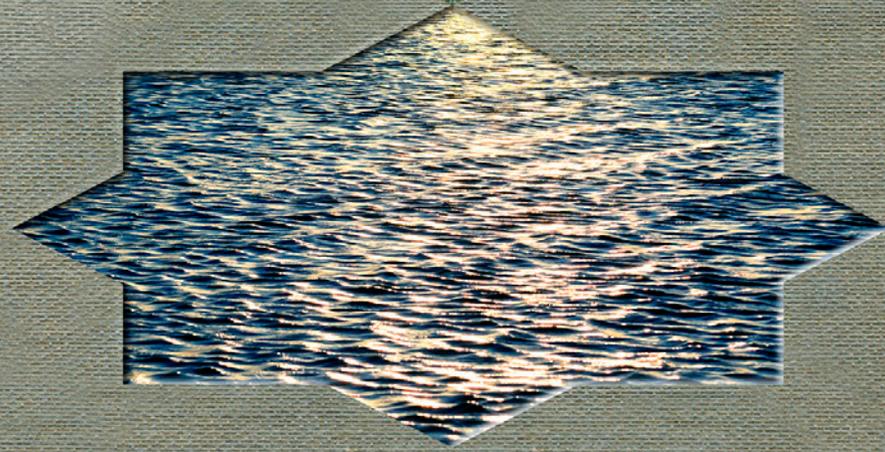


ENSURING FUTURE GENERATIONS INHERIT

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."



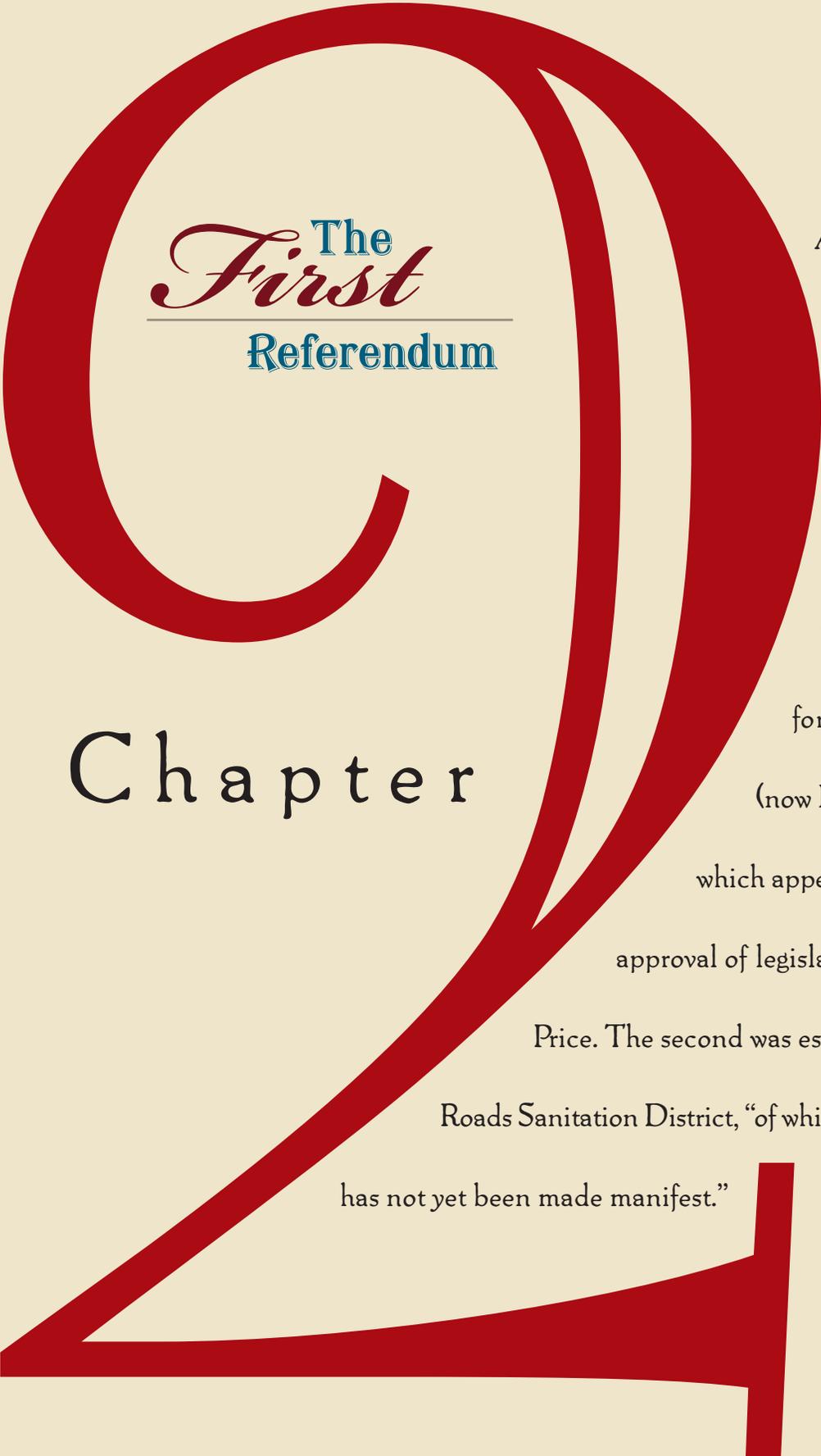
FEBRUARY 2015



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*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*

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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

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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

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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?”

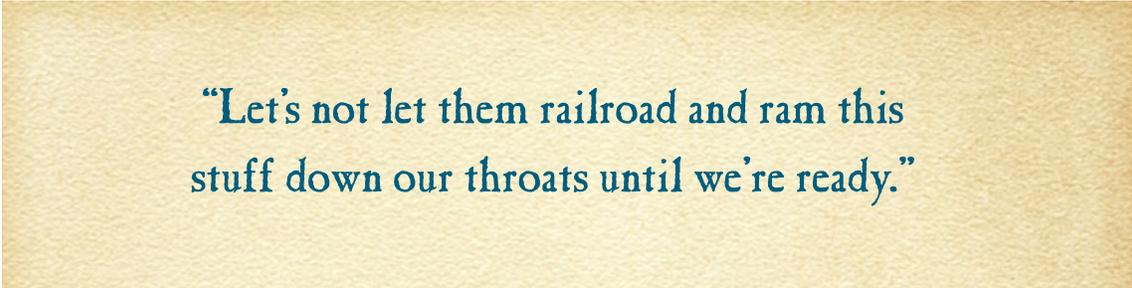
Preston replied: “I was born up in Southwest Virginia and those fellows up there don’t care whether we have an oyster or not.” Preston agreed that the state should provide more than \$50,000, but the votes were not there.

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*

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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

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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

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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*

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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

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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

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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

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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

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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**

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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*

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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.

