that goal, he and the committee began a lobbying and education campaign, “confident that in the main such opposition as may exist to a thorough consideration of this great problem is due to ignorance of conditions and of their possibilities.”

There was also optimism that due to high concentrations of military and civilian employees the federal government, via the PWA, would “give due and favorable interest to application for funds.” The state also had a stake in that it owned the oyster beds, which it leased out, deriving tax money from the industry.

The Norfolk *Ledger-Star* on November 23, 1934, reported that Preston anticipated that at least half the funds to build the sewage treatment plants would be granted by the PWA for “anti pollution work,” and that no bonds would be needed. As the nation was still struggling with the Great Depression, federal funds were available for public works, which helped create jobs.

Crohurst’s original plan called for plants in Norfolk, projected to cost \$4,423,000, to be located at the Army Base off Hampton Boulevard at 38th Street near Lamberts Point and on Water Street. These would serve Norfolk, South Norfolk and parts of Norfolk County.

The two Portsmouth plants were budgeted at \$1,326,000, to be located on First Street and at Pinner’s Point. These would serve Portsmouth and parts of Norfolk County. The Newport News plant, to be built near Salter’s Creek at a cost of \$2,621,000, would serve Newport News, Hampton, Phoebus and parts of Warwick and Elizabeth City County.

In late August 1934, Preston urged a plan to seek \$8,370,000 from the PWA to construct the plants after a “stern warning” from Governor George C. Peery and acting state administrator of the PWA, Colonel James A. Anderson, that “some definite action must be taken immediately” to try to get the federal aid as the deadline to apply was September 16, mere weeks away.

Handicapped by a lack of funds to conduct its work, and with commissioners having paid all expenses thus far out of pocket, they completed a new application for \$15,000 in federal money to help complete the plans.

Preston’s plan was that no city or county would have to provide funds for this effort, but each would need to provide support to prepare the proper plans and applications. As such, he led an effort to urge Norfolk city council to join the request for PWA funds, with the goal to get 100 percent of the money to build the plants from the federal government.

Not *Everyone* Agrees

Meanwhile, Norfolk's Mayor Taylor was making things difficult for the commission. He did not see the need to build any sewage disposal plants. Referring to the Crohurst and other reports as "propaganda," his position was that Norfolk should not be responsible for "up to \$500,000" in operating costs, calling it a "wild expenditure."

His stand was that oyster beds were the state's responsibility and that the local federal presence dictated it was a federal responsibility. To bypass the resistance of Mayor Taylor, Preston sought to go before the council to plead that the city take a lead role. "Norfolk's attitude has been a stumbling block so far," he said.

Local newspapers started offering their thoughts. A *Daily Press* editorial said "the pollution problem is one which should be attacked jointly by the municipalities, the counties, the state and the federal governments. All have a stake and all should cooperate." They called for the state to take the lead because the communities were disjointed and the commission had done all it could do.

The Norfolk *Virginian-Pilot* wrote that while it agreed with Mayor Taylor that state and federal governments had a financial stake in clean water, they rejected his comments about pollution reports being "propaganda." The *Pilot* called on the state to take a greater role than just creating an unfunded commission.

Ultimately, the HRSDC commission took its case for funding directly to President Franklin D. Roosevelt when Preston and Representative S. Otis Bland met him at the White House to solicit his help to secure PWA funds.

The *Virginian-Pilot* reported on August 27, 1935, that Roosevelt "expressed deep interest in the project" and that he would take this request directly to Secretary of the Interior Ickes, who oversaw the PWA. He was, however, noncommittal.

Senator Byrd and Representatives Bland and Darden also supported the PWA funding effort, and a new group, the Chesapeake Bay Authority, acting on behalf of the HRSDC, lobbied the PWA and other agencies for funding. Governor Peery also recommended that \$7,500 be appropriated to further the commission's work, but to no avail.

As a new session of the General Assembly was about to commence, a Newport News *Times-Herald* editorial on December 27, 1935, noted "the magnitude of the problem presented to the seafood industry . . . by sewage pollution of Eastern Virginia waters" and appealed to the Virginia Assembly to "listen to those who have cried out . . . for every Virginian's right to enjoy the waters of this State untainted by the wastes of municipal systems and industrial plants."

Nevertheless, the editorial concluded optimistically that "all signs point to the most concerted action ever made in the General Assembly for pollution abatement in the upcoming session" and offered that "at long last the battle against pollution is to become progressively more effective and broader."

HRSDC *Report* is Issued

As the New Year dawned, Preston and the commission completed their “Report of the Hampton Roads Sewage Disposal Commission” and presented it to Governor Peery and the General Assembly on January 6, 1936. It offered several conclusions:

- 1) That proper care of raw sewage and construction of sewage systems will safeguard health.
- 2) That unless “drastic measures” are taken to stop sewage pollution, the seafood industry will be practically wiped out.
- 3) That unless contamination is halted, the beaches at Ocean View, Willoughby, and Buckroe will be condemned for swimming.
- 4) That if the beaches were condemned, loss of adjacent real estate values would be approximately \$1 million, not including Buckroe Beach.

The report reiterated that over 25 million gallons a day of sewage “with all its attendant evils” were being discharged into Hampton Roads’ waters.

It noted that oyster revenue was in the millions annually, that communities would incur economic loss and that the state would lose tax revenue, as well as employment and population as people left the area. Indeed, the entire area’s reputation was a stake. It feared that “the evil through association will extend even to Virginia Beach,” not included in this report, and that tourism would be severely impacted.

It concluded that a plan against “inevitable financial loss and against continued menace of epidemic” was of critical importance to the entire state, and that conservation of natural resources as well as public health and financial resources was critical “to the great Hampton Roads Area.”

More ominously, Preston wrote that should local Hampton Roads communities “continue the attitude of the proverbial ostrich they will, as time goes on, with increasing volume, suffer losses in seafood and real estate values, losses in tourist trade, supplies trade and labor amounting to millions of dollars yearly.” Public health was also listed a major concern as stressed “in no uncertain terms” by the Norfolk County Medical Society.

Fortunately, the report achieved its intended impact in Richmond when the General Assembly, on February 18, 1936, finally authorized \$15,000 to fund the commission, based on a bill submitted by Delegate A. E. S. Stephens, a commission member from Isle of Wight County. His bill requested the ability to fund operations and empower HRSDC to make contacts with localities and to apply for federal funds.

The stated objective of the commission going forward would be not to “sell” or “promote” sewage disposals plants, but rather to present facts so communities could plan further action.

Even still, there was mixed reaction about the “pollution problem” amongst the mayors and council members across Hampton Roads. In July 1936, the *Daily Press* editorialized that city council was “indifferent” to the pollution issue even though their community “most depends on a flourishing seafood industry for much of their sustenance.” Its call to action was to “cure that indifference.”

Indeed, the Virginia Commission on Fisheries concluded that pollution impacting oysters and clams was costing the seafood industry \$1,500,000 annually, while also threatening bathing beaches. It also noted that the state earned \$6,272 annually from the oyster industry, which was threatened.

A *Suffolk News-Herald* editorial on October 28, 1936, titled “What Price Pollution” highlighted the damage as seen by the impact on employment and investment. It stated labor had been reduced by 70 percent and capital by 90 percent in the oyster industry.

Engineering Firm is Hired

In 1936, the General Assembly broadened the Act and a newly appointed Hampton Roads Sewage Disposal Commission organized on August 1. Its first significant order of business was to hire Greeley and Hansen of Chicago, a sanitary engineering firm that was establishing sewage disposal plants nationally, including a \$15 million plant in Buffalo, New York.

An agreement was made to pay the firm \$4,000 for a preliminary survey and possibly another \$4,500 from the PWA if those funds were secured. Greeley and Hansen set up a local office, and with the help of the commission, began compiling data and information on current infrastructure from the various communities. In November 1936, Greeley and Hansen presented to Preston maps showing existing sewer lines and those that would be needed.

Preston met with Governor Peery to discuss the engineers’ recommendations and also arranged meetings between Senators Byrd and Glass of Virginia, and Senators Tydings and Radcliffe of Maryland

to explore cooperative efforts to address pollution. The goal was to have estimates prepared and presented to local, state and federal authorities by February 15, 1937.

At the same time, there were three other significant developments: 1) William R. Shands, director of the Division of Statutory Research and Drafting in Richmond, was studying the proper legal foundations to establish a Sanitation District; 2) a Citizens Advisory Board (CAB) was created in conjunction with the commission; and 3) a public relations campaign was commenced.

The advent of the CAB, under Chairman George H. Lewis of Norfolk, brought many prominent figures aboard to publicize the critical need to abate sewage pollution. The first meeting of the CAB, held on November 23, 1936, was attended by 35 members. These included such prominent names as Paul S. Huber and Littleton W. Tazewell of Norfolk; John B. Dey and Floyd E. Kellam of Princess Anne County; Mayor John P. Leigh of Portsmouth; and Howard Gwaltney of Smithfield.

Local boards were later established in each community. The Norfolk board included Chairman John Twohy, a businessman and city council member, as well as B. O. Colonna, Colgate Darden and Walter F. Fentress. Raymond B. Bottom, a newspaper publisher, was the Peninsula chairman. Other local chairs were Charles B. Godwin, Nansemond; Dr. George Hayes, Portsmouth; and Mayor Jack W. Nurney, Suffolk.

Creation of the CAB was met enthusiastically by editorial writers across Hampton Roads. In a November 27, 1936, commentary, *The Virginian-Pilot* noted that the new CAB was a “most encouraging development” and commended the appropriation of \$15,000 and the hiring of Greeley and Hansen as “real signs of aggressive community action.” It called on the board to “furnish stimulus and direction” and to “press the issue through a surprising amount of indifference and positive objection.”

The *Times-Herald* on February 24 noted that the “commission was not trying to stir sentiment but to present facts. These facts deserve earnest consideration of every community.” The *Ledger-Dispatch* posited on November 27 that with the CAB and commission working together “there is every promise that the attack on pollution will show results.”

As 1936 came to an end, much had been accomplished. There was now an effort to establish advisory boards in each community, with local chairs and key citizens. The Eastern Shore, specifically Cape Charles and Chincoteague Island, joined the list of communities under the commission’s purview by an Act in a special session of the General Assembly. And nationally, Secretary of the Interior Ickes noted that the PWA was undertaking nearly 900 sewage system projects at a cost of \$318,700,000 to “abate the barbarous custom of directing untreated sewage to the nearest river.”



A New *Public Relations* Offensive

On New Year's Day, 1937, the *Ledger-Dispatch* published an article with the headline, "Fight Coming on Pollution." It was written by Robert B. Preston, chairman of the Hampton Roads Sewage Disposal Commission.

He reviewed the history of sewage pollution, the challenges and hazards associated with it and the steps that had been taken to address it. His article was the beginning of a new, aggressive public relations campaign designed to present the facts surrounding sewage pollution so that local communities would take action.

Meanwhile, Preston took every opportunity to speak to such local civic groups as the Townsmen Society of Norfolk, the Optimist's Club, the Hampton Kiwanis Club, the Suffolk Lion's Club, the Virginia Oysterman's Protective Association and many others.

He also solicited and received letters and telegrams supporting pollution abatement from groups like the Izaak Walton League of America, which declared that it considered "elimination of pollution in our local waters the greatest and most important problem confronting us." The Norfolk Association of Commerce wrote that the pollution menace "must be curbed and disposed of definitely before it makes greater inroads on health, industry, commerce and resort activities."

Preston educated and engaged the community, telling groups he anticipated the federal government would provide grants to build sewage systems, that the state would also contribute, but the rest might have to be financed by "self-liquidating bonds," which he said could be funded through connection service charges.

Eastern Shore, Virginia Beach and Williamsburg *Take Action*

Early in 1937, Greeley and Hansen went to the Eastern Shore to conduct a survey of their facilities. Residents in Cape Charles, under Mayor B. A. Parsons, and Chincoteague, under Mayor J. W. Winder, feared the complete destruction of the oyster industry, a staple of their entire economy.

Meanwhile, the two communities to the east and west of Hampton Roads—Virginia Beach and Williamsburg—were going it alone, and having success. In contrast to fears by many in the 13 communities under HRSDC, the *Daily Press* noted that Williamsburg had acquired a sewage disposal system that "was neither burdensome in taxation nor inefficient in operation."

In the town of Virginia Beach, a referendum was held to approve sewage bonds to borrow \$168,000 less a federal grant of \$75,000 to construct a sewage disposal plant. An application to the PWA for the grant was approved in 1936 pending the outcome of the vote, which passed 159-49 out of an estimated 500-600 eligible voters.

A special tax was added to water bills of businesses and residents to pay off the \$92,400. The town council retained the engineering firm Wiley and Wilson of Richmond to build the plant, to be situated on Linkhorn Bay, at an estimated cost of \$130,000. After the referendum passed, Virginia Beach Mayor Roy Smith and Judge B. D. White of Princess Anne County went to Washington to present the approved proposal.

Most importantly, lessons were being learned as new neighborhoods and communities developed. The *Daily Press* reported on January 9, 1937, that the Chickahominy River, as the seat of Virginia's fish hatcheries, would be protected from pollution at the outset by requiring sewage treatment plants. "The problem is quite different in Hampton Roads, which requires cooperation by all cities and towns on contiguous waters in order to make effective any program for pollution elimination."

A National Problem

Nationally, greater attention was being paid to the pollution of streams and waterways, and there were two competing congressional bills. The Barkley-Vinson bill would help administer loans and grants to states for pollution control. It was considered a "gradual approach" through the creation of a new division of PWA. States and localities that deposited sewage into navigable streams would be eligible for federal grants for plants.

The Lonergan-Pfeiffer bill recommended strict federal controls with penalties for violation of pollution measures. Its basis was that pollution was out of control and states could not control it properly.

Locally, the *Daily Press* called for all localities to "get together and throw behind their combined strength" to get federal and state funding passed. Preston went to Washington in early February 1937 for a conference with the National Resources Committee (NRC) to explore federal funding and to meet Congressional representatives.

Soon after, it was reported in *The Virginian-Pilot* that President Roosevelt had recommended an \$8 million appropriation based on the report of the NRC. Virginia Beach was recommended for \$150,000. These recommendations were part of a \$5 billion federal construction program for water supply systems, flood control and sewage plants.

Even still, the money had to be authorized by Congress. The *Virginian-Pilot* on February 5, 1937, implored the region "not to let up in the constant efforts to prepare" should Congress pass funding. The *Ledger-Dispatch* on the same day said there was "still need for local effort" and that local funding could still be needed.



Greeley and Hansen *Report* Released

In April 1937, Greeley and Hansen released their report, which was presented to the governor by the commission, offering six potential solutions. Proposals ranged in cost from \$7,798,000 to \$8,793,000, with options to build six plants, eight plants or nine plants, and with two alternatives in each plan.

Alternative 1 was to barge sludge to sea and dump it. Alternative 2 was to have sludge “digested and dewatered” with possible byproducts being fertilizer and gas. Alternative 2 offered cheaper annual costs but higher construction costs. Their own recommendation was to build eight plants, and go with Alternative 2.

Of course, all the local mayors were concerned with costs, with Portsmouth Mayor J. J. Davis declaring that “our attitude will depend on the financial plan.”

Greeley and Hansen recommended that the General Assembly adopt a law to create a sanitation district, and upon approval of a referendum to be scheduled for election day, November 1938, “that a program be adopted for expenditure of between \$8 million and \$9 million for construction and operation of sewage disposal plants in Hampton Roads, supplemented by plants in nearby communities.”

On November 19, 1937, The *Virginian-Pilot* reported that the commission had approved draft legislation that would provide for a sanitation district, a \$10 million bond referendum and request the 1938 General Assembly to approve \$50,000 operating and maintenance expenses for two years. No state money would be requested toward capital costs.



NOVEMBER 19, 1937

Members of the Hampton Roads Sewage Disposal Commission drafted a final report of its work and recommendations for a law to provide for sewage disposal plants to rid the waters of Hampton Roads of pollution. They are shown here at work. Left to right in the picture are R. B. Preston, chairman of the commission; J. J. Baecher, vice chairman; J. S. Darling, secretary; and J. M. Overton and A. E. S. Stephens.

Virginian-Pilot Photo by Charles S. Borjes.

The draft bill proposed that the commission build and contract for plants in Cape Charles and Chincoteague, which would form its own district, and seek federal aid to treat and dispose sewage from federal posts and properties including Norfolk Navy Base, Norfolk Navy Yard, Langley Air Force Base, Fort Monroe and Portsmouth Naval Hospital. Yorktown and York County would be a part of the district.

Three of the eight plants would be in Norfolk, two in Portsmouth, one in Newport News, one in Suffolk and one in Smithfield. The estimated cost was \$8,568,700, of which it was hoped half would come from federal funds due to the large federal presence. Operating costs were projected at \$711,130 annually and that an “average family of 5” would pay 50 cents a month to pay off the bond.

The *Virginian-Pilot* and *Daily Press* both supported the recommendations, with the *Daily Press* observing that there “are many diehard opponents to any move to cease making our tidal waters a cesspool—and they are numerous in this city.”

The New York bond lawyers and bankers made a final recommendation that a statewide law controlling pollution be passed instead of just one for Hampton Roads. They then recommended a special law empowered by the new statewide law to create the Hampton Roads Sanitation District, with the power to issue bonds for \$10 million after the vote.

On To the *Referendum*

After numerous studies and reports and years of efforts by Robert Preston and the Hampton Roads Sewage Disposal Commission detailing the devastating impacts of inaction, a referendum was now in place to provide a solution. In just under a year, the citizens of Hampton Roads would have the opportunity to rid the region of a menace that was impacting the economy, public health, recreation, and indeed, a way of life.

Hard work had paid off through difficult struggles amongst disparate communities with competing interests and strong personalities. It had been a difficult but worthwhile effort getting to the point where passing a referendum would begin to solve the issue of sewage disposal.

But there were still great challenges to overcome. On December 29, 1937, a *Virginian-Pilot* headline read: “District Sewerage Project Opposed by Portsmouth Council.” The Norfolk Ledger-Star the next day headlined, “Sewers Rapped in Portsmouth.”

City Manager Harper noted that the sewage plan was being supported “by certain citizens of Norfolk” that would impose a tax of \$150,000 “to which Portsmouth can hope to receive very little benefit.” On New Year’s Eve, the Ledger-Star editorialized that Harper and the Portsmouth City Council should give the commission a chance to “state its case in complete detail before any verdict is rendered” and that after four years the HRSDC is entitled to a full hearing “to solutions in the interests of the entire Tidewater region.”

But Harper contended that federal and state governments should be responsible, as Portsmouth derived few benefits from oyster harvests, tourism and clean beaches. He determined this was a fight for Portsmouth’s independence. And a fight it would be.



The
First
Referendum

Chapter

As the New Year dawned,
The Virginian-Pilot
reported two subjects of
local interest before the
Virginia Assembly.

The first was land acquisition
for Seashore State Park
(now First Landing State Park),
which appeared to have near universal
approval of legislators and Governor-Elect
Price. The second was establishment of a Hampton
Roads Sanitation District, “of which the same level of approval
has not yet been made manifest.”

At the urging of John A. Lesner of Norfolk, chairman of the 2nd District's delegation in the General Assembly, local legislators met the first week in January with HRSDC on its recommendations to create a sanitation district. Samuel A. Greeley, of Greeley and Hansen, attended the meeting, along with New York bond attorneys E. J. Dimmock and H. E. Russell of law firm Hawkins, Delafield and Longfellow. Also attending was William R. Shands, director of the Virginia Legislative Reference Bureau in Richmond. Copies of the proposed bill were provided to local legislators.

On January 12, 1938, the *Portsmouth Star* reported that outgoing Governor Peery placed before the General Assembly recommendations of the HRSDC to create a sanitation district.

The governor noted “conclusive evidence that gross pollution exists in Hampton Roads and is yearly increasing in intensity.” He said that pollution was causing thousands of dollars annually in losses to the communities and state and that “many miles of shoreline have been rendered unfit for bathing and other recreational purposes.”

Ultimately, two bills came up for consideration. The first was a general bill that would allow sanitary districts to be created statewide. The second bill provided that a sanitation district could be created in Hampton Roads, as long as it was approved via two referendums. The first referendum would authorize creation of the Hampton Roads Sanitation District. The second would be a vote to fund it with bonds.

Terms of the Proposed Deal

A five-person commission appointed by the governor would oversee the district and provide the proper structure to receive grants, make loans and issue bonds. Revenue bonds would not be paid by additional taxes on real estate and would not “constitute a lien upon the physical properties of the sewage disposal plants and sewer lines.”

Proposed bonds would be “entirely dependent” on estimated sewage disposal service charges of 50 cents a month for payment of principal and interest. Paying \$8,578,000 for eight plants was based on the assumption that the localities would have to pay the entire cost, though there had been vigorous efforts since the creation of HRSDC in 1934 to secure federal funds . . . and would continue to be.

HRSDC Chairman Preston expressed confidence that at least one-third could be obtained from the federal government under terms of the Vinson Bill, already passed by the House of Representatives. He also had letters from the secretary of the navy and other federal officials that led him to believe the federal government would “participate toward capital outlay and costs.”

There was much haggling over the details to be included in the bills. Portsmouth City Manager Charles Harper was clear that he objected to being forced to participate in a sanitation district without popular support within his city. He demanded that “no political subdivision within a proposed sanitation district could be forced to participate except by majority vote of that subdivision.”

In an effort at accommodation, Major S. Heth Tyler, former mayor of Norfolk and a member of HRSDC’s Citizens Advisory Board, made that proposal, which was “quickly approved by Portsmouth’s member of the commission, J. M. Overton.” Chairman Preston and J. S. Darling of Hampton voted for it as well. Vice-Chairman Baecher of Norfolk voted against it. Commission member A. E. S. Stephens of Smithfield was not present at the meeting but supported it.

Overton explained that Harper and members of the Portsmouth city council “were not opposed to a system of sewage disposal plants that would end pollution” but did not want to be compelled to participate if the city voted against it.

According to *The Virginian-Pilot* on January 13, the final draft of the bill was written by the New York bond attorneys in conjunction with Shands. The bill was written such that “all the political subdivisions within the proposed area would vote to approve the plan, at the same time, but no community which did not give a majority vote for the new board or commission would be forced to participate in the plan by a majority vote of the other communities involved.”

As both a member of HRSDC and the House of Delegates, Stephens introduced the bill to create a district encompassing Norfolk, Portsmouth, Suffolk, Smithfield, the Virginia Beach resort strip, Newport News, South Norfolk, Hampton, Phoebus and all or parts of the counties of Princess Anne, Norfolk, Nansemond, Isle of Wight and Elizabeth City. If passed and approved, it was projected that eight treatment plants would be built for \$8,568,000 and maintained for \$711,130 a year.

These “expenditures are necessary in the public interest,” said Governor Peery, “and prompt action imperative if the natural resources and beauty of the area are to be reclaimed, conserved and developed.”

Resistance from Hamilton and Harper

Norman R. Hamilton, publisher of the *Portsmouth Star*, and a member of the House of Representatives, had other ideas. He was opposed to the bills creating a Hampton Roads Sanitation District, and especially against the proposed bonds.

He was not necessarily against disposal plants to address the pollution issue, but felt strongly that the federal and state governments should pay for them. In a meeting with Preston and George Lewis, Preston pointed out that he had tried for four years to get federal aid, but had been unsuccessful, and that the state had only minimally supported his efforts for just the last two years.

Preston reassured Hamilton that the commission would seek all available federal aid, including PWA, WPA and from the Vinson bill, should it pass Congress. Preston felt there was a strong case for direct aid from the federal government due to the large presence of Navy, Army and other federal establishments.

But Hamilton was also dissatisfied the bills were drawn up by New York bonding attorneys that stood to gain from selling up to \$10 million in bonds. Preston noted that it was William R. Shands who originally drafted the bills and enlisted the New York firm to ensure the bills would allow bonds to be sold. Preston also reassured Hamilton that the current bills allowed a majority vote by each political subdivision to opt out.

Hamilton remained unsatisfied and subsequently addressed the Cradock-Norfolk County Chamber of Commerce, stating that he was against the bonds and urging its members to pressure their representatives to oppose the legislation. He told them it would “create a double tax on residents” and further criticized naval officials in this district for failing to recognize the need to pay for improvements.

He had the ardent support of Portsmouth City Manager C. F. Harper, who said the two bills were “drastic” and would keep the citizens of Portsmouth “in a state of financial slavery.” Harper said it could force those who were unable to pay to have their water cut off. He said the bill, while allowing communities to opt out, would not allow them to continue dumping as before, thus forcing them to be included or build their own plants. Fees could be fixed “without limit” to pay interest and principal, in addition to current real estate taxes. A sanitation district would become a “second tax master.”

Armed with Harper’s arguments, the city council authorized Portsmouth Mayor John P. Leigh, City Manager Harper and City Attorney R.C. Barclay to go to Richmond during public hearings to defend their case against the two bills. Along with them went local delegates C. H. Walton, W. H. W. Cassell and Senator M. M. Hillard. Their goal was to first and foremost to kill the bills completely, but to amend them if they had to, with the following: “Any city or county in the proposed Hampton Roads Sanitation District which votes not to become a part of the district will retain the right to dispose of its sewage as it sees fit.”



Technical *Amendments* Added to the Bill

Meanwhile, more resistance was brewing in Newport News. A meeting was held in late January between HRSDC, the Newport News City Council and other peninsula representatives to discuss the bills. The *Daily Press* reported that Newport News City Attorney Samuel R. Buxton provided “sharp” questioning.

“May I ask . . . with all the interest the State has in this project. . . it is proposed that only a measly sum of \$50,000 a year from the State is asked?”

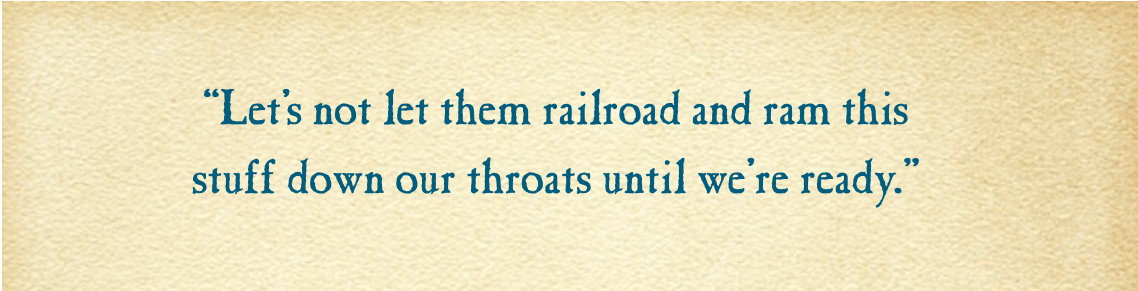
Preston replied: “I was born up in Southwest Virginia and those fellows up there don’t care whether we have an oyster or not.” Preston agreed that the state should provide more than \$50,000, but the votes were not there.

Another wanted to know who would own the plants after they were paid for. Preston said the communities would own them.

City Manager Joseph C. Biggins noted there were “elaborate precautions for the protection of bond holders, but nothing to safeguard the people of the district.” He demanded assurances for the citizens who are going to have to “pay for these bonds.”

Even as the bill’s sponsor, Stephens, agreed to many of Biggins’ suggestions for a number of amendments, “this proffered cooperation evoked no applause from local councilmen.” Instead, they expressed concerns about liability, condemnation of property and encroachment on local authority.

“It’s a bill we don’t want to conform to at this time,” said Councilman Caffee. He said that even if the plants are installed there’s no guarantee that Hampton Roads would be removed from its “polluted status.”



**“Let’s not let them railroad and ram this
stuff down our throats until we’re ready.”**

Another agreed saying that “it looks like one of these things where our opinion doesn’t amount to very much, where others know what’s good for us more than we do ourselves.”

The *Daily Press* reported that other issues discussed were methods of acquisition of disposal equipment and properties, residence qualifications of persons to be appointed to the board and discretion of the board to create the district in the event some communities did not want to be included.

They concluded with the following amendments as suggested by city council and approved by Stephens:

1. “Reasonable amounts” of sewage could be dumped by any locality voting itself out of the sanitation district.
2. Localities would not be liable for acts of the commission.
3. The commission would be responsible for replacing streets, alleys and highways damaged in laying of sewers.
4. Fees and costs were to be uniform and as equitable as possible among households and across both sides of Hampton Roads.
5. The public health consequences would be considered if water were cut off for non-payment.

A War of Editorials

For the most part, editorial opinion across the various Hampton Roads newspapers was supportive for creating a sanitation district, giving the area the wherewithal to deal with its pollution problem. All except one newspaper, the *Portsmouth Star*, whose long-time publisher, Norman R. Hamilton, also happened to be a member of the U. S. House of Representatives.

The *Portsmouth Star* was stridently opposed to the creation of a sanitation district, calling it “atrocious” and deriding the “monstrous bond issue.” It cited costs and “limitless tax burden” as primary issues but also saw it as a fight for independence. It denied that “alleged dangerously polluted waters” even existed and contended that even if they did, a sanitation district would do little if anything to help it.

In sometimes colorful, unyielding language, it aggressively supported the right of any city, town or county to not be included in the district by a majority vote, and made an unrelenting effort to let readers of their editorial pages know that creation of a sanitation district was a bad deal, particularly for Portsmouth, South Norfolk and Norfolk County, who did not derive the benefits of the seafood industry and tourism.

The Virginian-Pilot, meanwhile, acknowledged there could be differences on the details and that creation of a district was a “large enterprise, with many interests and complexities,” and that its creation would raise many important questions.

But an editorial from January 5, 1938, argued that it was important to “keep the essential facts” in mind: that pollution had “damaged property to a large extent;” that it was a “constant and serious threat to health;” that pollution was increasing, “thus property and health threat is increasing;” that “conditions will not improve by sitting idly by while hoping they improve;” that the “cost of action now will be less than at any time in the predictable future;” that the prospect of Federal assistance is greater now than at some distant date;” and that “proposed methods of relief are based on sound and tested engineering principles and not mere experimental fancies.”

No one has “attempted seriously to challenge” these conclusions, it stated. “It may be possible to question details, but the main contentions of trained and experienced engineers are undeniable.”

“Sooner or later, pollution must be addressed. By doing it sooner, it will cost less and protect public health and property.”

Even the *Roanoke World-News* supported passage, saying that if Hampton Roads could “solve the problem of stream pollution over a large area there will remain no shadow of excuse for inland cities like Roanoke to use their rivers, which ought to be their greatest assets, as open sewers.”

Meanwhile, the *News-Herald* editorial board was becoming more and more exasperated with its “friends” at the *Portsmouth Star*. Under the headline, “What Does the Star Propose?” the *News-Herald* condemned the Star for “lash(ing) out vehemently” at the pending Sanitations Districts Law of 1938, while offering no alternatives to undeniable contamination of local waters. “We read our neighbor’s exhaustive dissertation in vain for any kind of sanitation bill it would support.”

Local *Delegations* Head to Richmond

Delegations from virtually every city, town and county ventured to Richmond for hearings on the proposed bills. Already there had been many changes and accommodations, but more were to come. For his part, Stephens “expressed a willingness to cooperate in the matter of introducing amendments to his bills.”

The hearing was held on February 3, 1938, under the House Committee on the Chesapeake and its Tributaries, with the Senate Fisheries Committee in attendance. *The Virginian-Pilot* reported that “a large number of officials and citizens discussed the bills and pollution problem” and that virtually everyone was in agreement there was a problem. Costs and financing, though, were the issues.

It broke down between those who thought the localities had no choice but to take action, even at their own expense, against those who thought the state and federal governments bore responsibility. Ironically, everyone agreed that the state and federal governments should bear major, if not all, costs, but the “realists” deemed that the problem was so threatening that there was no choice but to create and fund a district regardless of who and how it was financed.

Senator J. W. Witten asked, “If one community opts out, does it destroy the district?”

“No,” said Stephens, “it’s still a start on the pollution problem,” and in any event, he was “convinced all will eventually be in the district.”

In stressing flexibility and accommodation, Stephens said the bill “provided also for payment to a locality where a disposal plant was taken over. “Virginia Beach,” he said, “was the only one in the area.” He noted that localities could contract with the sanitation commission to supply it with facilities and could take over collection of fees and rents the commission would have collected.

Others offered their views. Speaker Ashton Dovell of Williamsburg worried about a typhoid outbreak that would cause “huge loss” of tourist and seafood revenue. He said his hometown built its own disposal system for “fear of some small epidemic and serious results therefrom.”

He said condemned seafood areas had been reopened because of the plant. “A man buries his head in the sand ostrich-like who doesn’t see this is a real problem that needs solving . . . We want to see our area grow and expand.”

Senator Bevins of Newport News stressed that the state should pick up more than \$50,000. “This is much more than a local proposition.”

Fisheries Commissioner Richard Armstrong said pollution was costing “tongers” in the James River \$250,000 a year. John Twohy II said it was possible to restore both shell fishing and fishing in local waters “and that a start must be made.”

Children are “bathing at the mouths of sewers” said C. B. Goodwin of Suffolk.

He said and that “we create this filth and should bear the greater part of the costs.” He called the bills “good ones” and said a large area “of the best oyster grounds on earth were condemned,” costing \$1,500,000 annually. The Nansemond Board of Commissioners supported the bills, he said.

Delegate R. F. Baldwin, Jr., of Norfolk said though he got the “jitters” when further taxes were mentioned, “A start should be made” and then approach the federal government for funds. Hampton City Attorney J. Wilton Hope said pollution would destroy the Hampton seafood industry, and that the city council endorsed the bills.

Harper *Speaks* and Hillard *Interrogates* Stephens

Then Portsmouth City Manager Harper got his turn to speak. He said there was a need to see what the federal government would do first. He said the pollution was a “national rather than a state or local matter.” He emphasized it was “an inopportune time to put a \$10 million burden on people already overtaxed” and “being called on to finance more and more services.”

Moreover, before the bonds were retired, with principal and interest, Harper said it would cost between \$30 million and \$40 million. “The Depression is not over and a big part of the cost would fall on poor people.” Not only that, but the bills themselves “are not a solution or remedy to the condition” since discharge of sewerage from ships would continue.” The Navy Yard and other federal facilities also contributed substantially.

George C. Coleman, chairman of the Norfolk County board of supervisors, was also skeptical. Something needed to be done, but he called it a “tremendous proposition” in which the federal government “with multiple activities in the area should be vitally interested.” The state should also “have a big interest.”

There was not a chance that people would vote favorably for a referendum, he said, with all the costs falling largely on the localities. The bills needed to “make the entire project contingent on federal and state governments putting up the money.”

Senator M. M. Hillard asked Stephens: “The State is to pay \$50,000 a year for two years on a \$10 million project?”

“We hope to get some aid from the Federal government,” said Stephens, adding there “was no case on record where the Federal government had financed the cost 100 percent” and that it would be impossible to get federal funds until a proper organization was set up to handle the problem.

“Outside of what the state puts up the rest would come indirectly from a lien against the property. Isn’t that correct?” asked Hillard.

“You can call it what you want but it can’t be paid out of a real estate levy,” Stephens said.

Hillard asked Stephens if he thought 50 cents per family of five would pay the fee cost. “You have no assurance it won’t cost a dollar or a dollar and a half a family, have you?”

“No, sir,” he was told.

Hillard agreed the government should provide the money, but Stephens said the government could not do so until a district was set up. Hillard stated he understood the need to address pollution, but felt it was a “very inopportune time” to saddle millions in debt without any assurance of federal and state aid.

The next day, the *Portsmouth Star* reported that Harper and Hillard of Norfolk County “vigorously opposed the bills at the afternoon discussion” on grounds the two communities could not bear the cost. Harper called it a “hot fight.” Further, Stephens had declined to add an amendment requested by Harper until Harper threatened to walk out, whereupon it was agreed to add the following:

“The provisions of this section shall not prohibit the disposal of sewage in the manner in which is now being disposed of, or in any reasonable manner, by any city, country or town which does not constitute a part of any district, or by any person in any such county, city or town.”

With this amendment, Harper declared the city could not be “punished” if it votes against the plan. The original wording drawn up had required that the dumping of sewage shall not be prohibited “in a reasonable amount.” The new wording was a big adjustment in Portsmouth’s favor.

House and Senate Approve Bills

On February 8, 1938, the House Committee on the Chesapeake and its Tributaries voted favorably to adopt the amendment, which would allow communities to continue dumping as they saw fit should they vote to not be a part a sanitary district.

Preston, meanwhile, continued his PR offensive, speaking to the Hampton Kiwanis, telling them that Buckroe, Willoughby and Ocean View were at “a danger point.” He continued to believe the federal government would help fund sewage disposal plants, citing help in Annapolis, Maryland, due to presence of the U. S. Naval Academy.

The following week, February 16, the House voted 82-0 on the Sanitation Districts Bill of 1938, allowing sanitation districts to be created statewide. In early March, the House committee voted 8-4 for the bill to create a specific sanitation district in Hampton Roads, which then passed the House on March 4 by a vote of 84-3. The key amendment allowed political subdivisions to vote themselves out.

The Virginia Senate came through on March 13 on a vote of 34-1 to allow a vote by Hampton Roads residents to create a district. On April 1, the governor signed the state budget in the amount of \$165 million for the 1938-1940 Biennium. It authorized two referendums, one to create and the other to finance a Hampton Roads Sanitation District. It also officially allocated \$50,000 annually for two years.

Even still, money was a problem. There were no funds for a public education campaign leading up to the referendum or for efforts to secure funding from Washington.

Finally, Governor Price authorized HRSDC to borrow \$5,000. Part of the money was planned to prepare a “questionnaire” to be circulated regionally offering information about the pollution problem and solutions. “The sum about to be made available for this purpose is none too large,” editorialized *The Virginian-Pilot*.

Location, *Location*, Location

Other issues were also cropping up, including the proposed locations of the treatment plants. Roy Peterson, a service station operator in Newport News, protested locating the plant at the mouth of Salter's Creek. The East End Improvement Association, of which he was secretary, kept the pressure on. They started expressing fears about their property values and the impact on further development there. Peterson said zoning laws made it impossible to place a plant at Salter's Creek due to Class A residential property nearby. All of a sudden, Peterson had the attention of the city council and *Daily Press* editorials.

Preston said the plant should be as near to the mouth of Salter's Creek as possible, but indicated that Greeley and Hansen would review the proposed location. He also noted that wherever it is located, it would "not have deleterious effect on surrounding property as has been suggested to the City Council."

The *Daily Press* editorialized that the concerns regarding installation of plants near Salter's Creek should be cleared up, but offered the following:

"We want no misapprehensions or potentialities to interfere with a widespread favorable vote. . . . Our people should know if a disposal plant would be undesirable or offensive in the first place. We have heard that some are so classed while others are so inoffensive and so attractively built that no casual passerby would suspect their real mission."

"There is further thought that for the sake of getting rid of pollution we might well make a few concessions to the anti-pollution movement to ensure cleaning up our waterway, even if the concession meant some inconvenience."

According to the *Daily Press*, there was evident frustration on the part of the mayor not only on location, but the bill itself. Referring to HRSDC Chairman Preston, "I never saw a man know less about a proposition that we was supposed to be informed on." Mayor James said that council hadn't been able to find anybody that "could tell heads or tails of the bills."

"We've looked for this information and that goes for the newspapers also," James said.

Preston noted that HRSDC had no power to locate the plants. "The location of the plants will be decided by a commission to be named in the event the people of Hampton Roads communities approve the plan in the referendum to be held in November." Referring to Mayor James' charge, he said that he and Darling appeared before the council several months earlier and "informally discussed the plan."

"At that time the final details had not been worked out and it was only a general discussion. I do not recall that Mayor James on that occasion asked any pertinent or specific questions."

An Effort to *Secure* PWA Funding

Since HRSDC's creation in 1934, one of the chief goals of Chairman Robert Preston was to secure federal funding. If monies could be obtained from the government, then instead of 50 cents per household of five, perhaps the cost would only be 35 cents per household. The prospect of a lower fee was likely to increase support for the referendum.

Hard work, patience and optimism had always been cornerstones of Preston's contention that someday, somehow, the federal government would come through. Even though it was still the era of the Great Depression—or actually because of it—there was substantial federal money available.

The Virginian-Pilot reported on April 4, 1938, that President Roosevelt wanted the PWA to “finance a vast number of projects of permanent usefulness which he hoped would flush heavy industry with big orders and long payrolls.” And there was a reported \$4.5 trillion of WPA loans for “both relief and long term industrial loans.”

Due to a continued perilous economic downturn, the PWA had temporarily discontinued its expenditures, but indicated it would again be able to start back up on many of the 2,798 projects . . . for schools, bridges, public buildings, waterworks, sewers . . . that had been approved two years ago, but had not yet been granted federal financing. Over \$432,638,000 had been sought for these projects.

The entire HRSDC went to Washington on May 12 to press its case for funding. After the trip, they were informed by PWA officials “an application should be made immediately.” Their first attempt, with Representative Norman R. Hamilton (D-Va.) as their spokesman, was an earmark for the entire amount, \$8,568,000.

As publisher of the *Portsmouth Star*, Hamilton had long advocated the federal government fund the entire amount. Citing the heavy federal presence and investment in the Hampton Roads area, they presented their request as in the national interest. This appeal, however, went nowhere.

Ultimately, the HRSDC applied for \$3,870,000, which was 45 percent of the total amount, and which conformed to the accepted PWA formula that communities match any grants with 55 percent. The application encompassing the legal, financial and engineering requirements was completed on June 8, and sent to the Atlanta office of the PWA.

A month later, on July 13, the *Daily Press* reported the application was “under advisement.” Ten days after that, Preston went to Atlanta to meet with H. T. Cole, the PWA regional director. It was reported there was “nothing definite” on the application.

By mid-August, things were not looking any better. Congress stipulated that all PWA grants had to begin work by January 1, 1939, and was reluctant to make the grant since the referendum was not until November 8. Preston immediately met with Governor Price, who went to Washington the next day asking them to waive the PWA rules. The response he got was they were “sympathetic.”

Even if the referendum authorizing a Hampton Roads Sanitary District passed on November 8, a second bond referendum had to be held “no sooner than 30 days later.” For a time, Preston sought to work the “not less than 30-day” gap between the first and second referendums to his advantage, noting the bond vote could be delayed until it was known whether PWA funds were granted. But things were not looking good.



The Modern *Sewage Disposal* Movement in Virginia

In the midst of these struggles to pass a referendum and acquire federal funding and as 50 million gallons of raw sewage everyday was being dumped into local waters, great things were happening across Virginia. A “modern sewage disposal movement” was underway, and with much success.

The Henrico County Sanitary District No. 1 voted 547-44 for bonds to finance a new water and sewerage system, which secured \$180,000 of the \$325,000 needed through PWA funds. The Staunton city council authorized condemnation of land to build a sewage treatment plant. A private company in Front Royal, the American Viscose Corporation, installed the first treatment plant for industrial wastes to prevent pollution of streams.

Blackstone, Virginia, accepted a grant of \$27,000 for a \$55,000 project for the first activated sludge plant in the state. Northern Virginia towns also were “speaking favorably of proposals for installing systems,” which were in the planning stages. A plan for Leesburg was approved for a total cost of \$150,000 partly financed by a PWA grant.

Locally, Virginia Beach opened “the only plant for complete chemical treatment in Virginia.” The *Richmond Times-Dispatch* reported that the “system was designed to be flexible enough to serve a winter population of 3,000 and a summer population as much as 40,000.”

A *Fatal Flaw* in Timing

Meanwhile, in late August, PWA administrator Harold Ickes set an October 1 deadline for elections to determine whether localities would be eligible for funds. The PWA “warned that Hampton Roads could safely expect no PWA assistance on the project unless it complied with the deadline.”

Preston remained optimistic saying, with help from Governor Price, he thought the PWA would be willing to modify and make an exception. Baecher said that Greeley and Hansen, in the application, had given that assurance that work could begin by January 1, as required by Congress.

Still, an effort was made in September to move up the referendum. Preston conferred with Governor Price on the “legal means” for an early ballot, citing the importance of having “a proper organization to negotiate for Federal Aid.” He also held out hope for WPA funds and passage of the Vinson Bill.

The PWA advised that HRSDC should “perfect its application” then perhaps Congress could pass a special law on the grounds the government had a “particular” interest in Hampton Roads. Strauss offered that there could possibly be leftover money from the \$750 million to be doled out by October 30, but there was no guarantee.

By the end of September, Governor Price announced there was no prospect for a grant. And timing and costs doomed the possibility of moving up the referendum.

To make matters worse, the Vinson Bill, which would have offered grants for up to 30 percent of the cost of labor and materials for pollution control projects, was vetoed. President Roosevelt objected because it was written such that the surgeon general must report his findings to Congress, and not the president.

New *Studies* and a *Public Relations* Attack

Meanwhile, Commissioner of Fisheries G. Walter Mapp announced a new study on pollution’s effects on seafood. The state and federal governments were to conduct a two-year review on water and stream pollution, with the College of William and Mary providing facilities at the York River.

The crab industry was also under assault by pollution. Dr. R.V. Truitt, director of the Chesapeake Biological Laboratory in Solomon’s Island, Maryland, offered a letter to George C. Bentley of the Virginia Crab Packers Association saying “I wish to say emphatically that any alteration or improvement that can be made to abate pollution will contribute directly and indirectly to the crab industry.”

These developments only reinforced for proponents the sense of urgency to pass the referendums. An unprecedented education campaign was waged using every means possible, including radio, billboard, publicity, ads, posters, letters to the editor and public speaking. Members of the HRSDC fanned out to every known civic organization to make its case. A headline in *The Virginian-Pilot* on October 11, 1938, read “Housewives Back Sanitary District.”

Various speakers attended meetings of the Lion’s Club, the Realtors Association, the Willoughby Beach Garden Club, the Norfolk Lodge of Elks, the Ocean View Civic Club, the Norfolk County Medical Society, Bay Shore Garden Club and many others. U.S. Surgeon General Thomas Parran wrote a letter that “pollution of the Roads is increasing at a more rapid rate than natural purification can take and that this pollution is extending into the Bay so that clean diluting water from the ocean is largely prevented from entering the Roads in the change of tide.”

More than a dozen editorials were written with headlines like: “Pollution Must End,” “A Vital Virginia Election,” “Polluted Waters and Public Health,” “Pollution and Politics,” “Portsmouth’s Duty to Its People” and “Save Hampton Roads.”

A new group against the referendums formed called the Committee of Citizens Seeking All the Facts on the Proposed Sewage Disposal System and included such prominent citizens as J.C. Council, J. Watters Martin and Wails Hank. They conducted their own aggressive campaigns against passage.

Politically, it was a volatile issue. Norfolk Mayor Gurkin was at first against the referendum before changing his mind and, along with city council, endorsing a yes vote. Suffolk’s mayor and city council did not support it, but Hampton and Phoebus mayors and councils endorsed a yes vote. Newport News representatives decided not to take a position.

In Portsmouth, City Manager Harper was as adamant as ever. He issued “a warning to the people of Portsmouth” against a yes vote. He termed it “a financial octopus” that would cause more financial damage than a recent hurricane did. He wondered how the Virginia Beach plant could cost only \$168,000, but that eight plants could cost almost \$10 million. He called out the “anti-pollution craze” sweeping the nation “out of which the promoters and bond buyers are making millions.”

He surmised that the new plant in Virginia Beach was valuable only for “advertising purposes” and that “not a bacteriologist in the United States will be able to tell the difference between a sample of water taken from the ocean before or after that town built its plant.”

He said that while Ocean View and Virginia Beach may need plants as “a good advertisement,” and while Hampton and Phoebus may need to protect their oyster beds close to shore, that “not an ounce of sewerage from Portsmouth” has ever affected those localities.

In response to an editorial in the *Richmond Times-Dispatch* supporting passage, the *Portsmouth Star* replied that “Richmond and Richmond people will not pay the limitless taxation charges . . . once the people vote themselves into the slavery of this set up.”

The *Vote* and Immediate *Aftermath*

On Tuesday, November 8, 1938, the citizens of Hampton Roads went to the polls to determine whether there would be a Hampton Roads Sanitation District. It was voted down. The final tally was 9,981 For and 10,725 Against. Just 744 votes beat the referendum.

Overall, 11 of the 15 districts were in favor and the Peninsula communities overwhelmingly voted for it. The four communities against were Norfolk County (714-1970), South Norfolk (417-568), Suffolk (76-885) and Portsmouth (411-3,071).

In the end, no federal money was granted in time for the referendum. Had the first vote been successful, the second bond vote would have required the full amount be funded locally. The irony was, had the referendum passed, those four communities could still have opted out, but they were the ones who sank it for everyone else.

The *Portsmouth Star* noted that none of the four that voted against it “bordered on Hampton Roads,” and that the “communities opposing the district is a population of approximately 85,000 to 90,000 persons, which defeated a plan of benefit to 12 communities with a combined population of approximately 200,000 or more.”

In the immediate aftermath, there was a proposal from the Committee of Citizens Seeking All the Facts on the Proposed Sewage Disposal System to ban dumping sewage in local waters and require that local cities pay for their own plants. The *Portsmouth Star* again advocated that the state pay to build the plants.

Meanwhile, Preston announced he and the commission were undaunted by the failure, and that they would “continue diligently with its work.” Governor Price recommended they continue their education campaign until the next General Assembly.

The day after the vote the *Ledger-Star* led with an editorial titled “Sanitation Plan Lost—Temporarily.”

“It was defeated only temporarily because of the fact that the reasons supporting the project are so sound, are so unanswerable in the end, and go so inevitably to the fundamentals of a great and growing problem, that they will be overwhelming in the final judgment of our people.”

“With profound regret but without anything resembling chagrin, the *Ledger-Dispatch* notes that not until the General Assembly of 1940 has acted can there be another vote on this question and prophesies that at the election to be held following that session the area will heartily endorse and approve measures looking to the prevention of pollution of these waters.”

More prophetic words could not have been written.



Chapter

The *Second* Referendum

Only two days after the 1938 referendum failed, there was an immediate, aggressive push by the group known as the Norfolk Committee to have a law enacted in the next General Assembly that would ban sewage dumping and require Norfolk, and all the other local communities, to build its own facilities.

The Norfolk group was comprised of two members of the Norfolk City Council, Joseph D. Wood and Leonard P. Roberts, Jr., along with J. Watters Martin, J.C. Council, R. M. Wilkinson, J. McBryde Webb, E. C. Power and Charles E. Jenkins.

They were “unalterably opposed” to creation of a sanitation district, had fought vigorously against it in the run up to the referendum, and instead, said the city of Norfolk was “capable of planning, financing, building and operating their own plants.”

In a lengthy statement released on Thursday, November 10, they declared the original referendum was flawed because it would not have required all communities to stop pumping their raw sewage into local waters. They also objected to having a district that reported to the governor, which prevented the communities “who were paying for the service from having a voice in its management.”

They pronounced they were “heartily in favor” of eliminating pollution in local waters and proposed that the state contribute funds toward construction costs and that the federal government build facilities for the Naval Base and Navy Yard. “We feel confident by allowing each community to take care of this function, as a part of its own local self-government, our sewage disposal problem will be eliminated from the political field, which is greatly to be desired.”

They also called for “drastic penalties” for those who continued to dump raw sewage and that courts “be empowered to restrain its violation.”

Meanwhile, in late November, at the request of Norfolk City Council, City Manager Charles B. Borland appointed a three-man Norfolk Sewage Disposal Commission to explore the city building its own plants, either by itself or in cooperation with other communities. He picked two people on opposite sides of the solution, and one in the middle to cast the “deciding” vote.

The commission was chaired by Charles E. Jenkins of the Norfolk Committee. George H. Lewis, of the HRSDC Citizen’s Advisory Board was a member, along with Tazewell Taylor.

Also around this time, in early December, Robert Preston and HRSDC met to discuss plans for continuing its educational activities and reviving a plan to establish a Hampton Roads Sanitation District. While it supported Norfolk’s effort under the new commission to explore independent options, they remained committed to the benefits of a region-wide solution.

Congress Prepares New Legislation

There was a flurry of activity in Congress as the New Year began. The House Rivers and Harbors Committee pursued anti-pollution legislation as one of its top priorities. Three bills were introduced that would account for Roosevelt’s objections to the Vinson Bill by giving the president executive review and approval of projects requiring federal funds.

Newport News Representative Otis Bland introduced legislation to establish a division of water pollution control under the U.S. Public Health Service. Bland's bill was designed to help states address pollution abatement and prevention by encouraging uniform state laws and cooperation between state agencies on the discharge of sewage and industrial wastes.

It would provide federal grants or loans no greater than one-third of monies in the cost of labor and materials to execute prevention and abatement activities. It would be directed by a five-person board, which would make recommendations to the Surgeon General. Bland's bill had the support of Representative-Elect Colgate W. Darden of Norfolk and State Health Commissioner Dr. I.C. Riggan.

Norfolk City Manager Borland appointed Preston and Director of Public Welfare Henry G. Parker, both with opposite approaches to the problem, to represent Norfolk in hearings at the House Rivers and Harbors Committee on the bills designed to control pollution.

Under Chairman Robertson (D-Virginia) of the House Committee on Wildlife there was "renewed demand for federal anti-stream pollution legislation" as well as other efforts for wildlife conservation and restoration. His goal also was to accomplish the objectives of the Vinson bill.

President Roosevelt acknowledged the time was "overdue for the federal government to take vigorous leadership" to end stream pollution, and noted that much was already being done via the PWA. His National Resources Committee completed a study, sent to Congress, which declared there must be "long range programs for abatement of stream pollution and conservation of energy resources."

He said that the "responsibility rests primarily with municipal government and private industry," but that that federal government "must lend financial support and technical stimulation." He said it should be "supplemented by a system of federal grants-in-aid and loans organized with due regard for the integrated use and control of water resources and for a balanced federal program for public works of all types."



Virginia Beach Opens Its Sewage Disposal Plant

Meanwhile, in early January 1939, a year after construction began, the resort town Virginia Beach opened its long awaited sewage treatment plant on 29th Street (extended) with a pumping station at Pocahontas Drive and Atlantic Boulevard.

Said Mayor Roy Smith at the dedication, “In view of existing conditions, the increasing pollution of Hampton Roads, and proposed plans for sewage disposal and the control of waterway pollution in the entire area, Virginia Beach takes this opportunity especially to invite the people of the neighboring communities to visit and inspect the new sewage treatment plant, and to join in this material effort to protect the future health and prosperity of Tidewater Virginia.”

The plant was described as a “modern and efficient biochemical plant” that replaced a small “partial” treatment plant that had been inadequate. It noted that it was “attractively designed from an architectural standpoint” and would after landscaping have “a very pleasing appearance.”

More importantly, it said the plant would “eliminate the cause of the terrific odor which has been so noticeable near the Laskin Road Bridge at Virginia Beach.” It was anticipated that with advent of the new facility that the odor “gradually is expected to be eradicated from the adjacent marshes.”

The plant, financed by \$93,000 in bonds coupled with a PWA grant of \$76,000, was designed by Wiley & Wilson to serve the resort area until 1960. It featured two new sedimentation tanks and the flexibility for a winter population of 3,500 up to a summer high of 50,000. Funding to operate the plant was provided by a tax of 25 cents per month added to water bills.

Norfolk Explores Its Options

Meanwhile, the three-member Norfolk Sewage Disposal Commission held its first meeting December 16, 1938, followed by five public hearings. Among the first to testify were Robert Preston and other members of HRSDC. Samuel Greeley testified in late January that the best approach was for the entire region to band together as a unit in battling the pollution problem.

But with the opening of the new Virginia Beach facility, there were other voices that offered different advice, one more in line with the approach of the Norfolk Committee. M. Martin Johnson of Wiley & Wilson contended that if Norfolk alone treated its sewage that the problem in Hampton Roads “would be largely eliminated.” Johnson said he “saw no advantage” to the communities banding together, and that it was more economical go it alone.

When the report was released in late March, all three members agreed that abatement of pollution was “not only desirable but well nigh imperative.” They even agreed that the problem was “so diffused that action by any one community would be useless.”

But there was dissension. Charles C. Jenkins and Tazewell Taylor determined that the best way forward was for Norfolk to build its own plants. George H. Lewis, chair of the HRSDC Citizens Advisory Board, urged that the most “efficient and economical remedy was a cooperative action by all the communities involved.”

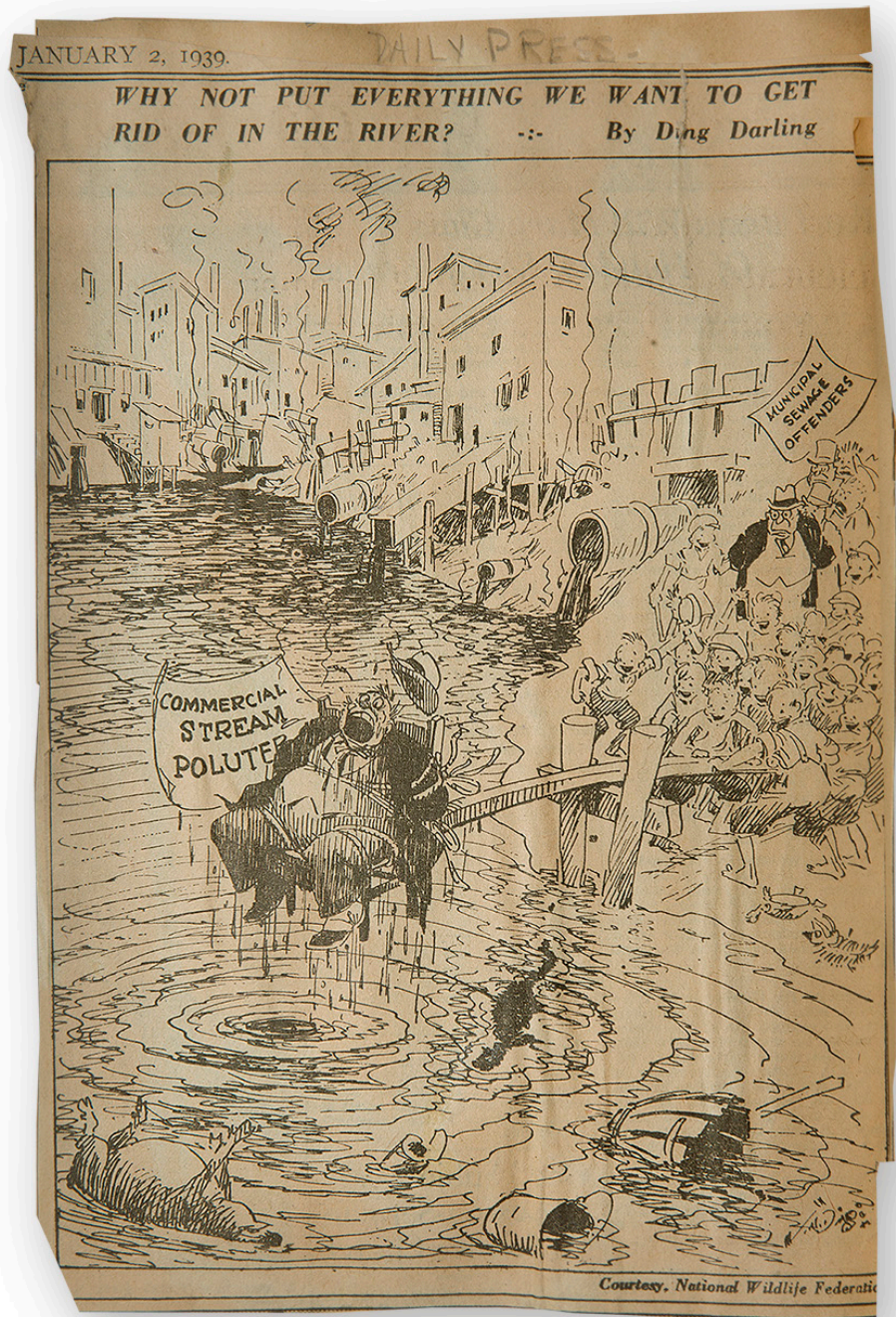
Jenkins and Taylor objected to a regional approach on grounds it would cede an important municipal function to “alien control as to policies and expenditure.” They advocated Norfolk building its own sewage treatment plants so that the city would not surrender “the right to contract for, supervise, control and operate its independent system.”

They contended that the city’s resources were the best mechanism for an “accountable, efficient, and well-engineered” facility and that an alliance with Newport News, separated by many miles and an expanse of water, didn’t make as much sense as alliances between “contiguous counties” into a sanitation district.

They said that individual plants constructed by each community would attract more bidders and increase competition. Lewis countered that even under a region-wide sanitation district, there would be bids and competition for each plant.

However, despite their defense of city control, the final conclusions by the majority were that the city not invest “at this time” in any facilities but that it support legislation prohibiting discharge of untreated sewage into local waters.

Lewis, in his dissenting opinion reported in *The Virginian-Pilot*, offered that HRSDC had shown



that “sanitation districts, under state laws” were the most effective method of controlling region-wide water pollution; that the U.S. Public Health Service, after an exhaustive survey, had recommended the “best and least costly” solution was creation of a district; that Greeley and Hansen had advocated the district approach as the most effective and economical; that the Virginia General Assembly in 1938 “recognized the soundness” of a proposed sanitation district by appropriating \$100,000 and establishing a referendum vote; and that the HRSDC, after several years of study, had demonstrated the problem was best handled through a sanitation district.

Perhaps most significant, Lewis said financing was better accomplished through a state authority since revenue bonds could be sold without becoming a financial burden of any community. He also said that financing, particularly from the federal government, was more easily accomplished through the structure of a sanitation district. He also cited several bills in Congress establishing government aid in the control of pollution of rivers and waters.

He said that individual laws over the last 20 years, including one to ban untreated sewage being dumped into Lynnhaven River, had done nothing to protect shellfish and the problem had actually gotten worse, and said the question of public health, perhaps the most important issue, had not even been brought up until the efforts of HRSDC had brought it to the attention of the public.

He concluded the recommendations made by HRSDC offered the best approach and stated that laws should be enacted prohibiting the discharge of untreated sewage into local waters and that a sanitation district be set up under “authority of the state to properly administer its affairs.”

The Virginian-Pilot on March 29, 1939, summarized these opposing viewpoints with the following prediction: Communities could choose to go their own way with the necessity of outlays so large they would “of their own accord seek a collective solution that promised greater economy.”

Momentum Gathers by Fall 1939

By September 1939, there was indeed a new push for another referendum, and new momentum. Robert Preston and HRSDC met with Governor Price, and again with William R. Shands, and announced, without providing any details, that “certain desirable and necessary” amendments would be added to the previous bill.

In October, the first of several conferences with members and nominees of the General Assembly was held by HRSDC to consider suggestions on how to proceed. Three main suggestions came out of the discussion, the first being that the State Corporation Commission pre-set the individual cost rates, which was estimated at \$3.60 annually for a family of five.

There also was the suggestion of an appeals process should as many as 100 persons petition the SCC that costs were too high. And finally, the district should be treated as a whole without any individual community being allowed to vote itself out.

The *Portsmouth Star*, questioning whether HRSDC even had had the legal standing to still exist after defeat of the referendum in 1938, wrote that a “Force Bill” was being proposed, one that would require communities to assume the cost of sewage disposal whether they wanted to or not. They wrote that the city must preserve its independence.

But the issue was not going away; in fact, it was picking up steam. In November, Harper was asked by Delegates Hillard, Cassell and Walton to name a committee to investigate sewage disposal because discussion of a district was likely to continue as a “matter of controversy until eventually settled.” Harper agreed to do so only after assurances that the delegation would fight to reserve the right to opt out.

Alarm was increasing among state legislators from other localities over the “serious decline” of Virginia’s seafood industry.

State Senator Vivian Page noted that 13,639 licenses had been issued in 1930 to those engaged in oysters, crab, clam and fish net business; but by 1939, the total had declined to 9,382. In 1930, there were 28 million pounds of oysters harvested (valued at \$2,750,000), which by 1936 had fallen off to 15 million gallons (at \$1,250,000). Crab production dropped from 32 million pounds in 1930 (at \$740,000) to 26 million pounds in 1936 (at a value of \$600,000).

More bad news was issued by R. A. Nesbit of the Federal Bureau of Fisheries chronicling the “sad condition” of shad production. He concluded that compared with the year 1900, Virginia, Maryland and North Carolina fishermen were estimated to be losing \$500,000 annually due to a drop from 22 million pounds of shad to only six million pounds. Meanwhile, it was estimated that 30 million tons of raw sewage was being discharged every day.

The *Pilot* reported on December 10, 1939, that new boundaries for a sanitation district were studied with plans for a new referendum. The new boundaries would seek to remove some of the localities that were against the district.

District lines were redrawn to consist of Nelson, Grafton and Poquoson districts of York County and to eliminate Suffolk, Smithfield and “all the magisterial districts of Princess Anne County except Lynnhaven and Kempsville, and all the Norfolk County districts except Tanners Creek, Washington, Western Branch and the northern half of Deep Creek.”

A War of Ads & Editorials

For the most part, editorial opinion across the various Hampton Roads newspapers was supportive for creating a sanitation district. The exception was the *Portsmouth Star*. As each referendum approached, competing ads and editorials presented both sides of the argument.

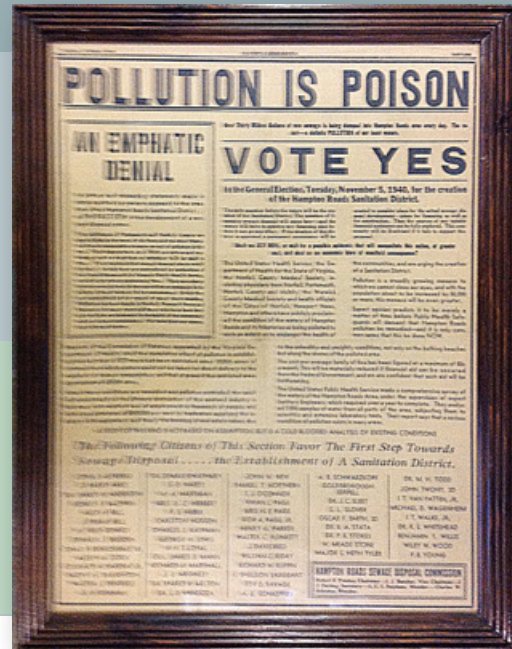


“This sewage disposal proposition seems to be indeed a many-headed cobra, already once smashed under heel, but now again rising to strike. It begins to look as though we shall have to get out the old crotched stick to scotch it again.”

– **PORTSMOUTH STAR EDITORIAL**
DECEMBER 10, 1939

“The problem created by sewage pollution is a general problem and its solution depends upon the cooperation of all the communities which contribute to the creation of the problem.”

– **THE NORFOLK LEDGER-DISPATCH**
EDITORIAL DECEMBER 13, 1939



As plans for the legislation evolved, the most significant changes were that communities could not vote themselves out, charges would not constitute a lien on property and there would be an appeals process to State Corporation Commission. Water could be turned off after two months if a bill was not paid unless it was deemed to be a health risk. Also, 50 persons signing a petition could appeal to the State Corporation Commission for review of fees and rates, subject to appeal by the new sanitation commission.

The new plan received positive reviews in a December 13, 1939, *Ledger-Star* editorial, which said it offered a reasonable approach to a solution of this problem. “This is the democratic way, we believe. The other plan was not in keeping with the accepted practice of the majority rule.”

“The problem created by sewage pollution is a general problem and its solution depends upon the cooperation of all the communities which contribute to the creation of the problem. If the plan is to be effective it must be based upon the rule of the majority.”

The *Portsmouth Star*, meanwhile, took a typically embattled view in a December 10 editorial entitled “Just Won’t Stay Dead.”

“Some propositions, like turtles and snakes, just won’t stay dead even after you have chopped off their heads. That seems to be the case with the Hampton Roads Sewage Disposal Commission, which now bobs up again after decisive defeat in the public referendum in 1938....”

“Now comes the old commission, still acting, in spite of the election which some legal authorities have claimed “liquidated” it as well as its proposal, with two new bills.

“This sewage disposal proposition seems to be indeed a many-headed cobra, already once smashed under heel, but now again rising to strike. It begins to look as though we shall have to get out the old crotched stick to scotch it again.”

1940 - The General Assembly Convenes

Things heated up as the cold New Year settled in. “Hot Pollution Fight Appears Likely in General Assembly” declared a January 7, 1940 headline.

Portsmouth and Norfolk County were not happy with the new legislation that did not provide any chance for individual communities to opt out. They were determined to “fight for autonomy.”

Hillard, in line to be chair of Senate Committee on Fish and Game, said he was “unalterably opposed” to the proposed bill unless Portsmouth and Norfolk County were “allowed to vote as separate units not as small parts of a large district that includes Norfolk.” Delegates Cassell and Walton planned to work in cooperation with Senator Hillard for the amendment. Their hope was to either amend the bill or kill it.

Portsmouth city council unanimously adopted a resolution strongly opposing the anti-pollution bill as drawn. Harper continued to argue that the new bill did not provide for anti-pollution, since it contained no provisions against ships dumping bilge water into the harbor, or any provisions for control at the area’s large government facilities. He said the plan would cost Portsmouth residents \$1.5 million “for not one cent of benefit,” where as if the city built its own plants the cost would only be \$350,000.

Meanwhile, the HRSDC plan received the following endorsement of a study by members of the State Conservation Commission, the Commission of Game and Inland Fisheries and the Commission of Fisheries:

“Be it resolved that this committee whole-heartedly approves and endorses the efforts now being made to create a sanitary district in the Hampton Roads area, and offers HRSDC and others who are proponents of this legislation its aid in obtaining the necessary action of the General Assembly toward this end.”

At the same time, a bill introduced by Senator Hunsdon Cary of Henrico was designed to eliminate polluting Virginia waters no later than the end of 1943. The Virginia Manufacturers Association objected to the bill as “too drastic,” though it would allow industry to petition the State Department of Health for an extension.

A “less drastic” solution was proposed by N. Clarence Smith, chair of a committee from four state departments that would set forth a general policy against contaminating streams by industry or municipalities; prohibit pollution of streams that are not now contaminated and regulate waste dumping in others; and create a commission to study the problem without making “unreasonable demands on any group.” Ultimately, it recommended continued study of the issue and that any legislation be delayed until the next General Assembly in 1942.

Anti-Pollution Bill

Introduced in House

On January 31, 1940, Delegate A. E. S. Stephens of Isle of Wight formally introduced the legislation providing for creation of a new Hampton Roads Sanitation District. The bill by majority vote would create a sanitation district and would not allow any town, city or county to vote itself out of the district if a majority voted for the district.

The bill included the redrawn lines of the district to include Hampton, Newport News, Norfolk, Portsmouth and South Norfolk, and Elizabeth City and Warwick Counties and parts of the counties of Norfolk, Princess Anne, Isle of Wight and York. Suffolk, Smithfield and Virginia Beach were not included. A five-person commission appointed by the governor would take the place of HRSDC and \$50,000 annually would be appropriated for the commission.

Representation on the commission would be two commissioners from Norfolk, Norfolk County and Princess Anne County; one from Newport News and Warwick; one from Hampton and Elizabeth City County; and one from Portsmouth, South Norfolk, Isle of Wight and Norfolk County.

Editorialists at the *Portsmouth Star* were none too happy. First, they poked fun by wondering if now “Anti-Air Pollution” was going to be the next “billion or more dollar” bond issue. “Now with the necessity, we are told of great bond issues for anti-pollution of our tidal waters we are simultaneously advised by “experts” that our air is seriously polluted.”

On a more serious note, it wrote that Portsmouth was “in no position at this time to provide costly sewage disposal plants but we must be thinking of the time ahead when this probably will have to be done.” It suggested that “within eight or ten years” might be the right time, after the city paid off the municipal water plant.

A “Defeatist Amendment”

Meanwhile, in mid-February, Portsmouth found an ally in its battle against the legislation in Norfolk. Norfolk Councilman Leonard P. Roberts, a member of the Norfolk Committee, asked the bill be amended to allow that the city “if it elects, build and operate its own sewage disposal plant, provided its treated sewage meets the proper standards of purification.”

What’s more, city council unanimously approved the amendment and Norfolk Mayor John A. Gurkin agreed. City Manager Harper of Portsmouth said he thought that proposal “a very proper one” and that he would “be glad to join Norfolk in requesting the amendment.”

A Pilot editorial expressed outrage at the “Defeatist Amendment.” The city has “always had the right to build and operate their own sewage disposal plants. They have never exercised this right. They have preferred to dump their sewage poisons into the tidal streams.”

It further noted the amendment would be a “hindrance rather than a help to the coordinated pollution control objective” and that “once the bill is loaded down with autonomy reservations of this type, it ceases to be a measure for the coordinated eradication of the pollution menace . . . and destructive of all uniform effort and all simultaneity of action.”

“From the viewpoint of early, unified action against a menace that cannot well be dealt with by individualized community effort, it is a defeatist proposal.”

“Hearing *Thrown* into Uproar”

The *Portsmouth Star* reported on February 16 that the House Committee on the Chesapeake and its Tributaries heard “heated arguments” on the Stephens bill. Harper, the *Star* reported, “threw the hearing into an uproar when he charged that if a \$10 million bond issue bearing six percent interest were authorized, bond brokers could immediately turn the issue over at a profit to themselves.”

He said those bonds would be resold within 24 hours in cities like New York, Chicago and Philadelphia for \$12 to \$15 million. Harper said the rate should be reduced to no more than three percent to remove the interest of “bond promoters.”

Delegate G. Alvin Massenburg of Hampton took offense and demanded if Harper meant to “imply that any one of the committee has any such idea as this?”

“I am not speaking about the committee,” Harper said.

“I’m a patron on this bill and I want to know who you are speaking about,” Massenburg shouted.

Stephens demanded that Harper name the “promoters,” which he declined to do. Later, Stephens said there was no “scheme to benefit bond brokers, there was no foundation for the belief.”

Massenburg ruled Harper out of order and told him to “stop dealing in insinuations and personalities.”

Said Harper, “You can put me in jail, but I will represent the city of Portsmouth to the best of my ability. We defeated the bill two years ago and we will defeat it again.”

Harper continued: “It is not an anti-pollution bill as presented, the people are just asked to take on a debt which will not accomplish a thing – you can’t regulate the dumping of ships.” Harper also said there were no provisions for pollution abatement on federal property. Portsmouth, he said, could build its own system for \$350,000 while under the district the city’s share would be \$1.5 million. “The people won’t vote for a bond issue that accomplishes nothing. We will kill it deader than a door nail.”

Norfolk County Delegate James N. Garrett supported Harper's position saying it would allow a sanitation district commission to have the "taxing powers of the State Legislature." He said the commission would wield more power than the state and would be unanswerable to the people.

"It's true we need to do something, conditions are not good," Garrett said, "but Norfolk County has just put down hundreds of thousands of feet of sewer lines which, under the present bill would have to be sold or condemned. Why should we have a commission sitting over us? We defeated the plan last time and we will do so again."

Two days later, the *Portsmouth Star* editorial board defended Harper: "News dispatches from Richmond gave rather sensational report of resentment by certain committeemen when Manager Harper brought out dangerous bonding debt features of the so-called sanitation authority measure. Seemingly, committeemen hearing the measure would have been glad to welcome rather than become resentful of the development of such salient points, vitally affecting the public interest, as those emphasized by Manager Harper on Friday."

"Whether those in authority at Richmond desire to listen or not, the people back at home do not propose to have rammed down their throats some such super authority as the pending sanitation district measure would in its present form impose. If the Legislature insists on such enactment the people will answer when referendum time comes. Let all be sure of that."

"Legislative committeemen did themselves great injustice in their surprising resentment of what was only being offered in public behalf and public protection."

Norfolk Pushes Forward Plans in Hearing

Norfolk continued to push forward its plan to allow any locality to vote itself out of the district as long as it were to create its own sewage disposal facilities.

Within six months of passage of bonds to fund the sanitation district, the Norfolk plan would have allowed localities to declare their intention to build their own plants. Those plants would then have to be completed within 12 months of when the Hampton Roads Sanitation District plants began operation.

George Lewis did not favor the Norfolk plan, nor did Robert Preston, who said that sanitation districts were being operated nationwide, and that if the district was approved, the federal government would more likely cooperate in funding local facilities. Another concern was that there might not be enough localities to be in a "district" if too many voted to build and operate their own facilities.

Stephens declared he was "absolutely opposed" to the Norfolk amendment since it could undermine the entire sanitation district plan. Senator Major M. Hillard of Portsmouth said the Norfolk proposal was "the only democratic way" the plan could work.

The House committee agreed to amend the bill based on a proposal by Norfolk City Attorney Alfred Anderson that would postpone for two years a referendum on bonds so as to permit the localities, if desired, to build their own plants. They also agreed to a change suggested by Portsmouth City Attorney R. C. Barkley that any localities' independent plants be completed by the time any plants within the district were ready.

The bill was referred to a subcommittee, which voted an amendment to eliminate Virginia Beach from the legislation, because it now had a plant, and Smithfield, which had plans to be build one.

Various proposals and amendments were offered and rejected, and more haggling ensued once the amendment came out of subcommittee. When the bill reached the full committee it agreed to an amendment that "would permit that any political subdivision becoming a part of the district to construct its own sewage disposal plants within a three-year period ending in July 1, 1943, and cease to be in the district. The amendment also allowed that if the referendum passed, the sanitation commission could not hold a bond election prior to July 1, 1943.

If a community served notice of intention to construct its own plant, and did not do so within the three-year period, it would automatically come into the district and "be subject to its regulations and charges."

Senator Vivian L. Page of Norfolk amended the Senate version of the House bill to allow any county or city in whole or in part to withdraw from the district within six months after its creation by giving notice that it intended to build its own plants. Plans would have to be completed and construction ready to proceed within one year after creation of the district. Localities building their own plants would need to have them completed within three years.

PAID ADVERTISEMENT

Vote **TODAY** on the Pollution Problem

A CLEAR STATEMENT OF FACTS REGARDING THE POLLUTION PROBLEM—EXPRESS YOURSELVES AT THE POLLS TODAY EITHER "FOR" OR "AGAINST" IT - - - BUT, BE SURE TO VOTE

<p>QUESTION: What is the Hampton Roads Sanitation District?</p> <p>ANSWER: The Hampton Roads Sanitation District embraces the Cities of Hampton, Newport News, Norfolk, Portsmouth, South Norfolk, and the Counties of Elizabeth City and Warwick, and part of the Counties of Princess Anne, Norfolk, Isle of Wight, Nansemond and York.</p>	<p>QUESTION: If a home is at present connected to a sewer system what would be the approximate cost?</p> <p>ANSWER: About \$1.50 per person, per year.</p>
<p>QUESTION: What is the Hampton Roads Sanitation Commission?</p> <p>ANSWER: A five man commission appointed by the Governor with representatives for specified areas, so that all parts of the district will have representation therein.</p>	<p>QUESTION: How will the \$9,000,000 necessary for building and operating the sewerage disposal system be raised by the commission?</p> <p>ANSWER: \$2,500,000 will be paid with Federal funds with a possibility of even more. The balance will be raised by the issuance of revenue bonds.</p>
<p>QUESTION: What is the primary object of the Hampton Roads Sanitation Commission?</p> <p>ANSWER: To prevent or reduce pollution by sewerage and industrial waste within the Sanitation District.</p>	<p>QUESTION: What is a revenue bond?</p> <p>ANSWER: An evidence of indebtedness, the security of which is based upon income rather than real estate or other physical property.</p>
<p>QUESTION: What does the word "pollution" mean as applied to waters within the sanitation district?</p> <p>ANSWER: The making foul and unclean the waters in the Sanitation District by the discharge of sewerage and industrial waste.</p>	<p>QUESTION: Does a revenue bond involve levying taxes against real estate?</p> <p>ANSWER: No—money for retirement of the bonds is obtained from a service charge not from a tax against real estate.</p>
<p>QUESTION: Why should pollution be controlled?</p> <p>ANSWER: Because unless controlled it will increase obnoxious odors, eliminate sport fishing and other industries, greatly harm the seafood industries, and constitute a grave threat to the business life, recreational facilities, health and happiness of the communities involved.</p>	<p>QUESTION: Is it more economical for each City and County to operate its own sewerage disposal system?</p> <p>ANSWER: The question was debated for many months. Several densely settled communities concluded it might be after exhaustive study. The City of Newport News, Hampton, Phoebus, Warwick County and Elizabeth City County concluded it would be more economical to remain in the Sanitary District and permit the voters to express by their vote whether or not they are in favor of ending pollution.</p>
<p>QUESTION: Is it practicable to control pollution?</p> <p>ANSWER: Yes, it is being done in many places.</p>	

Days later, there was yet another attempt at amendment. Preston and HRSDC met informally with Norfolk city council to say it wanted any community to declare their intention to build a plant by July 1, 1941, with the bond referendum to be held by December 30, 1941.

The Virginian-Pilot took note of all the haggling, and the stall tactics by some in a February 18 editorial and lambasted the Norfolk-sponsored proposal to allow localities to build and operate their own plants outside of a sanitation district.

“Legislative proposals for ending pollution of the tidal waters of the Hampton Roads area began nearly thirty years ago. The opposition began by denying the waters were being polluted. That position was adhered to until it had to be evacuated under the fire of State and Federal agencies which charted the area of pollution and began to enforce its findings with orders closing large contaminated area to the seafood industry.”

“Now the opposition admits that something should have to be done about the pollution menace, but seeks by one means or another to postpone the day of reckoning. Norfolk as the principal contributor to the pollution, heads the procession of delayers.”

Of the Norfolk plan, “Its radical fault was that it offered no assurance that exercise of local options would do more than provide a fractional and staged tackling of the pollution problem.

“Individualized community attempts to deal with an interacting pollution (problem) would still leave gaping holes in the sewage disposal dike.”

The Bill Gets a Vote

On the day of the vote, March 5, 1940, Delegate James M. Garrett of Norfolk County tried to add an amendment to allow any community to vote itself out of the district and have no further responsibility to build its own facilities. It was voted down.

According to *The Virginian-Pilot*, Delegate Garrett “unloosed a rapid fire attack on Delegate Stephens,” accusing him of “trying to ram a \$10,000,000 bond issue down our throats for a condition which does not exist.”

“Of course we have some pollution,” he said, “We have mosquitos which bite us too, but we are not asking for an appropriation for it. Our people don’t want it. They defeated it before by a 2-1 majority and they will do it again. Don’t listen to this propaganda,” he shouted at the legislators.

“I’m tired of hearing them run down our beaches and our oysters—there is nothing wrong with them,” he continued. “I eat them and the beaches are the finest in the country. I realize we may eventually have to do something about pollution,” he added, “but if this bill is such a sound idea why not make it statewide—make everybody clean up their rivers and creeks and various bodies of water.”

“Please don’t let them do this thing to us, or at least vote to accept my amendment.”

Despite the plea, House Bill 147 passed 52-37. One of its provisions allowed that the Peninsula, by a vote of a majority, could withdraw from the district and form their own, to be called the Peninsula Sanitation District.

The next day, the Senate passed House Bill 148 by a vote of 34-1, providing for a referendum on creation of a sanitation district, with Senator Hillard voting against. In addition, the Senate voted 31-3 to provide \$50,000 for two years, as approved by the Stephens Bill.

As with Garrett in the House, Hillard tried to add an amendment allowing any unit who voted against it to not be included, but it was defeated. Sen. Hillard also fought any appropriations but failed.

Norfolk Conducts a Study and the Peninsula Demands Action

In response to the new law, in mid-May at the request of City Manager Borland, the Norfolk City Council appropriated \$5,000 to conduct a study to determine the feasibility of building and operating its own plants. That money was partially used to build “a small experimental sewage disposal plant” at the end of 38th Street on property of the Norfolk & Western Railway, used at no cost, because of a “large sewage outfall” near there.

Meanwhile, though applauding Hampton, Phoebus and Elizabeth City County for “a disposition” to clean up the waters, the *Daily Press* decried the “acute” sewage problem for which “officialdom of Newport News continues to refuse to do anything.”

The *Daily Press* detailed the extent of the problem describing six “huge sewers emptying from Newport News into the James River,” located at 58th Street, 34th Street, 33rd Street, 25th Street, the Boat Harbor and Salter’s Creek. There were also “a number of sewers” dumping into the James from areas to the north of the city.

In Elizabeth City County and Fort Monroe, there were another six huge sewers, located at Pear Avenue, Robinson’s Lane, the “old Armstrong property,” Phoebus, Fort Monroe and Buckroe Beach. In addition, there were about 60 private sewers “along the Boulevard waterfront.”

“Furthermore, with the arrival of warm weather there is a stench along the Hampton Roads shore line which is all but suffocating.”

“Just what pollution is costing the Hampton Roads in damage to the seafood industry and adverse advertising we do not know. But the sum is a considerable one....”

The *Daily Press* found hope that should a Hampton Roads Sanitation District as a whole fail to pass in the referendum, a Peninsula Sanitation District could be created if a majority of the Peninsula voted in favor as they did in 1938.

Many on the Peninsula felt such urgency to tackle the problem that an effort was made in early July by Newport News City Councilman Harry Reyner and HRSDC member J. S. Darling to move the referendum up in a special election. However, the request was denied by Governor Price, and the referendum was slated for November 5.

The Navy Shows Some Support

Navy officials began to show support for a solution. In the run-up to the referendum vote, Admiral Joseph K. Taussig, commandant of the Fifth Naval District, wrote Secretary of the Navy Frank Knox detailing the serious spread of pollution in Hampton Roads. He noted there were approximately 50,000 Navy people living in the area, including officers, enlisted, civilians and their families.

As a result, in mid-October, Secretary Knox agreed to meet in Washington with Admiral Taussig, HRSDC Chairman Preston, Norfolk City Manager Borland and Representatives Bland and Darden. During the meeting, he agreed to publically state his views in support of their efforts.

Soon after, Secretary Knox wrote a letter giving his “strong endorsement for sewage plants,” and asking senior Navy personnel “to cooperate with the local authorities in every legitimate way in encouraging the development of sewage disposal plants which are necessary to eliminate the pollution of these waters.” He said pollution control was essential to the Navy, and that similar problems had been addressed with the Navy’s expansion in California and the Great Lakes.

Though the endorsement was welcomed, there was no mention of funding, which did not go unnoticed by the *Daily Press*. They wrote that the government should do more “than merely endorsing” the campaign to end pollution. “It should render substantial financial aid and at the same time make it perfectly clear that wherever it is contributing to pollution, or may contribute to pollution, it will make an end of the practice.”

The *Pilot* also called out the Secretary Knox’s endorsement observing that the “Navy does not say anything about any financial aid from the federal government” even as Congressman Darden predicted that “Hampton Roads will be the greatest fleet base in the world with 250,000 to 300,000 Navy men to be based here at times.”

In late October Secretary Knox wrote Admiral Taussig another letter saying he was surprised that cities of Hampton Roads did not have plants, and that he should offer cooperation, calling it “of grave importance to the Navy Department.” He asked Taussig to cooperate with local authorities to have plants built.

Preston went back to Washington to ask Secretary Knox for a financial contribution to build plants.

PENINSULA CITIZENS

LISTEN IN TO

Vice Admiral Taussig
Chairman of the Hampton Roads Sanitation Commission

WHO WILL EXPLAIN

TO THE VOTERS OF THE
HAMPTON ROADS SANITATION DISTRICT

THE BOND ISSUE ELECTION

★ WGH—Monday, 9:30 P. M. ★ WTAR—Monday, 10:00 P. M.

A Massive and Coordinated Effort **For—and Against—***Passage*

As in 1938, there was a massive publicity effort, but this time it was much more extensive and far better coordinated. Each civic league had a captain whose job it was to spread the message. There were often several speeches a day touting the importance of passage.

The Norfolk Association of Commerce became a key advocate, and groups including the Jaycees, PTAs, Churches, Bar Associations, Kiwanis Clubs, the Norfolk Woman's Club, Republican Clubs, the Port Authority, local city councils, the Norfolk Real Estate Board and many more were approached for speeches and formal support.

Proponents of the sanitation district emphasized that a vote of "Yes" did not take away the ability of cities and counties to build and operate their own plants.

In Portsmouth, there was a shift among key constituencies, including the endorsement of the Portsmouth Chamber of Commerce, toward support of the bill.

There were also ad campaigns, some in answer to each other. HRSDC felt compelled to reply to an ad from Harper about the "absurd claim" that members of the Virginia Assembly and other state officials were going to "make an enormous amount of money out of the sale of bonds."

Another ad offered testimonials in favor from the governor and surgeon general of the United States, with the headline: "THINKING PEOPLE Endorse the Establishment of a Sanitation District for the Control of POLLUTION."

But those against the referendum were just as passionate, maybe even more so. Speaking to the Kiwanis Club, Harper continued his fear campaign that "promoters and owners" of the bonds would have power over every householder, declaring "in this law a family could be deprived of drinking water to collect a civil debt."

"Throughout all history, this feature of the so-called anti-pollution bill finds no comparison except in the power of the Roman emperors to deprive their subjects of salt as a disciplinary measure. But without that feature not a bond buyer would consider the sewage disposal bonds."

"No one would deny truthfully that some people are going to get rich off the poor if the plan is carried." He said the origins of the district were in Chicago and New York, and that when he testified in Richmond "there were bond agents hovering about like buzzards around the carrion." He implored that the public was being misled, and said for Portsmouth it was a choice of "two evils:" either join a Hampton Roads Sanitation District or build its own plants.

Concluded Harper, a "Yes" vote will "give more lobster and more champagne to bondholders."

The Debate

In a “vigorous debate” sponsored by Norfolk Real Estate Board just prior to the election, HRSDC member Baecher and Portsmouth Senator Hillard discussed the merits of the vote. On the major points of contention, Baecher said the monthly charges were not a lien, but a service charge. Service could be cut off but property could not be taken from those who did not pay their bill.

He also said the bill had a ceiling of six percent interest on the bonds, but that the going rate would likely be closer to three percent. He also reminded everyone that those who wanted to build their own plants could do so.

Hillard said the pollution problem was “greatly exaggerated,” but would support facilities if the costs were paid one-third each by the state, federal government and residents. He acknowledged pollution was hurting the oyster industry and Ocean View, but asked. “Are we going to spend \$10 million to help one industry and one beach?” He said a lien on real estate was the only way to collect charges, and that eventually the General Assembly would go back and make it so.

The *Portsmouth Star* wrote a week before the vote that “this project we are asked to vote upon is simply a big money-making scheme which will not bring about anti-pollution or purification and nobody can truthfully claim that it will.”

The day before the election, J. S. Darling denied the charges of Portsmouth City Council and Norfolk County Board of Supervisors that the fight to eliminate pollution was a “fight between the rich and poor.”

Said Darling, “HRSDC recommended the creation of a Hampton Roads Sanitation District because experience elsewhere has shown it to be an effective, economical and fair method by which adjacent communities can act to control pollution.”

The governor concurred, declaring,
“This undertaking is one of the first magnitude.”

The Referendum Passes

On November 5, 1940, in an “unusually large turnout” due to the presidential election between Roosevelt and Wendall Willkie, the referendum was approved 20,689 to 16,836. As in 1938, Portsmouth (1,568-4307), South Norfolk (434-630) and Norfolk County (847-3,029) voted against it.

Two years earlier, only 21,000 voters from a larger area cast ballots on the issue, which was voted down by 700 votes; this time over 37,000 participated, and it was voted up by over 4,000 votes, offering as one editorial put it, a fairer test of public opinion and “more representative measuring of sentiment.”

More *Hurdles* to Overcome

Yet, with the victory, it was still only a step with more hurdles to overcome, including the bond issue. And it was not yet known which localities would build and operate their own plants.

The final terms allowed any locality to notify HRSDC within six months of its intention to construct its own plants. Thereafter, it would need to file completed plans for such facilities within a second six months, or not later than November 5, 1941. If approved by the Virginia Public Health Commission, they would have another year to complete construction.

Immediately after the vote, many thought Norfolk would choose to build its own plants. Three council members, Mayor Joseph D. Wood, Lawrence C. Page and L. P. Roberts, Jr., were in favor. Two others, Dr. J. W. Reed and J. Rives Worsham, said they were leaning towards municipal plants.

There was even the question of whether the Peninsula would ultimately decide to form its own district. A provision in the bill allowed Hampton, Newport News, Elizabeth City, Warwick and York counties, within six months after creation of the Hampton Roads Sanitation District, to proceed separately as the Peninsula Sanitation District. However, if such a district did not approve bonds for its own projects, the territory would be restored under HRSD.

In the end, State Senator E. Sclater Montague of Hampton, who had served on the Calrow Commission 13 years earlier, expressed deep satisfaction that the measure passed, as did Newport News Delegate Charles K. Hutchens, who said he was “so enthusiastic that I’d get some building started tomorrow. I’d like to get our community sterilized.”

Paraphrasing John Paul Jones’ heroic utterance, Portsmouth City Manager Harper declared “we have just begun to fight,” promising to carry on against “injustices,” and declaring “we must find some way to prevent it.”

Meanwhile, members of the HRSDC thanked the public for the victory, and prepared its final report to Governor Price, who would soon name a new five-member commission for the newly created Hampton Roads Sanitation District.

A *Pioneering* Effort

The
1940s

Chapter

Major challenges lay ahead following voter approval of the referendum authorizing creation of the Hampton Roads Sanitation District. First was identifying which communities planned to opt out of the district to build their own facilities. Next was securing federal funding and passing a

new referendum authorizing \$6.5 million in bonds.

Not least was dealing with the commencement of World War II, which threatened momentum due to possible materials shortages.

There was early success in obtaining support for \$2.5 million from the Federal Works Administration (FWA) and \$1 million from the Defense Department under a Navy Appropriations Bill. But even these funds were not assured as Portsmouth, South Norfolk, Norfolk County and Yorktown voted to secede from the district and apply for their own grants. Federal funds were also dependent on a successful bond referendum.

On June 16, 1941, Virginia Governor James H. Price appointed retired Vice-Admiral Joseph K. Taussig as chairman of the Hampton Roads Sanitation District Commission. As Commandant, Fifth District, during the late 1930s, Taussig had worked closely with Robert Preston and the Hampton Roads Sewage Disposal Commission to actively support passage of the 1940 referendum creating the district.

The first commissioners meeting was held July 1, 1941, and along with Chairman Taussig, also included Vice Chairman Braden Vandeventer of Norfolk; Newport News City Manager Joseph C. Biggins; J. S. Darling of Hampton; and Hugh Johnston of Portsmouth. The chairmanship was by law a fulltime position and the only member on the Commission to receive a salary.

By law, each locality had six months from the date of creation of HRSD to declare their intention to opt out. The question was: Six months starting from when? As such, a motion was made during the first meeting to request a ruling from Virginia Attorney General Abram Penn Staples on the district's official founding date.

He ruled that HRSD was officially created on March 24, 1941, the "date of the first appointment of members...for purposes of this district." Biggins, Johnston and Darling were "commissioned" on March 24. Vice-Admiral Taussig and Braden Vandeventer were appointed on June 16, 1941.

First Order of Business: Finances

Finances were always tight. Upon passage of the first referendum, the HRSD Commission was authorized a budget of \$10,000 until passage of the bond referendum, which by law, could not take place for at least a year after notification by localities to secede. The \$10,000 available to the Commission also covered the \$6,000 salary for the chairman.

In the upcoming General Assembly, the Commission resolved to seek \$25,000 as their annual budget appropriation for the biennium. However, Governor Price's budget recommended only \$19,850 for the year starting July 1, 1942, and \$19,780 for the following year.

The Commission was authorized to settle outstanding debts up to \$7,500 of the now defunct Hampton Roads Sewage Disposal Commission (HRSDC). They voted that obligations in excess of the limit, amounting to \$332.52, be absorbed by Greeley and Hansen, and by Hawkins, Delafield and Longfellow, the bond attorneys.

With housekeeping concluded, the Commission vowed to bring the 1937 Greeley and Hansen report up-to-date, and to develop a Master Plan so that the public could be fully informed prior to a forthcoming bond vote.

One of their first priorities to have engineers make presentations. They solicited and welcomed competing proposals from engineering firms including Russell B. Moore Company; Consoer, Townsend and Quinlan; Wiley and Wilson; Greeley and Hansen; and Whitmen, Requardt & Smith.

HRSDC chose Greeley and Hansen for a preliminary engineering survey of the district, at cost not to exceed \$5,000. Littleton Tazewell was hired as Greeley's local representative, which ultimately contracted for engineering work going forward under an agreement signed November 19, 1941.

Competing *Solutions* to the Problem

While there was a commitment by all the communities to establish facilities as required by law, there were competing interests and solutions, and some chose to go it alone, at least at first. Even still, it was a region-wide effort with a fairly unified goal of stopping water pollution.

The law allowed communities to state their intention to opt out six months after creation of the district, which was now established to be March 24, 1941. But in order to opt out, the law required that each community satisfy the State Health Commissioner and the HRSD Commission that it had "performed all acts necessary to enable it to construct, finance and operate its own sewage disposal system." If they could not satisfy those requirements, the communities would remain a part of the district.

On September 24, 1941, the following communities served notice of their intention to consider withdrawing from HRSD: Portsmouth, South Norfolk, Norfolk County and York County. Initially, the Norfolk City Council voted itself out of the district, but almost immediately opted back in. Norfolk County voted itself out in 1941 before deciding to return in 1942.

South Norfolk passed a \$150,000 bond vote in early 1942. Meanwhile, Portsmouth, working in cooperation with HRSD and the federal government, successfully continued its \$3 million independent effort to establish wastewater facilities at Pinner's Point.

Plans were submitted to the Commission by South Norfolk and Portsmouth, which were approved by State Health Commissioner, then referred to Greeley and Hansen for review. Meanwhile, in late March, York County asserted their intention to withdraw from district.

An engineers report was presented claiming that no sewage disposal system was necessary in York County. The report suggested, if determined legal, that York County be allowed to withdraw if they could present a certificate declaring that the present means of sanitation met the approval of State Health Commissioner.

In mid-April, Greeley and Hansen reported on the adequacy of the sewage disposal plans submitted by Portsmouth and South Norfolk. Portsmouth's plan was accepted as adequate. Despite Portsmouth opting out of the district, the commission also agreed that Greeley and Hansen could make their engineering studies available to Portsmouth, and that Greeley and Hansen could make engineering studies for Portsmouth.

But the South Norfolk plan was deemed inadequate financially without the city selling bonds. A local bond issue of \$150,000 had to wait until the Commission received assurance of the legality of selling bonds. Then the chairman would be authorized to notify the City of South Norfolk of its legal withdrawal from district.

Portsmouth & South Norfolk **Formally Secede**

Finally, a resolution was read stating that since the “governing body of Portsmouth furnished the HRSD satisfactory proof that all proceedings necessary have been taken and all acts necessary to construct, finance and operate their own separate sewage disposal system that in the option of State Health Commissioner will prevent pollution of tidal waters of industrial wastes and sewage of district, the commission agrees that the city of Portsmouth on March 24, 1942, ceased to be a part of HRSD.”

A similar resolution read that the City of South Norfolk and York County ceased to be a part of HRSD on March 24, 1942.

Vice-Admiral Taussig wrote on January 4, 1942: “A majority of the members of the Commission and the Federal Works Agency feel that the sewage disposal system for this entire area could be more efficiently and economically handled if all the communities remained in the district, and they sincerely regret the action being taken by those communities which have declared their intention to withdraw.”

Col. M. E. Gilmore of the FWA expressed his own frustrations that Portsmouth and other communities had chosen to opt out and said he would not advocate for those localities to receive any funding under the Lanham Act. He pointed out that the “allotment made to the HRSDC was made in light of a determination by the U.S. Public Health service...that the abatement of pollution of the waters of Hampton Roads would be best accomplished through the coordination of effort provided for under the Hampton Roads Sanitation Commission.”

He said he would “recommend “disapproval of individual applications of such municipalities” as Portsmouth since it would provide “for uncoordinated effort in the abatement of sewage pollution in the Hampton Roads area.”

The *Quest* for Federal Funds

Meanwhile, with the advent of the “National Defense Program” associated with World War II, the early 1940s saw a significant increase in population in Hampton Roads with an influx of as many as 150,000 defense and 50,000 civilian workers. New government housing developments began springing up, which greatly impacted sanitation and sewage disposal.

This significant influx of population impacted sanitation, and sewage disposal became “greatly aggravated” to the point that it was considered a “menace” to public health. The HRSD Commission formally declared it necessary to establish modern and up-to-date sewage disposal plants, which were estimated to cost \$7.5 to \$10 million. With the help of Greeley and Hansen, HRSD worked to have all new sewer lines conform to its newly approved Master Plan.

In July 1941, Congress passed the Lanham Act, or Community Facilities Bill, appropriating \$150 million in funds for public construction projects related to the Defense Department, including housing, public works and infrastructure.

Soon after, the HRSD Commission resolved to “make application to proper Federal authorities for the allocation for \$10 million or so much thereof as may appear to be needed for the purpose of safeguarding the health of the men in the uniformed services and those working on defense projects and their families. . . .” An application was made to the Federal Works Agency (FWA), which administered public construction projects.

Good news arrived in a letter dated October 8, 1941, from Col. Gilmore of the FWA offering \$2.5 million under the Lanham Act. The Commission formally accepted the offer, although Hugh Johnston of Portsmouth abstained, stating it was not clear whether any of the funds would be available to the City of Portsmouth.

Johnston contended that the money was intended for all localities, and that Portsmouth and communities he represented would be deprived their share because they exercised their right to opt out of the district. Thus, he chose to not vote on the measure.

There was disappointment in his decision. Said Newport News City Manager and HRSD Commissioner Joseph O. Biggins: “I was hopeful that the commission would deal with this proposition in a unified way, and not draw any such fine sectional lines.”



Portsmouth & South Norfolk Formally Secede

It was Taussig's belief that individual communities outside the district structure would not be able to obtain federal funds under the Lanham Act, which was why localities were better off remaining in the district.

But by November 6, 1941, there was concern that FWA funds might not come through for HRSDC. The Commission wrote a letter asking for specifics of the grant, but got no response. Then, it came out that funds were apparently being held up because the localities that had opted out also approached the FWA for funds.

Said Admiral Taussig, "From all evidences, the Federal Works Agency is confused as to the propriety of making a definite allotment at this time due to a visit of a committee from Portsmouth, Norfolk County and South Norfolk, which communities also desire to obtain Federal funds, independent of those authorized for the District."

Taussig had an ally in Baird Snyder III, an assistant administrator at the FWA, who asserted that Hampton Roads was the "most vital of all war areas on the Atlantic Coast" and that everything possible would be done to secure funding and materials. Taussig said that Newport News, Norfolk Navy Yard and NOB plants were the most essential and should be built first.

In the interim, the Commission noted in a November 26, 1941, meeting in their headquarters on 201 E. Plume Street in Norfolk that it was granted \$20,000 for engineering and legal purposes from the \$2.5 million grant, pending approval of the referendum the following year.

World War II *Begins*

Mixed in with the triumphs and trepidations over federal funding was the nation's engagement in World War II, which was threatening to make vital materials scarce. On December 7, the Japanese attacked Pearl Harbor. The next day, the United States declared war against Japan.

By May 1942, six months after the Pearl Harbor attack, the federal government issued orders that "all unnecessary public works projects calling for critical materials be eliminated."

Nevertheless, the Commission continued its preparations for the \$6.5 million bond referendum. On December 9, two days after the bombing by the Japanese, HRSDC held a meeting attended by R. M. Maxwell, an attorney, and Mr. Gallaher, a financier, both from the Federal Works Agency.

Their discussion was over which bond attorneys to consider, which brought up another issue: federal and state authorities had differing views regarding the sale of bonds. The Commission voted to seek advice on the legality of issuing bonds in Virginia from the state attorney general, who ruled they were legal.

Optimism and pessimism abounded. There was also a resolution by J. S. Darling to seek \$500,000 from the state. If more federal monies were obtained, it might mean the bond vote would be down to \$5 million.

Meanwhile, Maxwell stated they did not think \$10 million would cover the costs of the sanitation projects needed, and that in a future date, they would increase the first grant of \$25 million.

Taussig also wrote to the Army and Navy departments requesting funds and received assurances that additional funds would be available pending passage of a Navy Appropriations Bill in Congress. In January 1942, Admiral Ben Morcell wrote the Commission a letter saying the Navy Appropriation Bill under consideration had an item for “an initial” \$1 million to be used for sanitation purposes in Hampton Roads. Further, Rear Admiral Manley H. Simon, Commandant, Fifth Naval District, indicated he thought the Navy should contribute as much as \$3 million toward construction of sewage disposal plants in the Hampton Roads area.

The Patrick Henry Plant was built in 1942 by the Army to service 30,000 people at Camp Patrick Henry and Hospital, an area that later would become Patrick Henry Airport.

The General Assembly of 1942

By January 23, 1942, the Commission requested \$10,000 from the General Assembly to carry on their work for the remainder of biennium, and decided to wait to request the \$500,000 until after the \$10,000 appropriation was granted.

With the bond referendum on the horizon, Vandeventer moved that Hawkins, Delafield and Longfellow be asked for any recommendations to changes in the bond language while General Assembly was still in session.

They explored whether several bond votes could be taken under current legislation, and discussed whether a lien could be added back for sewage charges via legislation, but decided it was not practical and no further action was taken.

On February 17, 1942, a bill was introduced releasing \$10,000 for maintenance of the Commission, and a bill ensuring marketability of the sanitation bonds met the approval of Mr. Russell of Hawkins, Delafield and Longfellow and also the attorney general.

Not least, Congress passed the Navy Appropriations Bill containing \$1 million for sanitation purposes. That money would be distributed to of the Fifth Naval District, which then released it to the Commission. The bill was arranged so the Navy could work with either the Commission or with individual communities, and the Navy had final authority to spend the money as it directed.

Back in Richmond, Delegate James N. Garrett of Norfolk County introduced a bill to allow communities who opted out of the district to take as long as five years to build their sanitation facilities. Currently, the law allowed three years from creation of the district on March 24, 1941.

The Commission was against it, and Gilmore said the FWA would “not look with favor on applications for funds for work not to be completed for five years” and that it would “oppose individual applications” for federal aid to communities which provided “for uncoordinated effort in the abatement of sewage pollution in the Hampton Roads area.”

Taussig went so far as to ask the Portsmouth City Council and Norfolk County to reconsider their decisions to secede and to remain a part of the sanitation district.

Taussig and Biggins Go To Washington

Taussig and Biggins met in Washington with Col. Gilmore of the FWA and with the head of Reconstruction Finance Corporation (RFC) to discuss financing after plans were completed.

During the trip, the RFC stated they could not make definite commitments until the bond passed, but saw no issues with the project in view of the government presence in Hampton Roads. RFC offered to help with the application, at an expected interest of four percent or less. On the state level, G. Alvin Massenburg introduced the bill requesting the \$500,000 grant toward construction of plants.

Meanwhile, Norfolk County decided to return to the district. The cost to build its own facility was prohibitive, and would have required bonds for \$2 million.

As momentum gained and funds finally began to materialize, new issues emerged: materials, labor and national security. Money became less a problem than the shortage of steel. To ensure there was no conflict with the war effort, large projects could not move forward without final approval of the federal government.

There was a general concern that wartime was not the right moment to embark on such an ambitious project. Even the *Daily Press*, a stalwart in advocating for a solution to the sewage problem, editorialized on March 18, 1942, that construction should wait.

Their headline said it all: “Defer the Sewage Program.”

“After mature and deliberate consideration and appraisal of all the factors involved be deferred until the demands and urgencies of the war have been relieved.... To us a full and undivided concentration on the war effort is paramount.”

Four months later on July 20, 1942, *The Virginian-Pilot* took the opposite stance with the headline: “Let’s Not Retreat.”

“...HRSD has officially pledged itself to undertake no construction not entirely compatible with the war effort, (with) the question of compatibility to be decided not by the commission but by the U.S. government.” “Let’s not retreat. Let’s go ahead.”

In late March, a proposed agreement was reached by which the FWA would build sewer pipes that would meet the specifications of the Commission’s master plan which the Commission could at a later date purchase in part or whole. This became the lend/purchase model that HRSD used throughout

Preparing for the *Bond Referendum*

On May 1, Chairman Taussig announced the attorney general had authorized a local lawyer to prepare a resolution on the bond issue election and that it be held on June 9, 1942. Voters would be asked to vote on bonds not in excess of \$6.5 million.

Hawkins, Delafield and Longfellow came to Norfolk to iron out details on May 7. Greeley and Hansen prepared a report to the Commission with cost projections and how they reached \$6.5 million amount.

But problems arose. The Commission was informed that the Federal Works Agency was considering abandonment of plans to build sewers for new housing projects, and instead planned to “discharge the raw sewage directly into the waters of the Hampton Roads.” The Commission declared opposition to such action by FWA.

Meanwhile, Chairman Taussig drafted a resolution declaring that the policy of Commission after the election will be initiation and construction in “conformity with the war effort,” and that it will proceed with a “maximum of efficiency and a minimum of disruption.”

Around this time, Taussig introduced a rough draft of a paper he wrote titled “History of the Pollution Situation in the Hampton Roads Area.” With some edits, the Commission recommended it should be printed for distribution to newspapers, civic clubs and others.

The Commission drafted a resolution stating that at its March 31, 1942, meeting they outlined a proposal for negotiations with the FWA for sewage disposal systems required for new wartime housing projects. A copy of the resolution was presented to B. F. Bennett, a regional representative of the FWA:

“Whereas under date of April 4, 1942, Mr. Bennett in letter to chairman stated ‘We shall not make an immediate reply to your proposal but shall await the complete study and findings of the engineers.’ Whereas no reply has been received from FWA about possibility of constructing sewers which are not

in conformity with the master plan adopted by HRSD by discharging the sewage from these housing projects directly into the tidal waters of the Hampton Roads area, and whereas the HRSD is definitely opposed to the discharge of raw sewage from any source into the waters of the district, which pollution has already been declared a menace to the health of the communities by the U.S. Health Service and Health Commission of Virginia, be it RESOLVED that the chair of the commission is requested to advise the administrator of FWA of its definite opposition of the proposal of discharging raw sewage into the tidal waters and resolved that this resolution is sent to Winder R. Harris, rep of 2nd Congressional District, and S. Otis Bland, rep of 1st Congressional District, Rear Admiral M. H. Simons, USN, Commandant of the Fifth Naval District and the Naval Operating Base with the request that they assist in support of the commission's viewpoint.”

On May 20, 1942, Judge Spindle rescinded a previous court order to hold the bond election on June 9 due to technicalities, and set the election for July 21. Meanwhile, efforts continued to revive FWA funding. Taussig received a telegram from Mr. Snyder, assistant administrator of the FWA and the chief engineer of FWA to meet in Newport News on May 23. Biggins, Greeley and Dr. Riggin, the state health commissioner, also attended.

Meanwhile, on June 16, 1942, the governor reappointed all members to the Commission. But there were other changes. A law passed in January, and signed by Governor Darden on April 1, changed the name of the Hampton Roads Sanitation District (HRSD) to the Hampton Roads Sanitation District Commission (HRSDC).

The new name better identified, at that point, the nature of the evolving “district” and that all business was actually being conducted by the Commission on behalf of the district.

A new seal was created to conform to the name change. The current seal was discontinued and one with new name was introduced at the HRSDC meeting on July 15, 1942. “Hampton Roads Sanitation District Commission” was imposed on the outer circle and the seal of the Commonwealth of Virginia remained the inner circle.

A Statement of *Facts*

To publicize the upcoming bond vote in an all-out effort to gain widespread support, the Commission released the following items for public consumption:

- 1. The study and report by Greeley and Hansen**
- 2. The history of the Hampton Roads Sanitation Commission**
- 3. A statement of facts regarding the bond issue election**

The Commission stressed that no work would be done that conflicted with the war effort. Other than labor and materials that were easily available, they committed to NOT commence construction on any part of the system that would negatively impact the war effort.

In advertising through newspapers and radio they presented a list of straight facts as their biggest ally. The final list encompassed the following:

- 1.** The U.S. Public Health Service and Virginia Health Commissioner state that discharge of raw sewage and industrial wastes is a menace to health and requires “remedial action at the earliest practicable time.”
- 2.** The menace is growing more acute due to additional housing projects underway, which will add 50,000 people to the community.
- 3.** Swimming and bathing have been prohibited in waters of this area inside the line connecting Old Point Comfort and Willoughby Spit. Waters off beaches at Ocean View and Buckroe are showing evidence of increasing pollution, and restrictions on bathing and swimming may need to be enacted.
- 4.** Over 60,000 acres of oyster production beds have been condemned.
- 5.** HRSDC is charged by law with relief of the tidal waters of district and improvement of conditions.
- 6.** Competent engineers have reported the only way to carry out relief is through construction of adequate sewage disposal system.
- 7.** Engineers estimate cost of construction which meets approval of the State Health Commissioner is \$9 million.
- 8.** The FWA has made a grant to the Commission of \$2.5 million to assist the commission in its work.
- 9.** The Navy Department has available \$1 million to be used for sewage disposal projects in the area.
- 10.** A bond issue not in excess of \$6.5 million is necessary to raise the additional funds required. By law this bond issue can be made only if voters elect to do so.
- 11.** The following question “Do you favor the issuance of \$6,500,000 bonds of the Hampton Roads Sanitation District Commission” will be held on July 21, 1942 in all precincts throughout the HRSD.

The final question to be placed on the ballot was written as follows: “Do you favor the issuance of not exceeding \$6,500,000 bonds of the Hampton Roads Sanitation District Commission?”

More Threats to *Federal Funding* Materialize

A combination of local politics fueled by the complexity of a region that included both a “district” and independent localities seeking federal funds had made it difficult for government authorities. Further, timing was becoming an issue. To receive funding, construction needed to start almost immediately, but the vote gave little time for projects to be ready by the first of the year.

Just a week prior to the vote on July 15, 1942, Chairman Taussig read a letter received from Col. Carey concerning the release of funds from the FWA: “Due to the uncertainty of being able to proceed with the project even in case of favorable bond election, we would be unwilling to recommend the expenditure of any part of the grant funds at this time.”

Nevertheless, there was an all-out effort to make sure the referendum vote was a success but support on a political level was not easy to attain. Taussig approached the governor for his endorsement of the bond election. The governor said that as a citizen of Norfolk, he would vote for it, but that “an intervention” on his part might be considered “an unfair use of his office.”

There were prominent local citizens who came out against it. Norfolk City Planning Commissioner Whit Tunstall told City Council that the issues were not clear, that the “people did not know what they were to vote on,” that city council “should delay the election” as the work would interfere with the war effort. Taussig and Vandeventer also met with the Norfolk City Council for their support, but the council decided it was not their place to pass judgment on this question since the Commission had jurisdiction.

Taussig and Vandeventer met with editors of local newspapers, most of which published news items and editorials supporting passage. There was also a concerted advertising campaign in newspapers and on radio along with endorsements of the Norfolk Association of Commerce, Garden Club of Norfolk, the Edgewater Civic Club, the Hampton Rotary, the Hampton Kiwanis and the Izaak Walton League.

The *Bond Vote* Passes

On July 21, 1942, despite turmoil, division and uncertainty, the \$6.5 million HRSD bond referendum passed by 3,389 to 1,584, a 2-1 margin. Passage of the referendum helped set forward a construction program of pumping stations and work at the Boat Harbor site, and for the treatment of the sewage from the James River Bridge in Warwick County to the City of Hampton.

On July 24, 1942, Greeley updated the Commission on progress around housing projects in Newport News and Norfolk County and offered a plan for the future. Under a contract for items for which Greeley and Hansen compensation was “not to exceed \$10,000,” Greeley and Hansen prepared a list of materials for each construction project.



At their next meeting on August 5, 1942, the Commission expressed frustration, but resolved that planning and coordination with the federal government on new development was critical.

The Commission wrote there was a “tendency on the part of the aforesaid federal departments and agencies to dispose of the sewage from these housing projects in a manner that will increase the menace to the health, a large proportion of whom are engaged in war emergency work.” It was resolved they would confer with representatives of federal departments and seek additional funds where needed.

However, despite the resolutions for better coordination, things were not going well. On September 23, 1942, even with the bond referendum passed, Tausig read a letter from General Fleming stating the FWA was cancelling the grant made in October 1941. In response, Tausig and Greeley went to Washington on August 14, staving off the cancellation, at least for a time.

Finally, a letter on September 1, 1942, from Baird Snyder of FWA confirmed they were reversing cancellation of funding. Now, with passage of the \$6.5 million federal funding and restoration of the \$2.5 million, plus the \$1 million from the Navy, there would be \$10 million to invest in treatment plants.

HRSD Hires *First Full-Time* General Manager

In July 1943, Vice-Admiral Joseph K. Tausig was called back to active duty and resigned as Chairman and General Manager of HRSDC. That same month, former Norfolk City Manager Charles B. Borland was appointed to succeed him as a Chairman.

Three years later, Borland resigned, and E. T. Gresham of Norfolk was appointed as a Commissioner. Then on July 17, 1946, Joseph C. Biggins, Newport News City Manager, and a Commissioner since 1941, succeeded Borland as HRSDC Chairman.

But a major step forward was taken on October 18, 1944, when HRSDC hired its first full-time General Manager, Reid W. Digges. With the war nearly over, day-to-day leadership would be critical over the next several years as funding, labor and materials became readily available again.

Over the next couple years, there were routine appointments to the Commission. Charles E. Jenkins was named Commissioner in July 1944. In 1945, Robert M. Hughes and James N. Garrett were appointed, followed in 1946 by E. T. Gresham of Norfolk.

On February 1, 1946, HRSDC hired Donald K. MacKenzie as the chief engineer at a salary of \$6,000 annually. He had for the previous seven years been a marine engineer at the Norfolk Naval Shipyard. His job was to supervise construction of new sewage treatment plants, interceptor lines and other infrastructure, and to be responsible for their operation.

The critical task HRSDC faced was directing new development to follow the Master Plan, and helping with funding mechanisms to make projects happen. Installation of pipes and infrastructure as funded by municipalities, and with help from HRSDC, continued during the war.

By July 1942, Newport News secured \$127,000 funding for installation of 12,200 feet of sewer lines to serve 5,000 housing units for war workers. A Portsmouth project consisted of 13,000 feet of lines, as well as work on behalf of Norfolk County.



HRSDC kept a focused eye on development. New housing projects planned by such companies as Alexander Howie, Inc. and other firms were directed by HRSDC to conform to the Master Plan and to seek approval of certain design work. At HRSDC meetings, the secretary was routinely asked to provide a list of all communities conforming to the Master Plan.

Naval Base officials were also encouraged to conform to the Master Plan. The issue at hand was whether to build lines flowing north and build their own plant, or let them flow south and connect with the Commission's plant at the Army Base, which was now being planned as the government's contribution to handle the influx of military and civilian employees.

Bonds Are Finally Sold

By January 1946, preparations were underway to sell the \$6.5 million in bonds that had been authorized by referendum four years earlier.

On April 9, 1946, in their headquarters at 329 Flatiron Building, a bond meeting was held with Lehman Brothers, fiscal agents to the commission; Hemphill-Noyes Company, associate agents; and H.E. Russell, bond counsel, all from New York.

On April 12, 1946, the Ledger-Dispatch reported "Rapid Progress Being Made in Building First Large Sewage Treatment Plant Here." It was reported that representatives from large New York banking and bond brokerage firms arrived as guests of HRSD to inspect the progress being made on the Army Base Plant. The plant itself was being built by the FWA at a cost \$831,700 with capacity to handle 11 million gallons per day, and initially scheduled for completion March 1, 1947.

After a meeting at the Princess Anne Country Club, they drove to Norfolk and were given a tour by General Manager Reid W. Digges and Chief Engineer Donald K. MacKenzie. When they arrived, they saw that over 2,100 piles were driven 40-60 feet deep, with a large chlorine contact tank under construction. There were also outlines of two bilge sludge digestion tanks.

On April 30, 1946, it was announced that Sanitation Bonds were sold to a syndicate managed by Glorie Forgan and Company of New York. The next month, May 1946, HRSD financed its \$6.5 million bond issue at 2.2 percent interest from a syndicate of 16 investment firms.

Army Base, Lamberts Point and Boat Harbor Plants *Progress*

The Japanese surrender ended World War II, which set the stage for tremendous strides. The FWA accelerated its investment of over \$5.5 million with construction of the Army Base Plant.

By late 1945 planning was well underway for the facility, which under terms of the agreement with the FWA, was scheduled to be turned over for operation as part of the Hampton Roads Sanitation District.



The Lamberts Point Plant outfall was constructed in 1946.

There were seven bidders for the Army Base Plant. When bids closed September 10, 1946, E. & E.J. Pfozter won the contract for the construction of the substructure and superstructure for the plant with work to be completed in early 1947. The low bid was \$261,366.

Projects in Newport News also progressed as main lines from the Boat Harbor site moved forward. Under instruction from the FWA, Greeley and Hansen prepared specifications for a 24-inch outfall at the Boat Harbor site.

Engineering designs were underway for the new plants at Lamberts Point and Boat Harbor. Aldrich & Buck of New York designed the facilities in South Hampton Roads while Greeley and Hansen of Chicago designed and supervised construction on the Peninsula.

In June 1946, Digges was authorized to negotiate with Norfolk to purchase 12 acres for the Lamberts Point Plant; contracts were awarded to lay pipes at Boat Harbor and Lambert's Point; and on June 26, 1946, the Warwick County Trunk Sewer, HRSD's first construction project, began.

On July 4, 1946, Governor William Tuck appointed E. T. Gresham to succeed Charles B. Borland, who resigned as of July 1.

South Norfolk Returns

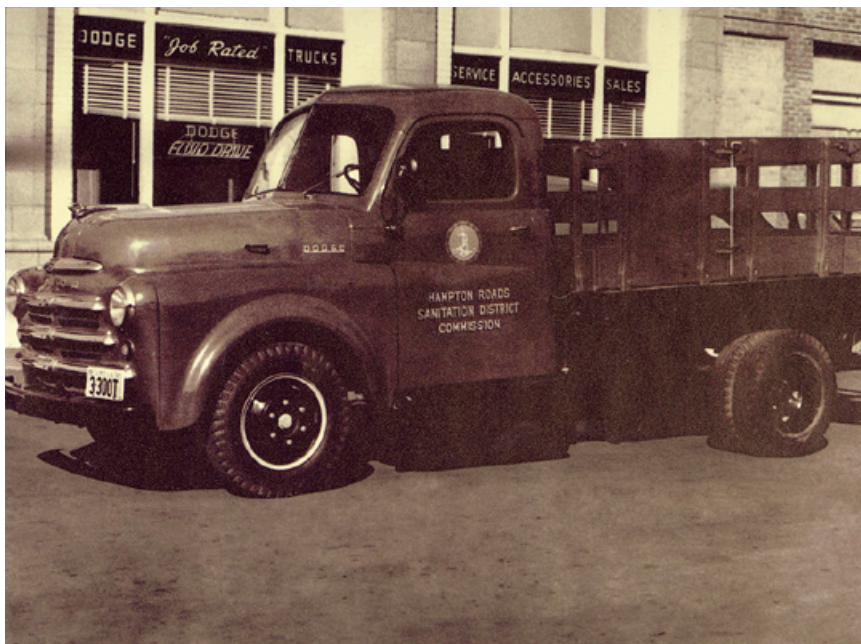
South Norfolk, which had originally thought it would be cheaper to go it alone, found they would need voter approval of \$2 million in bonds. No provision had been made originally for reentry so the General Assembly passed a special act to allow South Norfolk to hold a referendum for this purpose. In August 1946, the locality's residents voted 187-24 to return to the district. Portsmouth, however, went ahead with its plans to build its own plants with some cooperation from HRSDC.

In September 1946, it was announced that bids would open on October 16 for the construction of two plants, Boat Harbor and Lamberts Point. Designed by Greeley and Hansen, Boat Harbor was to have the capacity to treat 12 million gallons daily.

In early October 1946, construction began on the Lamberts Point Plant when 60-inch, 54-inch and 48-inch gravity concrete pipelines were installed at Bluestone and 43rd Street. These lines would ultimately run to the plant to be built on the waterfront at the foot of 44th Street and encompass 8,000 feet of lines. The Lamberts Point Plant, with the capacity to treat 18 million gallons daily, was estimated to cost \$1.3 million. The gravity and force main trunk system in Norfolk, including pumping stations, was estimated at more than \$1.5 million.

On January 16, 1947, it was announced the Boat Harbor sewage plant in Newport News would be built by C. W. Lockwood of Hampton for approximately \$850,000. The original low bid was \$989,000 but some items were removed from the plans. It was scheduled for completion by July 1948.

By February 1947, training began for personnel to operate the Army Base Plant, which could handle as much as 15 million gallons of sewage daily and was scheduled to be operating by July. Meanwhile, bids for the Lamberts Point Plant were to be advertised in May.



A 1947 Dodge truck was an early HRSD purchase.

Other Forms of *Water Pollution* Also a Problem

On April 26, 1946, the *Ledger Star* reported that the Coast Guard was being requested to help “abate the nuisance caused by the dumping of oil, waste, garbage and litter from various kinds of government ships anchored off Ocean View...” The request came from Acting City Manager Henry H. George III, who said the beaches are in “filthy condition.” The headline screamed, “Ocean View Civic Bodies Demand Action to End Pollution.”

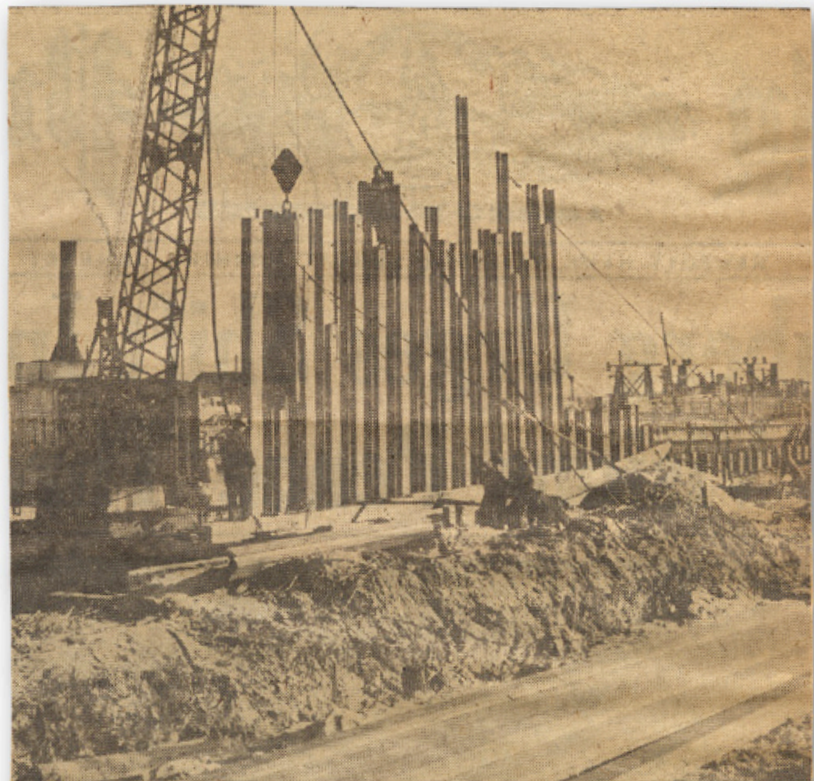
The Coast Guard conducted a continuous campaign among steamship operators and agencies to remind them that pumping bilge oil inside a harbor was illegal. Nonetheless, in February 1947, oil slicks were reported to be a problem from Willoughby Spit stretching for seven miles eastward and also as far as the Lafayette River. HRSD had no authority over pollution by ships, which had long dumped sewage pollution, bilge oil and other refuse in the harbor.

The *Ledger-Dispatch* reported that the “Coast Guard is making a renewed effort to end this practice. The *Ledger Star* editorialized that cleanup was a federal job and noted that “the Hampton Roads sewage disposal development will lose much of its meaning... if the elimination of other pollution breaks down. This is clearly the responsibility of the Federal authorities.”

The Coast Guard increased patrol boats to prevent further pollution, and there were even suspicions that Navy ships could be the source of bilge water. Digges also stated that the Navy did not empty its sewage into Little Bay and nearby water any longer, and had its own disposal system tied in with the Army Base Plant.

It was general practice for most ships to dump refuse 100 miles offshore, but one ship captain was fined \$1,500 when he was convicted of pumping oil off Newport News.

And for a time, an oil pollution program by HRSD was active until 1950 when the tanker “Commonwealth,” used for interdiction and cleanup, was returned to the Navy.



NEW BULKHEAD PILINGS AT BOAT HARBOR
This shows the new steel pilings being placed at the municipal boat harbor, one of the first steps looking toward the erection of the large sewage disposal plant to be erected at the boat harbor as a part of the vast Hampton Roads sanitation commission's project. The steel pieces are set into place with the large derrick, at the left of the picture. The ferry slips may be seen, over the top of some of the pilings already in place, to the right.

New Plants and New Challenges

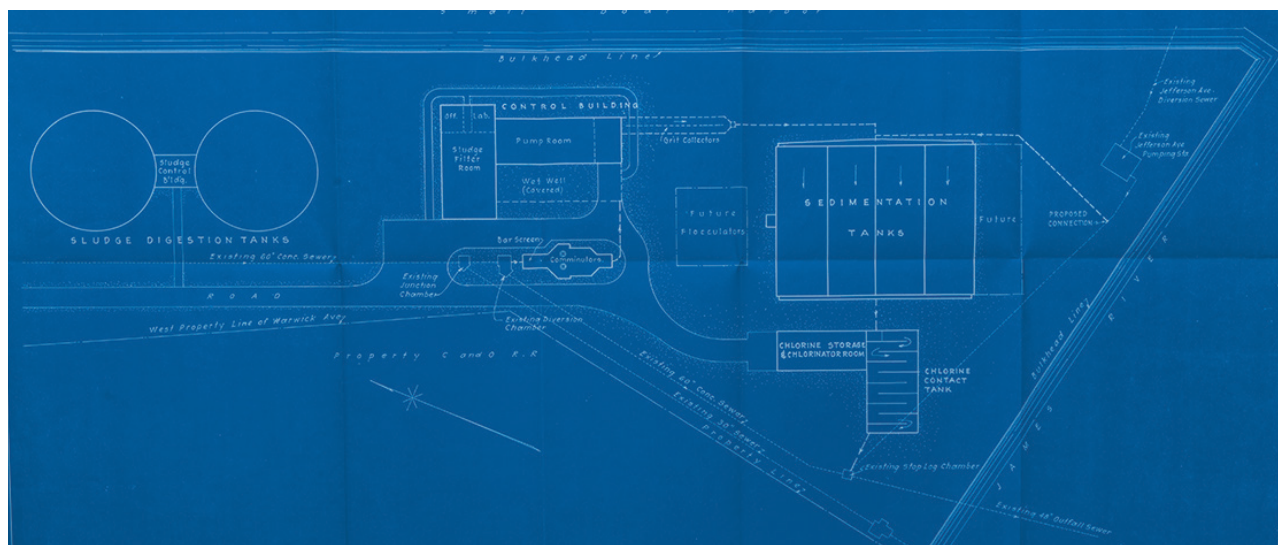
As the decade came to a close, Digges considered various new funding strategies for moving forward. In May 1947, he sought federal loans vs. grants for pollution controls as there were advantages to the loans over outright grants. The Lend-Purchase model also continued to be employed to help communities build needed facilities, and for HRSD to run them.

On Oct. 14, 1947, Army Base Plant was formally acquired from the U.S. Government, becoming the first HRSD wastewater treatment plant. It opened four days later on October 18.

Eight months later, on June 15, 1948, Lamberts Point Plant began operation. Just over a week after that, on June 24, 1948, the Boat Harbor Plant began its operations.

In July 1948, G. A. Treacle of Norfolk County was appointed an HRSD commissioner. The following year, in 1949, Frank H. Miller was hired as chief engineer of HRSD. He would go on to become general manager a decade later, in 1958, and serve until 1971.

At decade's end, progress was evident on several fronts. Three HRSD sewage treatment plants were up and running. Over 35 million gallons of wastewater was being treated daily, with less than a million untreated gallons daily going into local waters. Previously condemned oyster beds were being reopened for harvest. And efforts were stepped up to close all remaining outfalls that sent raw sewage into tidal waters.





An Era of *Growth*

Chapter

The 1950s

As the 1950s opened, there had been significant progress since HRSD's founding a mere decade ago. There were three operating sewage disposal plants, 68 miles of trunk lines and 32 pumping stations serving 60,000 customers, with revenue of approximately \$1.5 million. By fall 1950, it was estimated that 95 percent of the region's sewage was passing through the three HRSD plants.

HRSD's jurisdiction now covered 1,160 square miles and included Newport News, Hampton and Warwick County on the Peninsula; the City of Norfolk, Nansemond County and Isle of Wight County; and the Western Branch and Deep Creek districts of Norfolk County as well as the Kempsville and Lynnhaven districts of Princess Anne County.

A U. S. Public Health Service Report released in 1950 concluded that 35 million gallons of raw sewage was now being treated daily, and that was having a positive "sanitary effect" on local waters, with less than a million gallons daily of untreated sewage now going "overboard."

It also stated that due to the treatment of raw sewage, 1,530 acres of the Hampton Flats, which had been closed since the typhoid epidemic of 1924-25, would be reopened for harvest. Another 9,000 acres between Buckroe and East Ocean View were also opened. These beds had been closed for direct marketing to consumers since 1934.

There was optimism that water pollution was being tackled and that local waters could someday be free of pollution. In the two to three years that the treatment plants had been in operation, HRSD had cut to less than five percent the amount of sewage going into local waters from the Norfolk side. Norfolk's two plants were handling over 36,000 accounts while the Peninsula had 24,000 customers.



Lawsuit over *Non-Payment* of \$30.11 by Buckroe Resident

Now that customers were getting new bills in the mail, many wondered why they were so high, what they were getting in return and even whether they should pay them at all. In late 1949, Arthur O. Smith of Buckroe, who owned an apartment building, refused to pay his HRSD bill because he said the Commission by law was supposed to clean up the water pollution, and pollution still existed.

In October 1950, Judge Frank A. Kearney of Elizabeth City County ruled that Smith did not have to pay his \$30.11 “anti-pollution” bill because indeed, pollution had not been eradicated as the law required. He declared there was a breach of contract. In effect, the judge ruled that HRSD did not have a legal right to collect money it was due.

Hundreds of homeowners refused to pay their bills pending outcome of the case. Further antagonism ensued when those who refused to pay their bills were sent collection notices with threats to shut off water. The *Daily Press* reported particular difficulty collecting on accounts in Newport News, which created political pressure on the Peninsula against HRSD.

On appeal, the Virginia Supreme Court, on January 21, 1952, upheld HRSD’s right to collect funds “even though the system of pollution correction is only partly effective.” It threw out the decision by Judge Kearney and ordered Smith to pay the \$30.11 with interest dating from August 9, 1949, when the suit was filed.

All in the *Region*

It was not always easy or pleasant, but all involved worked with each other, and sometimes against each other. There were many hurdles and disagreements along the way.

Under umbrella of the passage of the 1940 referendum to create HRSD, which also allowed localities to opt out, the city of Portsmouth had made strides even as it went its own way by opening its own sewage disposal plant at Pinner’s Point. HRSD worked cooperatively with Portsmouth, sharing engineering studies and other resources when appropriate, and negotiated to sell the City of Portsmouth “certain commission facilities” for \$250,000, which HRSD used to finish construction in an effort to close gaps.



Several Commission members appointed in the 1940s continued to serve in the 1950s. Pictured below, left to right, are: J. C. Biggins of Newport News (replaced in 1950 by J. Clyde Morris); J. S. Darling of Hampton; E. T. Gresham of Norfolk; G. A. Treakle of Norfolk County; and, at extreme right, Robert M. Hughes, Jr., of Norfolk. On Mr. Hughes' right is Reid W. Digges, general manager, and Miss Mary E. Taylor, secretary.

Nevertheless, in early 1952, an unsettled dispute between HRSD and Portsmouth ensued over the cost of treating sewage from approximately 2,000 accounts in Norfolk County. The dispute centered on the rate for Norfolk County disposal owed by HRSD to Portsmouth, which had not been settled when Portsmouth formed its own district. By this time, HRSD had already paid \$50,000, but Portsmouth was seeking at least another \$30,000 as a partial settlement. In December 1953, Portsmouth agreed to submit a rate formula.

There were other disputes. With the expansion of the College Courts pumping station, Hampton asked HRSD to take over all the trunk line pump stations while the city handled all lateral pump stations associated with enlargement of the College Courts pumping station. The city owned it and HRSD operated it. HRSD approved the expansion but said the city would have to bear the cost. The city continued expansion while it was still being determined who would pay. But enlarging it allowed much needed gravity lines into new subdivisions.

Meanwhile, South Norfolk council sought \$305,000 from HRSD for 11,000 feet of sewer line, or demanded they start paying rent. City Manager Philip W. Ancell said that HRSD was billing customers for use but the county was getting no return for construction of the Portlock sewer extension. HRSD replied that it would have built it for \$250,000 and purchased it for that amount.

Calls for a *Peninsula* Sanitation District

Peninsula customers who were already upset with billing issues, rate hikes and water cut-offs also thought maybe they were not getting as good a deal as the Southside of Hampton Roads, which had more customers and facilities, but paid the same rate. Other complaints included the failure of HRSD to allow deductions in fees for water that did not flow into sewage plants.

Dissatisfaction with being a part of the Hampton Roads Sanitation District led to consideration of forming a Peninsula Sanitation District.

The idea to separate was proposed by Newport News Councilman Roy A. Peterson in the May 22, 1950. Council agreed to an “exploratory conference” to be held with the other Peninsula municipalities and two counties. By June 1950, a study was underway.

Despite the legal hurdle that HRSD could not be severed unless by an act of the General Assembly, an effort was made to examine the “possibility, feasibility and advisability” of separating from HRSD because of the rates and threats to cut off water.

Not surprisingly, threats to cut access to water were controversial. A *Daily Press* editorial on April 26, 1950, contended that “cutting off water would just compound the problem sewage disposal was supposed to alleviate, but on land instead of water.”

In July 1952, the Newport News Waterworks Commission refused to shut off water on delinquent accounts, saying that HRSD must do it if it so wishes. Meanwhile, agreement was made with Norfolk that the city would shut off the water for nonpayment.

But by June 1953, water cutoffs, which had started the previous year, were declining as customer relations improved. Reminder letters had been effective and partial payments were helping as well.

The *Battle* to *Close* Outfalls

Despite considerable successes, there were major challenges pending, the chief one being closure of as many of the nearly 550 remaining outfalls as possible. Outfalls were the pipelines that directed untreated raw sewage into local waters. In the 1940s it was estimated there were roughly 250 public and 300 private outfalls on the shores of Hampton Roads waters.

HRSD moved “full speed ahead on outfall closings,” with the goal to complete them all by the end of the decade, replaced by tie-ins to the sewer system or, if needed, by septic tanks. In Norfolk, sewage from more than 1,700 homes was still being dumped into the Elizabeth and Lafayette rivers and Hampton Roads waters through 21 outfalls.

In 1950, HRSD and the City of Norfolk entered into an agreement called the Kaufman Plan, named for Charles F. Kaufman, to tie those outfall lines into the treatment plants. Norfolk agreed to close 17 outfalls and HRSD to close four. It was expected to take eight years and \$700,000 to complete.

Progress was slow, steady and expensive, and after only three years, Norfolk had already budgeted \$336,000 toward the Kaufman Plan. A milestone was reported in January 1953, with the closing of the last public outfall on the north side of the Lafayette River, west of the Granby Street Bridge.

On the Peninsula, a 4,200-foot extension that served a section of Warwick County completed a gap in the system, and as a result, HRSD announced plans on July 15, 1952, to close the last public outfall. Also, a new pumping station built where a septic tank treated sewage helped close the last remaining outfall in Newport News.

In June 1953, *The Virginian-Pilot* reported that Norfolk City Council earmarked another \$67,800 to close outfalls in the Larchmont/Edgewater area. Seven months later, in January 1954, two of the largest remaining sewage outfalls on the Lafayette River were closed, one on Jamestown Crescent serving 100 homes, and the other on Hanover Avenue serving 120 homes.

Issues with Septic Systems

Septic tanks were also problematic, and efforts were made to discourage their use, and to tie-in to the public system when feasible. Many homes were unable to sustain a septic system due to soil and flooding issues, which affected property values, loans and quality of life.

City governments began to closely scrutinize patterns of development to best assimilate plans with HRSD infrastructure. Municipalities began to try to tailor new housing units so they conformed to the HRSD Master Plan. The federal government also began to place restrictions on certain types of loans for homes with septic systems.

By August 1954, Princess Anne County was experiencing the struggles of growth without an adequate sewer system. As a consequence, it was dealing with a significant increase in septic tank usage and its ill effects.

Dr. William Y. Garrett, director of public health in Princess Anne County, noted that since 1953, over 1,800 septic tanks had been installed, and that over 10,000 more homes were to be built in the near future. According to press accounts, these included 1,890 homes in Roosevelt Gardens near Little Creek, 5,700 in Kempsville and 2,800 on either side of Virginia Beach Boulevard west of Thalia.

He also noted that almost \$10 million in taxable property would be lost if areas could not be developed due to a lack of sewage infrastructure. He stressed that improper sewage disposal could lead to closure of oyster beds in the Lynnhaven River. He projected that it would cost \$4 million “at the current rate of \$3.50 a foot” to install sewers under paved streets.

Princess Anne County discussed extending HRSD service with General Manager Borland, but he noted that the \$6.5 million allotment for the “primary sewage system” was completely allocated. His solution was for the county build its own plant and then let HRSD take over operations. He noted HRSD was already handling the East Ocean View section of the county.

Such became the pattern. Every time a new school or apartment building was needed or proposed, it typically involved the city paying for the facilities, then HRSD running them. Planning was geared around the capabilities of HRSD, which was constantly in the position of keeping up with fast-paced development.

HRSD Chief Engineer Frank Miller suggested setting up “local sanitation districts” to create infrastructure prior to people building and living there. But the Princess Anne Commonwealth’s Attorney said it was unlikely to create a sanitation district “prior to habitation.”

Three possible plans were explored to address the challenge to keep up with demand:

- 1. Issue treatment plant bonds backed by property or anticipated revenue and let HRSD run the plant;**
- 2. Set up a Sanitation Authority, a power of boards of supervisors under a new law, and let it issue bonds; or**
- 3. Require developers to build plants with agreement the county would take them over.**

The cost estimates were \$250,000 to service 2,800 homes or \$350,000-\$400,000 to service 5,700. Princess Anne Commonwealth’s Attorney Paul W. Ackiss suggested that the county join HRSD, otherwise it would eventually find itself with too many sewer plants “all getting overloaded” as the population grew.

*“Why not join the Hampton Roads system that would be good forever?”
he asked.*

Financial Matters

HRSD’s fiscal outlook “never looked better” by the end of the fiscal year 1953. There was \$873,794 in cash reserves, and they were just \$61,175 short of the requirement for their bond indenture. They had reduced \$1 million of the \$6.5 million bond, with total revenue of \$1,378,971 and expenses at \$1,238,870. There was also federal indebtedness of more than \$1 million.

Revenue for 1953-54 was projected to be \$1,445,000, an increase of \$85,000 from the previous fiscal year, with \$1,278,439.03 in expenditures. Revenue ending June 30, 1954, was reported at \$1,475,000, which was \$30,000 more than projected.

On January 21, *The Virginian-Pilot* headline read “HRSD Meeting Terms of Debt.” In technical default since June 1949 as far as meeting financial requirements of its bond indenture, it for the first time since the three plants began operation reported that it was building up an improvement fund that can be drawn for projected improvement work. As of January 1, 1954, Robert H. Porter, Jr., treasurer of HRSD, complied with all financial requirements of the bond indenture for the first time.

The fiscal year income for 1954 was confirmed at \$1,472,192, after projecting \$1,445,000. Expenditures were reported to be \$1,238,974. The \$6.5 million bond issue had been cut down to \$5,425,000 since 1948, and that \$130,000 was set aside for further bond retirement.

Meanwhile, the City of Newport News approved a boost in water rates effective October 1, 1955. It was reported the average bill would rise from \$3.50 to \$5.50.

The 1956 HRSD budget reflected the lean times still ahead, with expenditures projected at \$1,342,320 with revenue projected only at \$1,336,000. Nonetheless, employees received a 5.5 percent pay increase, at a reported cost of \$24,000 annually.

Construction Continues

A tricky partnership was now in place between HRSD, the local communities and their customers. New lines financed by local communities continued to be connected to HRSD disposal plants. Several pipeline projects in South Hampton Roads and on the Peninsula had been awarded in 1952.

By June 1954, bids were submitted for three sewer projects in Warwick, including a pump station at Morrison and an extension of the Morrison trunk sewer. The other two were a trunk sewer line on Orcutt Avenue in the Parkview section and another line to the Beaconsdale area. Another contract was awarded to connect the Estabrook section of Norfolk County and to bring lines to Winona, Gowrie, Park and Norview in Norfolk.

Meanwhile, the City of Hampton, in December 1955, approved a \$1 million bond issue to help finance public works, including \$200,000 for sewer expansion. On August 22, 1955, there was a daylong conference held in Warwick City Hall to discuss “new patterns of expansion” on new trunk lines, which resulted in four new lines the next year. A new subdivision control law aided participation in public sewage facilities.

In South Hampton Roads, in late September 1955, a Princess Anne Water Sewer Board was named to help set up a sewage system for three new developments: Belhaven, Southern Terrace and Kempsville district, which included Aragona Village. An emergency ordinance was created to set up a sewage system.

With the Water Pollution Control Act of 1948 set to expire, new federal funding became available via the Water Pollution Act of 1956, which provided \$50 million for pollution abatement nationwide, of which Virginia's share was \$1,027,450. To get funds the communities had to commit themselves financially to build sewage treatment plants via bond referendums.

By May 1956, the City of Norfolk was preparing to launch its Tanner's Creek Sewer Project at a cost between \$350,000 and \$400,000. The project was designed to help lead to an end of septic tanks in the northern part of Norview. In Hampton, virtually all new developments were able to reach city sewer lines.

In 1956, the Harpersville Line in Warwick was awarded for \$198,594, the largest contract for a new sewer line. On July 4, 1956, it was reported that Warwick was enlarging its sewer system with four new lines, including one to East Hilton and 72nd, 73rd and 74th streets, and one to South James River Drive.

A *Regulatory and Enforcement Phase*

As more public outfalls were closed, HRSD entered into a regulatory and enforcement phase of its mission in an effort to close the approximately 250 remaining outfalls in the area. They began a campaign insisting there was "no alternative" except for all private outfalls be closed and diverted to city lines. HRSD's policy was to split the cost with localities to build lines to connect these.

Prior to the establishment of HRSD in 1940, *The Virginian-Pilot* reported there were 80,000 commercial and residential places that sent sewage overboard. In 1955, only 875 commercial and residential facilities sent raw sewage overboard through 200 private outfalls (133 in Norfolk, 67 on the Lower Peninsula) and 13 public outfalls.

By October 15, 1956, according to an analysis of the *Ledger Dispatch*, there were no public outfalls remaining on the Lower Peninsula and only 41 private outfalls. Around Norfolk, there were only 10 public outfalls and still dozens of private outfalls.

The Commission empowered General Manager Borland to write letters informing homeowners on the Southside and Peninsula that they must "cease polluting waters under authority of HRSD" and that they would have to make connections to the system, at their own expense. With exceptions for hardship cases, they were given six months to comply.

The urgency was clear. In Norfolk on both the Elizabeth and Lafayette rivers, *The Virginian-Pilot* reported that swimming and waterskiing enjoyed "newfound popularity," with parents alarmed that there were still dozens of private outfalls. A study completed in July 1954 determined there were 3,256 parts of bacteria per 3 ounces of water, making it unsafe.

Progress on the health of the Hampton oyster beds was up and down. After being closed in 1925, they were reopened in the 1940s but closed again in 1953 due to a breakdown of Salter's Creek pumping station in Newport News. Approximately 1,200 acres were closed after equipment failures led to sewage going overboard. They were not reopened until 1955.

Borland remained optimistic that local waters in the future would be pollution free. Since HRSD's creation there had been significant improvement as the number of homes not hooked into the HRSD system decreased from 5,000 to 1,000.

A New *Master Plan*

With a mushrooming population growth stretching from Princess Anne County to Newport News and beyond, HRSD leaders visited New York in late November 1955 to meet with their consulting engineers Buck, Seifert and Jost, to discuss a new Master Plan to help determine a pattern for future development.

The firm recommended a \$5 million expansion, with at least \$2 million to the Peninsula and the rest for Southside, which was contending with issues from Smithfield to Norfolk and Princess Anne counties. Long-range plans were developed for extension of service as well as major repair work.

In particular, there was a need for trunk lines east of Military Highway toward Princess Anne County. There was also discussion on where and how to finance a new treatment plant on the James River, but the prospect was still considered years away.

By early 1955, HRSD had reached its debt limit of \$13 million, and the *Times Herald* ran a headline reading "Sewer Expansion Held Impractical." Massive population growth continued to stress operation capacity and budgets.

They were struggling with unrelenting population growth and development in the midst of an historic Baby Boom and increasing concentrations of defense personnel throughout the area during the Cold War.

In Princess Anne County alone, 5,000 new homes were to be built. There was also basic maintenance and upkeep for items such as pipe corrosion and equipment failures. HRSD had borrowed to its maximum and refinancing was deemed politically impractical, the assumption being people would not vote to raise rates.

Should a new Peninsula Sanitation District be considered to allow for new financing opportunities? Should there be a surcharge for garbage disposal units? What strategies were available to channel funding and growth in a compatible way? Many things to increase revenues and manage growth were considered, and many rejected.

“Sewage Fee Not a Small Item”

An October 15, 1956, *Ledger Dispatch* analysis led with the headline, “Sewage Fee Not a Small Item to Average Area Homeowner.” It noted that quarterly sewage bills made up 40-45 percent of what residents paid for their water, and that the cost was between \$4 and \$8 for most customers.

Those with “small” water needs, about one-third of all customers, paid a minimum quarterly fee of \$1.85. The Navy paid approximately \$31,000; Norfolk Redevelopment and Housing Authority paid approximately \$17,500; and Newport News Shipbuilding and Dry Dock Company paid \$5,000.

According to the *Ledger Dispatch* on October 16, 1956, approximately 90 percent of customers did not pay more than \$3.50 a quarter in disposal charges, and the average yearly bill for homes and small business was about \$12 a year. This compares to \$22 per unit in Roanoke, \$28 in Richmond and \$24 in Alexandria, attributed to construction of the HRSD system and the low 2.2 percent bond interest rate.

In 1956, the revenue from 60,000 customers was \$1,534,464. Of this amount, after expenses, \$281,541 was set aside for improvements and construction. That same year, Borland reported that over 38 million gallons of sewage was treated every day. He said there was only one major public outfall still in operation on the Lower Peninsula while a “smattering” of outfalls serving homes still existed.

Sewage Problem *Created Unity* Among Communities

Meanwhile, the press noted other benefits in the region besides just pollution abatement. Reported the *Ledger Dispatch* on October 16, 1956, “The vital but often taken for granted problem of sewage disposal has had a unifying effect on the sometimes at odds communities of the Hampton Roads area.”

“The reason lies in the dedication shown by their representatives on the 5 man HRSD Commission.” Each member was paid \$10 a meeting, not to exceed \$300 a year. The commission during this time consisted of E. T. Gresham since 1946; J. Clyde Morris of Warwick since 1950; G. A. Treacle of Norfolk County since 1948; Clark Nickerson since 1954; and Robert F. Ripley, appointed in 1956.”

General Manager Charles Borland, who formerly served as Norfolk City Manager, headed a force of 33 administrators and 84 engineering and operating employees. The article noted that turnover of personnel of HRSD was “grossly serious” during the Korean Conflict due to higher paying government jobs, and again in late 1954 and 1955. Each time, “pay adjustments” were made to increase hiring and retention.

The Need to *Increase Funding* to Keep Up with Capacity

With diverse rural, suburban, urban and coastal communities settled at the mouths of a convergence of streams and rivers that poured into Hampton Roads, the Chesapeake Bay and Atlantic Ocean; with Navy and merchant ships pouring bilge water off local beaches; with oil and other spills a reality with potential for more; and with major maritime industry situated on the water, what continued to make it even more challenging was that the population had doubled, and was still growing steadily.

Couple that with a seafood, tourism and defense industry that was the backbone to the economy, and with all the progress that had been made, it still seemed as though Hampton Roads walked a tight rope. “I’ve never seen an area where the pollution problem is so potent,” said W. H. Pringle, national president of the Izaak Walton League of America.

HRSD General Manager Borland responded that efforts to combat water pollution had “been generally successful.” He noted that since 1948, local residents paid between \$1 million and \$1.5 million annually for pollution abatement, and that over 50 million gallons per day of raw sewage was being treated by early 1957.

But that did not alter the challenges ahead both in terms of financial and infrastructure. Every effort was made to find smart solutions to efficiently and cost-effectively accommodate development and population growth.

Septic Tanks Continue to Pose a Problem

As the end of the decade approached, there had been considerable progress with outfall closure. The Kaufman Plan had largely been a success. Bids were requested by Norfolk on the last two sewage pumping stations in January 1958, one on the west side of Orapax Avenue between Raleigh and Boissevain and the other on South Main Street. These facilities helped cap an eight-year effort begun in 1950 to close 21 major outfalls, but problems remained with septic tanks.

Editorials from the *Times Herald* on August 15, 1959, noted that “residential areas are cropping up like mushrooms overnight” and a “combination of circumstances has contrived to make several highly regarded residential areas in North Hampton a veritable devil’s kitchen of raw sewage bubbling out into back yards from septic tanks with no respite until property owners hook onto sewer lines.”

“Entirely too many houses in the old Warwick section of Newport News are connected with septic tanks instead of sewers,” the *Times Herald* wrote on October 27, 1959, in a follow-up editorial.

Few disputed the “unsatisfactory use of septic tanks” but they fed growth in areas where HRSD service did not reach. However, the Federal Housing Authority (FHA) required that septic systems work correctly and continuously, 12 months a year, and that absorption fields were not allowed to be wet or soggy. At one point, the FHA suspended home loans for houses with septic tanks.

The logical solution was to get new developments on the city system. However, to do so, it was becoming clear that a new James River Plant would be essential to help Boat Harbor handle the population of 400,000 projected by 1975.

But there was no easy or inexpensive solution to connect all homes with the HRSD system. Not least, cooperation was needed from homeowners to close up remaining outfalls and septic tanks.

Another Plant is Needed

By the late Fifties, there was a new effort to reactivate the Patrick Henry disposal plant to accommodate new neighborhood development. This facility was originally built in 1942 by the Army to service 30,000 people at Camp Patrick Henry and Hospital, and later Patrick Henry Airport. After World War II, the plant operated only at 5-10 percent of its capacity. Following some study, HRSD acquired the facility from the Army in 1959.

The Army Base Plant was designed to treat up to 11 million gallons per day.



With a \$17,000 investment it could be used to expand service to a population of 25,000-30,000 in new developments. But the Patrick Henry plant was a band-aid compared to the pressing needs going forward.

The proposed new James River plant was expected to replace the smaller Patrick Henry plant. Plans called for a facility to treat 15 million gallons per day eventually, with the \$7.5 million plant to be built in three stages to handle population growth.

The Lamberts Point Plant, placed in operation in 1948, was upgraded in 1958 with the addition of pre-chlorination facilities.



“...residential areas are cropping up like mushrooms overnight.”

— **TIMES-HERALD EDITORIAL, AUGUST 15, 1959**

The HRSD building on Plume Street in Norfolk, completed in 1958, housed administrative functions and a pump station.



A Legislative Solution

But funding was needed for such plans. By the end of the decade, it was clear to HRSD leaders that 20 years after passage of the act creating the district, it was time to amend and broaden the powers of HRSD to keep up with the growth of population and development.

Behind the scenes, they worked with Delegate Lewis A. McMurrin, Jr., to introduce a bill providing much-needed flexibility to HRSD financing. His bill would propose to get rid of the HRSD \$10 million bonding limit, “enlarge and clarify” the powers of the commission and place HRSD under the jurisdiction of one law rather than several.

The current relatively low bonding limit of \$10 million had handicapped HRSD in meeting the area’s expanding needs. If this legislation could be passed during the upcoming 1960 General Assembly, it would give HRSD the tools to keep up with growth and development.

Said McMurrin, “As a result of the phenomenal growth of this area, this action is needed. Unless action is taken to remedy this need, it might affect the further growth of the entire Hampton Roads area.”

Ambition & Necessity

Set the Stage for Growth

At the dawn of the 1960s, ambition and necessity set the stage for the Hampton Roads Sanitation District.

New enabling legislation introduced by Delegate Lewis A. McMurrin, Jr. of Newport News, if passed by the General Assembly, would allow HRSD to unveil an expansive new vision for future development.

The bill would eliminate the \$10 million bonding limit, allowing

HRSD to meet rapidly increasing needs

for new trunk lines and treatment facilities. It would also allow HRSD to refinance its current obligations by issuing new bonds.

Chapter

THE 1960s

Financially, HRSD was more than \$8 million in debt, including \$4.5 million of the original \$6.5 million bond issue, plus \$3 million due the federal government for the Army Base Plant. They also owed \$750,000 for lease-purchase agreements, a form of loan, for sewage lines installed by localities, then purchased by HRSD.

The new legislation would consolidate a multitude of laws, rules and financial regulations under the banner of one law. Though no debt limit would be imposed, HRSD would be subject to oversight by the State Corporation Commission (SCC), like any other utility.

The Virginian-Pilot ran a January 5, 1960, headline declaring the proposed legislation's ultimate intent:

Sewer Body Seeks Financial Liberation

with proposed legislation “to cut away its shackles.” Without this legislation, they wrote, HRSD would continue to be stymied by a “lack of financial authority” and faced with “perennial construction and improvement dead ends.”

HRSD Commissioner G. A. Treacle of Norfolk County declared that without greater financial authority, HRSD “can accomplish nothing more.”

“By pinching pennies and drastic economies in operation, the sanitation needs of the district have been met. However, with the rapidly exploding population and industrial characteristics now at our doorsteps, there will be no further need for the (HRSD) commission if Mr. McMurrans’ bill is not adopted by the General Assembly, because we simply will not be able to do the job.”

The bill was ardently supported by a *Daily Press* editorial, “Solution to a Serious Problem,” noting that the current bonding limit was handicapping the commission and that if no action was taken, HRSD would be “many years behind schedule filling basic needs.” They implored that the legislation must pass. “Rapid expansion of residential areas has outraced development of sanitation facilities.”

The bill was introduced in mid-January with 14 co-sponsors and passed the House of Delegates unanimously. Ten days later, it was passed in the Senate, and Gov. J. Lindsay Almond, Jr., later signed it into law.

A \$25 Million Master Plan

Soon after, HRSD commissioned the New York consulting firm Buck, Seifert & Jost in the amount of \$22,250 to prepare a new Master Plan, which was issued in late May 1960. It envisioned six new plants to handle the expected increase of almost 625,000 new residents over the next 40 years.

Five years earlier, the same firm had issued a far less ambitious \$5 million Master Plan, which outlined pressing needs and strategies. Now, with unlimited bonding authority, the firm recommended a whopping \$25 million Master Plan looking ahead to the Year 2000.

The plan would expand its 101-square mile service area another 293 square miles and add six new sewage disposal and treatment plants or “systems” in anticipation of an additional 624,200 people over the next four decades.

The first stage was the James River System, primarily serving northern Newport News, at an initial cost of \$3,718,000 and a total cost of \$7,419,000. The Elizabeth River System was next, and would serve southwest Princess Anne County and a part of east Norfolk County. The initial cost was projected at \$2,184,000, and ultimately \$5,357,000.

The third was the Chesapeake System to service the northern and central parts of Princess Anne County with “treated effluent to be discharged into Chesapeake Bay” near Little Creek. Its cost was \$2,994,000 to start, with a final cost of \$5,641,000.

The Atlantic System would serve the northern and eastern areas of Princess Anne County with treated effluent to be discharged through a long outfall into the Atlantic Ocean. Initial costs were projected at \$3,348,000, with \$4,518,000 long term.

The last two were the Western Branch System, serving the area west and northwest of Portsmouth at a total cost of \$1,481,000, and the Washington System to serve the small area of South Norfolk and northern area of Norfolk County at a total cost \$645,000.

The overall investment on the first stage of each program was \$8,379,000, roughly \$140 per capita. The plan was described the most comprehensive plan in Virginia and declared by Chairman J. C. Morris as “most impressive.”

But HRSD could not act alone. Such investment by HRSD required similar investments by each locality for lateral lines to feed the trunk line system, requiring extensive cooperative planning between each community and HRSD. On August 3, 1960, the cities of Norfolk, Hampton and Newport News and counties of Norfolk and Princess Anne all committed to meet service expansions required by the Master Plan.

The Baby Boom Population Explosion

In 1900, Newport News had 6,650 residents while Hampton had 16,168. In 1960, the U.S. Census showed Newport News had 112,832 residents and Hampton had 89,280. In 1960, consulting engineers Buck, Seifert and Jost projected that this population would more than double on the Peninsula over the next 40 years. Even more growth was anticipated on the Southside.

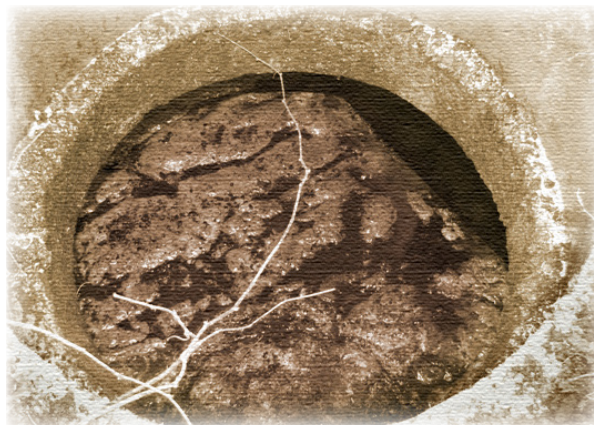
With Cold War defense spending and the baby boom continuing into the 1960s, the price tag for necessary construction came in at approximately \$22 million, with an additional \$17 million projected for later development. In the immediate term, HRSD undertook a \$15 million trunk sewer expansion program.

Other factors were also impacting the need for expansion. Tougher policies on loans and insurance requirements by the Federal Housing Administration (FHA) also highlighted the need for more sewage facilities. On July 1, 1959, the FHA began turning down applications for mortgage insurance on homes in neighborhoods with septic tank problems.

Suddenly, some homeowners were “shocked” to learn they could not sell their homes without requiring new homeowners buy additional insurance coverage. For a time, loans would not be given to homes with septic systems.

Consequently, many people were unable to sell their homes or were forced to pay additional insurance. Development of new sewage facilities would eliminate the need for “controversial septic tanks” as well as for smaller more numerous private treatment plants.

The FHA strictly required that sewer septic systems work correctly and continuously, and that absorption fields not be wet or saturated which, due to soil and other issues, which was a serious problem in several neighborhood developments.



Moreover, a lack of facilities was hampering the growth beyond HRSD's present service limits, due in part to FHA frowning on the use of septic tanks. Few questioned the "unsatisfactory use of septic tanks" but they, in some cases, fed the growth where HRSD service did not reach. Ultimately, sewer extension was vital for growth, and many with septic tanks wanted to hook into city lines.

Localities were doing their part to help meet demand. In 1960, there was \$1,150,000 "loaned" to HRSD by cities to extend sewage facilities via lease-purchase agreements whereby the city paid for facilities, then HRSD purchased them. These acted as a form of financing that allowed HRSD to continue serving growing development.

There were two such agreements on the Lower Peninsula, including the Military Road-Martha Lee Drive extension for \$60,000 being built by the City of Hampton, and an older agreement with the former City of Warwick in the amount of \$157,000. Similar agreements were reached with each community in the district.

In January 1961, tie-ins began to sewer lines in the Lynnhaven section of Hampton while construction continued on Woodland-Fox Hill Road, on Armistead Avenue northwest extension (3,411 feet at \$28,000). By the end of the year, virtually all development in the City of Hampton had access to HRSD lines, but Newport News struggled to keep up with development.

Harpersville Road experienced difficulties when the contractor went bankrupt. By 1964, plans were underway for extension of service to Harris Creek Road in Hampton, and the Oyster Point interceptor line in Newport News.

The *Patrick Henry* Plant

Meanwhile, there were still ever-pressing needs. Negotiations with the Army continued over the status of the Patrick Henry Plant, which many wanted pressed back into service at full capacity to handle growth for the northern part of Newport News. Newport News City Council voted unanimously to work out an agreement with HRSD aimed at extending sewer lines to help promote "orderly growth and expansion."

The city agreed to provide \$180,000 to activate the plant and provide \$20,000 annually to help subsidize it. They also agreed to pay \$150,000 to build another outfall line to the Warwick River. It was projected that the Patrick Henry Plant would take care of approximately 25,000 people, which would provide urgently needed service for growing residential and commercial development. It would be turned over by the Army in the future at no charge, and was projected to be a temporary facility.

Newport News City Manager J. C. Biggins said that an agreement with HRSD on the Patrick Henry Plant would prevent further difficulties with the FHA, which was refusing to finance homes without a sewer hookup.

By June 23, 1960, the Department of the Army put an "excess" label on the plant, pending approval of the House Armed Services Committee and General Services Administration to help clear its way to HRSD by a projected August 15 deadline. But delays ensued.

Final transfer of the Patrick Henry Plant finally occurred on February 14, 1961, in the Charlottesville office of Health, Education and Welfare (HEW). The title was received for \$50,000 and included a 48-acre property for which Newport News budgeted \$330,000 for improvements.

Raymond L. Dale was named director of the plant. Upon assuming control, HRSD sought bids for chlorination with \$31,000 budgeted for general rehab of the plant. Representative Thomas N. Downing received credit for HRSD getting title to the plant after several delays. By March 5, 1961, it was announced the plant was ready for service with projections to handle a population of up to 50,000.

Portsmouth Sues **HRSD Over Jurisdiction**

In the meantime, Portsmouth had recently annexed 10 square miles of Norfolk County, and was suing HRSD claiming jurisdiction for sewage treatment facilities that served Cradock, Hodges Manor, Rollingwood, Simonsdale, Mayflower Park and Highland Park.

HRSD had sought to freeze its boundaries to December 31, 1959, a day prior to Portsmouth annexing part of Norfolk County a day later. Portsmouth contended that costs would go down for its customers. Subsequently, the General Assembly voted to remove those areas recently annexed by Portsmouth from HRSD.

On March 23, 1961, HRSD agreed to sell 8,300 feet of sewer lines to Portsmouth for \$69,523 upon review and approval of their consulting engineers. These lines were located within the city after annexation of part of Norfolk County.

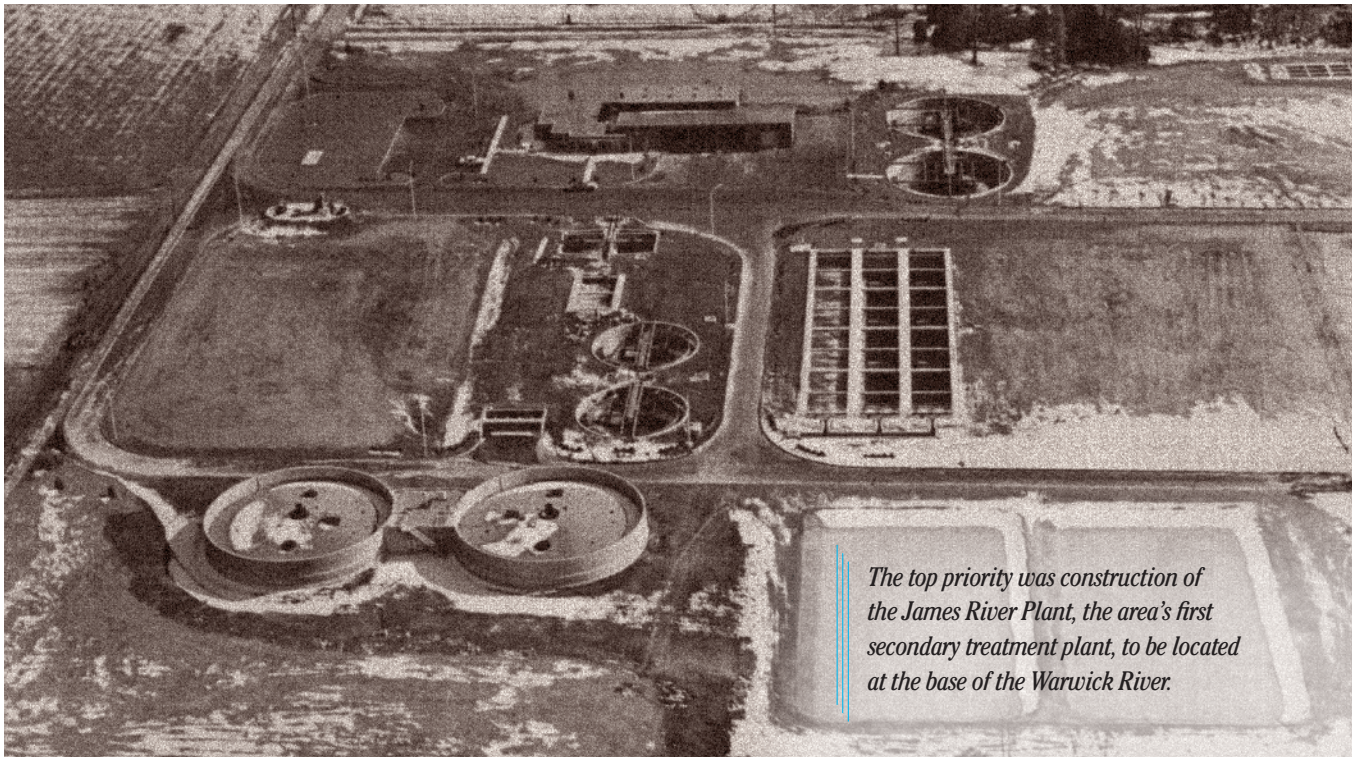
These lines had a daily capacity of 500,000 gallons, but currently were using 350,000. But that approval was denied, and on May 10, 1961, Portsmouth City Council voted to sue HRSD on their refusal to sell the sewer mains in Cradock.

Plans for *James River Plant* **Progress**

In mid-October 1961, HRSD confirmed its first priority was construction of the James River Plant. The commissioners approved a \$13.5 million building program with the plant scheduled for operation by early 1964. The \$5.9 million plant would initially be designed to process five million gallons daily (MGD) at a cost of \$1,543,000. Pumping stations were projected to cost \$170,000 with trunk sewer lines for stages one and two costing \$2,088,000. A search began for land on which to situate the new James River Plant.

The service area would include the western city limits to Hampton and all the area being served by the temporary Patrick Henry Plant. The James River Plant would have the capacity to upgrade to treat 15 million gallons daily, and be built in three stages of 5 million MGD to handle population growth. The plant was designed to help Boat Harbor handle a population of up to 400,000.

Anticipated revenue from expanding the district was projected to be \$2,670,000 by 1965, \$2,728,000 by 1966 and \$2,786,000 by 1967.



The top priority was construction of the James River Plant, the area's first secondary treatment plant, to be located at the base of the Warwick River.

On February 3, 1962, it was announced that Newport News Councilmen William C. Bowen and Paul S. Ward would sit with City Manager Biggins to negotiate with HRSD for city prison farmland to be acquired for the plant. The 22 acres were purchased for \$38,200 in late February with closing in 90 days. In the meantime, engineering and site plans got underway.

Not surprisingly, there was strong resistance to the location from the York Waterman's Association (YWA), which feared that a plant on the Warwick River that would release effluent into the James River would adversely affect oyster harvests.

Beginning in March 1964, hearings were held that drew vocal turnouts estimated at over 250 people against the plant's location. Roy C. Insley, Jr., president of the group said they would use "every legal means to oppose the sewage plant," fearing that chlorine emptied into the river would kill fish and destroy the seed oyster beds. He said the proposed site was the "worst possible one that could have been selected."

The protest expanded to the Newport News City Council with the Virginia Watermen's Association (VWA) asking they join the protest against the plant. The group threatened to go to the governor to have the project stopped.

In April, as bids were about to be awarded, the YWA appealed to the State Water Control Board and local members of the House of Delegates to halt construction of the James River Plant.

But Frank Miller of HRSD noted that the SCWB was in "complete agreement on the site." Moreover, he said that without the plant, there would be greater pollution. He explained in a luncheon at the Peninsula Kiwanis Club that there would be two treatments before discharge.

The proposed outfall would be a 54-inch pipe extending 3,800 feet into the James River and that the treated sewage "should cause no significant depletion of oxygen in receiving waters, no deposit of settleable materials of any kind to the bottoms nearby and no bacterial build up." He said the plant would release effluent that had "a bacteriological quality superior to that of the receiving stream."

Miller indicated there was an urgent need for the plant, which over time would serve 475,000 to 700,000 people. More importantly, it would replace a series of smaller, private outfalls as population increased.

Still, the watermen urged delay. In late March 1964, the SCWB took under advisement whether the project should be postponed until completion of a \$300,000 study being made of the James River. HRSD argued that postponing construction ultimately would make the waters more polluted.

By late April 1964, final plans for the new plant, designed by Forrest Coile and Associates, were complete, with final site approvals still needed by the SWCB, along with reviews by other state and federal agencies.

On May 7, 1964, the VWA met with Governor Albertis S. Harrison to voice their concerns and to halt the project. But it was to no avail.

Rates go Up

Meanwhile, rates went up 40 percent effective January 1, 1962. But unlike a decade ago, the higher rates did not elicit any significant protests, with the *Daily Press* reporting that “thus far have accepted the need for extended service to be provided through a 40 percent increase in bills. Typical customers went from paying \$3.35 to \$4.69 quarterly.

“It’s a question of fees or taxes,” wrote the *Daily Press*, but “the job must be done.”

Said the *Ledger Star* in a February 22, 1962, “Progress has its price, and the bills now being mailed out by the Hampton Roads Sanitation District Commission are evidence of that.”

“In a sense the higher bill also represents the price of regional cooperation. Customers now receiving HRSDC service might wonder why they should worry about expanding the network to additional areas in Princess Anne and Norfolk counties and upper Newport News and Hampton. One answer is that the penalty for failing to cooperate – allowing the area’s waters to become natural sewers—is far too high a price to pay.”

Virginia Beach

Plans to Join HRSD

By January 1962, serious problems were evident in the small town of Virginia Beach, which at that time consisted of just the resort strip. The “overloaded” Virginia Beach treatment center on Laskin Road was aging and unable keep up with demand, and worse, was polluting the Lynnhaven River and Linkhorn Bay with “inadequately treated” sewage. A *Virginia Beach Sun* headline on January 26, read “Beach Sewer Plant Fouls Linkhorn Bay.”

The State Water Control Board found that “severe pollution presently exists in the vicinity of Virginia Beach Boulevard.” Moreover, “expensive subdivisions,” including Alanton, Bay Colony and Bird Neck Point were being adversely affected. The Virginia Beach plant, built in 1938 and enlarged in 1951, now presented major challenges to the health of the Lynnhaven River. The plant was processing 2.2 MGD when it was designed for only 1.5 MGD. It became so severe that the SCWB halted sewer tie-ins due to overloading.

There were also significant challenges with private treatment plants, which along with the Laskin Road facility, were overwhelming the Lynnhaven River with nutrients, threatening the sea life. Private utility companies, which were extensions of the neighborhood developments, were not considered efficient or effective, and over time brought complaints to the SCC that their rates had more than doubled.

In early February 1962, it was reported that HRSD was considering taking over the private treatment plants in Princess Anne County that discharged into the Lynnhaven River.

By mid-February 1962, there was consideration of the City of Virginia Beach “from Knott’s Island to Fort Story” be included in the HRSD as of January 1, 1963, when Virginia Beach and Princess Anne County merged into the City of Virginia Beach and Norfolk County and South Norfolk became the City of Chesapeake.

On February 28, 1962, it was announced that the new City of Virginia Beach would formally request to join HRSD, seeing advantages to consolidating sewerage service.

Then on March 1, 1962, HRSD ordered a study of financial and engineering considerations to merging its services with Princess Anne County and Virginia Beach. Meanwhile, Princess Anne County was seeking to have the southern half of the county included in HRSD.

The *Virginia Beach Beacon* on February 7, 1964 headlined: “Phenomenal growth continues in Virginia Beach.”

“The tremendous increase in the number of housing developments in the northern half of Princess Anne County in the last decade has complicated the pollution problem of Lynnhaven and its tributaries, which includes Linkhorn.”

Chesapeake-Elizabeth

Sewer System Gets Underway

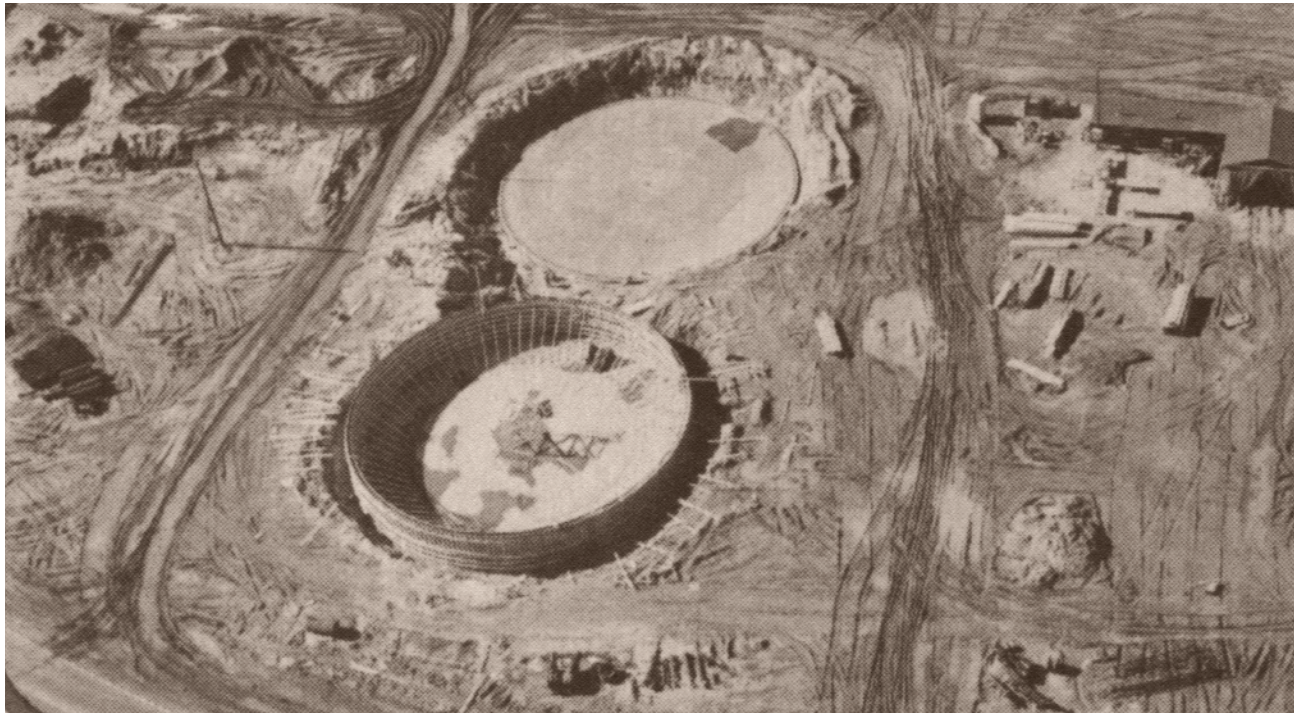
The new HRSD master plan offered \$5.6 million for the Chesapeake-Elizabeth System to serve northern and central Princess Anne County, where there was heavy growth.

Unfortunately, there were delays and setbacks in securing the 23-acre site, but by February 27, 1964, *The Virginian-Pilot* announced that plans for the sewage treatment plant at Little Creek Naval Amphibious Base would be ready by June for review by the State Health Department and the Navy. Issues arose as to the length of the outfall into the Chesapeake Bay, with the Navy recommending a 3,500-foot outfall into 26 feet of water. Originally it was planned for 3,000 feet.

By spring 1964, efforts were underway to “speed work” on the \$6.5 million Chesapeake-Elizabeth sewer system, but delays continued to push opening back. A variety of reasons contributed to the delay including labor strikes.

The city was under pressure from developers regarding delays of the sewage system, and planning its own construction of the lateral lines. Delays in the project were frustrating to Virginia Beach City Manager W. Russell Hatchett and City Councilman James G. Darden.

“The council is concerned and deeply interested in getting—as the saying goes—the show on the road as soon as possible,” said Hatchett. “We do know that the lack of sewer facilities in our city has caused us the loss of developments which we should have had.”



Caption to come!

Meanwhile, two major sewage projects got underway in 1966. The first was a 30-inch main connector built by HRSD from its pumping station on Victor Road near Hilltop down Laskin Road three miles to tie in to the Virginia Beach pumping station at Holly Road and 29th Street. The second was a network of service lines to tie into the HRSD connector line to serve the Birdneck Road area at a city cost of \$250,000.

In the new City of Chesapeake, six sanitation districts in “formerly rural areas” were approved by residents, and bonds were sold to pay for sewer installation in their neighborhoods. However, costs dramatically increased and in January 1964, it was reported that the Deep Creek and Western Branch projects experienced financial overruns of \$875,268.

As part of its Master Plan, two smaller plants were constructed: the Western Branch System, which served the areas west and northwest of Portsmouth, and the Washington System at Dozier’s Corner, serving parts of South Norfolk. In 1964, HRSD paid Norfolk County \$393,585.69 for the former Norfolk County’s cost in building the Washington Sewer System.

In addition, the *Ledger Star* reported in May 1966 that Virginia Beach was considering purchasing the private sewage systems in Aragona Village, Pocahantas Village, Princess Anne Plaza, Windsor Woods and King’s Grant, all private systems built within the last 10 years. Going forward, the city required developers to hook into the HRSD system.

In Virginia Beach, in conjunction with the Chesapeake-Elizabeth System, a central trunk line along Independence Boulevard from Haygood Road to Shore Drive and an extension of the main trunk line along Shore Drive to Great Neck Road were completed in 1969.

It was not until February 1969 that the Chesapeake-Elizabeth Plant finally reached full operation. And with opening of the new plant, several private utility operations that had been discharging wastes, including Aragona Utilities, Pembroke Utilities and Holland Utilities, were tied into the new system, as was Oceana Naval Air Station. Still, other private utility companies including County Utilities, Kempsville Utilities and Tidewater Utilities refused to be tied in.

HRSD faced opposition in its attempts to stop private utility expansion, and the Kempsville Utilities Corporation received permission from the SWCB to add treatment plant facilities for 3,800 sewer connections serving 6,000 residents. HRSD opposed enlargement saying the Elizabeth River was unable to handle any more effluent.

The Peninsula in the Mid-1960s

Meanwhile, the Grafton area in York County experienced significant growth during the mid-1960s, creating urgent demands for facilities to serve the burgeoning commercial district along Route 17. Further development depended on public sewage facilities. A committee of businessmen and local officials met with J. Clyde Morris and Frank Miller of HRSD in early December 1965 to discuss strategies for providing “urgently needed” facilities.

Presentations were made outlining the layout of public water facilities along Route 17, and to the Naval Weapons Station and Coast Guard Training Center. Subsequently, R. Stuart Royer

and Associates of Richmond conducted a study of expansion up and around Route 17, and plans proceeded to extend HRSD lines 17 miles.

They projected the cost at \$1.75 million for a facility that would eventually handle up to 20 MGD. The initial collection system would extend from York High School to the Newport News city limits at Tabb and eventually feed the planned James River Plant. Meanwhile, the current plan would link from Oriana Road to the Patrick Henry Plant.

In early 1966, the York County Board of Supervisors passed a resolution in favor of joining HRSD. They had begun to consider joining two years earlier when members of the York County Property Owners Protective Association brought two members of the Board of Supervisors to visit HRSD general manager Frank Miller in Norfolk. They also met with the Navy officials on surplus sewage facilities they could acquire.

Poquoson had been considering joining HRSD since 1964. In 1967, the town approved a \$2.75 million bond issue and signed an agreement with York County for inclusion in the system. Meanwhile, York County voters approved a \$6.5 million bond issue for construction of its collection system.

Battles continued, however, to get everyone to support joining the public system. In May 1966, opposition arose to a proposed apartment building with a “sewage lagoon” that would have discharged into creeks and streams leading to the York River in Poquoson.

The *Late Sixties*

The James River Plant was dedicated on June 7, 1967. It was HRSD’s fourth plant, and the first providing secondary treatment.



Gov. Mills E. Godwin, Jr., left, and G.A. Treakle, vice chairman of the Hampton Roads Sanitation District Commission, watch as Mrs. J. Clyde Morris, wife of the commission chairman, cuts the ribbon to open the James River Sewage Treatment Plant on June 7, 1967.



The HRSD network, which included 42 pump stations in 1966, continued to grow with the addition of facilities such as the Newtown Road Pump Station, photographed during construction in 1968.

In April 1968, HRSD inaugurated waste treatment service to Langley Field with a ceremony at the new main pumping station. Also that month, development of a public sewage system “took a giant leap” when HRSD offered to officially include Poquoson upon completion of its collection system within the next two years.

In early May 1968, a \$617,150 grant was approved for Poquoson by the Federal Water Pollution Control Administration to help finance a new sewage system in town. Another \$1 million grant was attained from HUD to finance the \$3.3 million cost, along with the \$2.75 million bonds approved by the town the previous year.

The local real estate group endorsed Poquoson’s plans, as the FHA was not providing loans for homes with septic tanks. Public facilities allowed for FHA loans, making homes more affordable.

By May 29, 1968, a contract was approved by Poquoson with HRSD “to govern inclusion of the town in the HRSD sewage system. A week later the Poquoson Town Council approved a \$1.5 million in municipal bonds to help finance construction of the first stage of lines to connect with the HRSD system.

The sewage disposal system helped stabilize the housing economy and allowed better interest rates on home loans. The new collection system cost subscribers a dollar a month, and allowed the town of 6,000 residents to expand. The town was projected to grow from 4,800 residents in 1964 to 12,700 by 1985, more than doubling in size. Tabb was projected to more than double, and Grafton to triple its population. Yorktown was projected to grow by 174 percent.

Meanwhile, the Newport News City Council provided land valued at \$22,000 to HRSD for land fronting 275 feet of Terminal Avenue for expansion of the Boat Harbor Plant.

Progress continued when in May 1968, the Peninsula Regional Planning Commission approved four new sewer projects, which HRSD submitted for federal assistance: the Bethel Interceptor at a total cost of \$120,000 with \$39,000 sought in federal aid; the Poquoson interceptor at \$520,000 total cost, with a \$171,000 grant; Sinclair Langley Circle interceptors at \$430,000 total cost, with \$141,900 federal aid; and Boat Harbor settling tanks, \$533,000 with a \$182,490 grant.

Other Forms of *Pollution*

The Water Quality Act of 1965 required states to issue water quality standards for interstate waters, and authorized the newly-created Federal Water Pollution Control Administration to set standards where states failed to do so, including industrial wastes.

Many sources of pollution were a problem. Prevention of pollution from ships and boats, control of storm floodwaters and supervision of new development were even “more important” in many instances than mere treatment of water, said Frank Miller. There was a problem particularly with the increase of marinas, each with concentrations of 40-50 boats in a small area, as the population grew.

There was particular aggravation with naval and merchant ships that for decades had continued to dump bilge water in the Hampton Roads waters. HRSD had no authority, and could not control, the actions of vessels in federal waters. Greater enforcement was deemed necessary.

There were several factors that helped gain public support for water pollution abatement, one of which was the “postwar surge of hard detergents” that created “great foaming masses” in rivers, streams and “even from home faucets.” In response to concerns about water, the soap industry began to develop soft detergents.

By the late 1960s, an era of pronounced political and environmental activism, the public proved willing to support anti-pollution efforts. “We don’t have to justify pollution abatement now,” said Frank Miller, HRSD general manager and chief engineer. “Ten years ago, we couldn’t have imagined a \$17 million program, ultimately \$35 million, getting the widespread support we have in the district.”

An editorial in *The Virginian-Pilot* on October 3, 1969, also noted the public shift for action:

“Virginians who this week firmly protested Richmond’s plan to dump solid sewage into the James River for 110 days while a sewage treatment plant is repaired and expanded dramatized an evolution in public attitudes toward protection of natural resources. Residents here and elsewhere are matching, in some cases surpassing, official agencies in insisting that pollution of the planet is intolerable.”

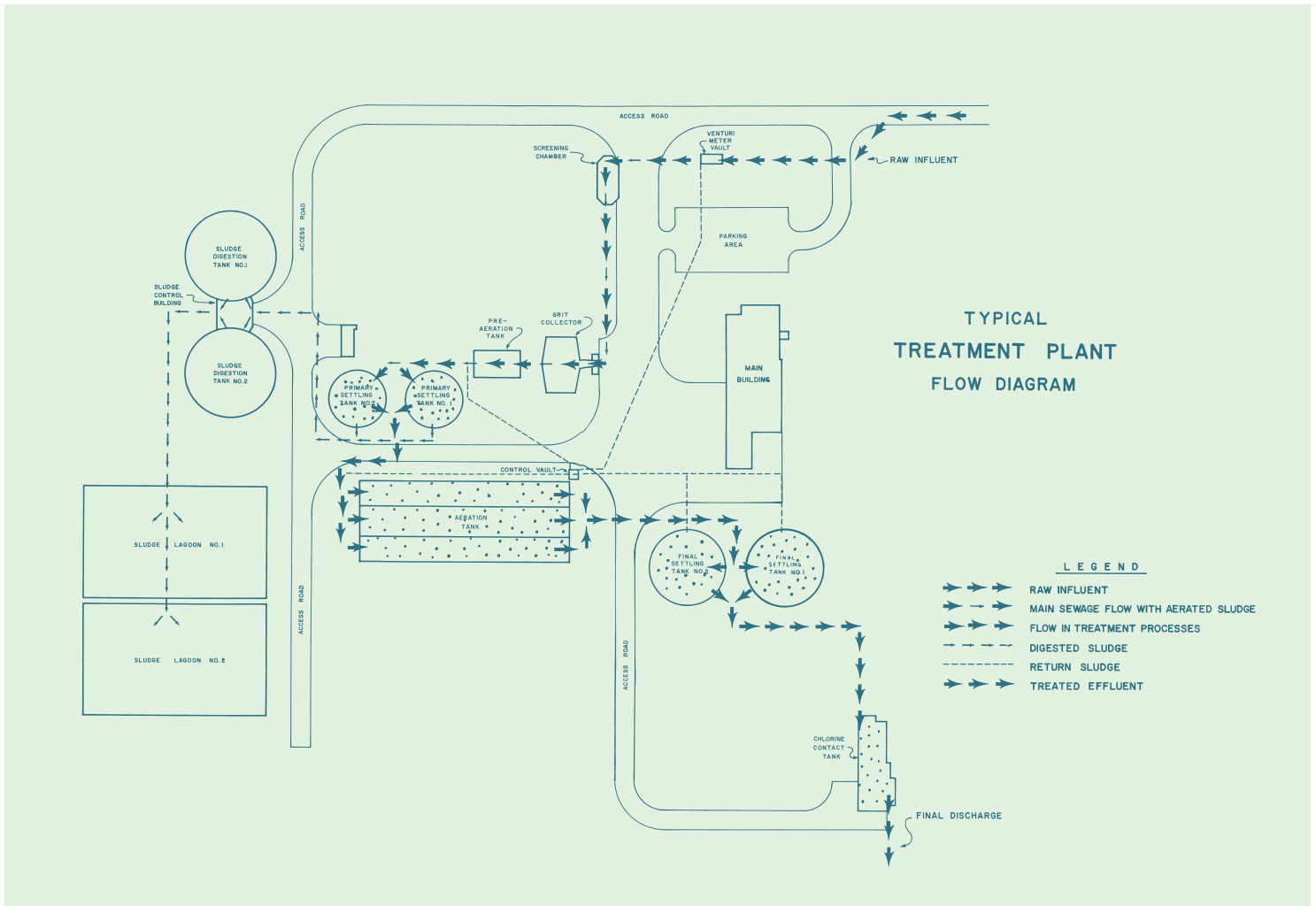
Even still, as the federal government began requiring states to raise their standards for water quality, it was resisted in Richmond. The SWCB refused to accept the antipollution measures by the federal government at first, though by December 1969, the state agreed to accept stricter stream standards and to increase enforcement.

Some were “bitterly opposed” to the higher standards from the Department of the Interior, which threatened to impose its own standards unless the state improved. A. H. Paessler of the SWCB said it would cost \$100 million for cities and industries to meet the standards in addition to other requirements. The SCWB refused to comply. Even HRSD resisted the federal standards, saying they were not necessary. Miller said it would cost \$10 million to have secondary sewage treatment facilities at the four plants that lacked them.

Under a formula adopted by the Federal Water Pollution Control Administration, federal funds could be used to pay up to 55 percent of cost for any one project if the state put up 25 percent. If the state did not pay 25 percent, the federal government would only contribute 33 percent.

Virginia was threatened with losing substantial federal funds for sewage treatment plants if the state did not provide 25 percent matching construction grants. Congress was expected to pass \$1 billion in grants, nearly five times the previous appropriation. The state matching grant of 25 percent assured a 55 percent grant in federal aid, of which Virginia was eligible for \$17 million. Otherwise, the federal government provided only 33 percent.

Senator William Spong, who had become involved in water issues, was a strong advocate for maximizing the federal dollars available to the state. Others, however, were concerned about federal overreach. In the end, Spong was able to muster the will and support.



Williamsburg Plant for Anheuser-Busch Planned

A “regional approach” with Williamsburg, James City County and York County would allow for easier federal funding. Two new plants were recommended, including one on the James River near Kingsmill and one near Goodwin Neck in York County.

In January 1969, a formal agreement was reached for joint entry into HRSD by Williamsburg, James City County and the Bruton section of York County, at a projected \$9.1 million cost. Of that, \$1.5 million was for facilities to be developed by the localities, and \$7.6 million by HRSD. Joining together was more conducive to securing government loans.

Then in September, Anheuser-Busch, Inc. officially announced plans for construction of a new \$40 million manufacturing plant and amusement park in the Kingsmill Neck area of Williamsburg. The plant was scheduled to open July 1971.

HRSD had already announced plans to extend service to James City County in a \$10.6 million project. A facility such as the one Anheuser-Busch was planning would have a significant impact on HRSD. The brewery would use about three million gallons of water a day, and other breweries had shown there were unique challenges to managing its wastewater. Threats to marine life in the James River required special planning regarding treatment of wastes from the Busch plant.

HRSD was counting on the state to pay 25 percent and the federal government 55 percent. To help pick up the slack and move their own project forward, Anheuser-Busch offered to pay engineering costs on the HRSD plant.

Engineering work on the plant got underway in September. On October 23, 1969, the *Daily Press* reported that plans for a new treatment plant “took a giant step forward” with negotiations scheduled to begin on land acquisition on 30 acres of land owned by the Rockefeller family, who was actively involved in the restoration of Williamsburg.