



**MIDDLE PENINSULA
PLANNING DISTRICT COMMISSION**

COMMISSIONERS

Essex County
Mr. John Clickener
Hon. Edwin E. Smith, Jr.
Hon. John C. Magruder
Mr. Michael A. Lombardo

Town of Tappahannock
Hon. Roy M. Gladding

Gloucester County
Hon. Ashley C. Chriscoe
(Vice-Chairman)
Dr. William G. Reay
Hon. Michael R.
Winebarger

King and Queen County
Hon. Sherrin C. Alsop
Hon. R. F. Bailey
Mr. Thomas J.
Swartzwelder
(Chairman)

King William County
Hon. David E. Hansen
Hon. Travis J. Moskalski
(Treasurer)
Mr. Eugene J. Rivara

Town of West Point
Hon. James Pruett

Mathews County
Hon. George C. Morrow
Mr. Thornton Hill
Hon. Marion C. Love
Ms. Melinda Conner


Middlesex County
Mr. Gordon E. White
Hon. Wayne H. Jessie, Sr.
Mr. Matthew L. Walker
Hon. Kathy H. Swinehart

Town of Urbanna
Hon. Diane Gravatt
Ms. Holly Gailey

Secretary/Director
Mr. Lewis L. Lawrence

MEMORANDUM

TO: MPPDC Board of Commissioners

FROM: Lewis Lawrence, Executive Director 

DATE: January 16, 2019

RE: January Commission Meeting

The Middle Peninsula Planning District Commission will host its monthly meeting on Wednesday, January 23, 2019 at 7:00 p.m. in the Regional Board Room at the Middle Peninsula Planning District Commission office in Saluda.

Enclosed are the January meeting agenda and supporting materials for your review prior to the meeting.

If you have any questions concerning material in your agenda packet, please give me a call at 804-758-2311 or email me at LLawrence@mppdc.com.

I look forward to seeing you on **January 23rd**!

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***Middle Peninsula Planning District Commission
Meeting***

7:00 P.M.

Wednesday, January 23, 2019

125 Bowden Street

Saluda VA 23149

- I. Welcome and Introductions
- II. Approval of December Minutes
- III. Approval of December Financial Report
- IV. Executive Director's Report on Staff Activities for the Month of January
- V. MPCBPAA Update
- VI. MPA Update
- VII. Public Comment

AGENDA ITEMS FOR DISCUSSION

- VIII. FEMA Draft Policy Related to Accessory Structures
- IX. Update on Mass Casualty Exercise
- X. Review of General Assembly Bills
- XI. Commissioner Priorities
- XII. Adoption of 2019 MPPDC Meeting Schedule
- XIII. Committee Appointments – OPD & Budget and Nominating Committees
- XIV. Reverse Mortgages
- XV. Adjournment

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MIDDLE PENINSULA PLANNING DISTRICT COMMISSION

December 19, 2018

Saluda, Virginia

I. Welcome and Introductions

The monthly meeting of the Middle Peninsula Planning District Commission was held in the Regional Board Room at the Middle Peninsula Planning District Commission office in Saluda, Virginia on Wednesday, December 19, 2018, at 7:00 p.m. MPPDC Chairman Thomas Swartzwelder welcomed everyone in attendance.

Commissioners Present

King and Queen County: Tom Swartzwelder

Essex County: John Magruder

Gloucester County: Ashley Chriscoe, Michael Winebarger

King William County: Bobbie Tassinari, Travis Moskalski

Mathews County: G.C. Morrow, Marion Love, Tim Hill

Middlesex County: Wayne Jessie, Kathy Swinehart

Town of Urbanna: Steve Hollberg

Commissioners Absent

King and Queen County: R.F. Bailey, Sherrin Alsop

Essex County: John Clickener, Edwin "Bud" Smith, Jr.

Gloucester County: Dr. Willy Reay

King William County: David Hansen, Eugene Rivara

Mathews County: Mindy Conner

Middlesex County: Matt Walker, Gordon White

Town of West Point: Jack Lawson

Town of Tappahannock: Monte "Roy" Gladding

Town of Urbanna: Holly Gailey

Also in Attendance

Lewis Lawrence, MPPDC Executive Director

Beth Johnson, MPPDC Finance Director

Dawn Mantell, MPPDC Secretary

Stephanie Heintz, Consociate Media

II. Approval of November Minutes

Chairman Swartzwelder asked whether there were any corrections or changes to the November Minutes. There being no corrections to the Minutes, Chairman Swartzwelder requested a motion to approve the November Minutes. Mr. Chriscoe moved that the November Minutes be approved. Mr. Love seconded the motion; motion carried.

III. Approval of November Financial Report

Chairman Swartzwelder asked whether there were any questions regarding the November financial report before being approved subject to audit. There being no questions, Chairman Swartzwelder requested a motion to approve the November financial report subject to audit. Mr. Chriscoe moved to approve the November

financial report subject to audit. Mr. Moskalski seconded the motion; motion carried.

IV. Executive Director's Report on Staff Activities for the Month of December

Chairman Swartzwelder requested MPPDC Executive Director, Lewie Lawrence review the Executive Director's Report on Staff Activities for the month of December. The Executive Director's Report on staff activities is developed at a monthly staff meeting, organized by PDC Service Centers, and the activities are used to report grant funding activities.

Mr. Lawrence directed Commissioners' attention to several items:

- Participated in a conference call organized by Ted Povar, Weldon Cooper Center located at UVA, regarding the Center's interest in better understanding the challenges facing rural coastal Virginia. Provided a copy of the WIP III narrative as background for challenges and opportunities. Mr. Lawrence believes this is beginning to have an impact on some of the bigger think tank providers and recommended the center assist the Rural Enhancement Authority.
- Sent out a memo to Commissioners of Revenue in the Middle Peninsula, Northern Neck and the Eastern Shore requesting data on publicly owned waterfront land that could be used for the placement and storage of dredged material. Mr. Lawrence stated we need to know two miles inland of the coast, which ones are compatible and which ones are not.
- Sent Chris Arabia of the Virginia Department of Rail and Public Transportation, a draft Project Justification, Project Scope, and Project Budget for the Technical Assistance Grant the MPPDC is preparing to apply for. Chris has agreed to assist the MPPDC during the development of the application. Mr. Lawrence stated the MPPDC should be eligible for funding and this project would assist in getting the State to understand the cost to our region of out-commuting.
- Consulted with Rick Hill, DEQ regarding usage of cost-share for volunteer fire department septic repair. DEQ determined that grant funds can be used for volunteer fire department repairs. Informed Brian Hancock, local AOSE of availability of cost-share for project.
- Met with King and Queen County EDA staff to discuss the planned Business Innovation-Incubator and TeleWork Center to be built in King and Queen County. Discussed the future facility needs of MPPDC and the opportunity to co-locate and consolidate regional governmental services within the new facility. Mr. Lawrence visited Franklin's TeleWork Center where they had a 78% occupancy rate and Williamsburg which had a 92% occupancy rate. It is believed that central government offices would add value by being located at the Incubator. Mr. Lawrence will keep the Commission updated.

Commissioners were encouraged to contact Mr. Lawrence with any questions regarding the staff activities reported for the month of December.

V. MPCBPAA Update

Mr. Lawrence, Executive Director, in the absence of Mindy Conner, MPCBPAA Chairman stated the Authority has not met and thus did not have anything to report. The next scheduled meeting will take place in January.

VI. MPA Update

Travis Moskalski, MPA Chairman provided the Commission with an update on the recent activities of the MPA. At its December meeting, strategic issues were reviewed and revised. The MPA has asked Del. Keith Hodges to meet with several banks in the area to revitalize the Investor Strategy. The learning topic on the agenda was rescheduled due to technical difficulties. The MPA will reconvene in January.

VII. Public Comment

None.

VIII. Old Business

a. NG9-1-1

At the November Commission meeting, MPPDC Executive Director, Lewie Lawrence reviewed and took questions from the Commission on VITA's Next Generation 9-1-1 (NG9-1-1) Migration. At that time, Mr. Lawrence was directed by the Commission to inquire with Legislative Services as to the entity put in charge by the GA to oversee this mandate and to invite them to come to the Middle Peninsula to answer questions. Mr. Lawrence reported that he contacted VACO who says it is the 911 Board and VITA says it is the Attorney General. Del Hodges will contact the patrons of the Bill to ask what the intent was and the entity assigned to provide oversight. Mr. Lawrence hopes to have an answer at the next Commission meeting.

b. Dragon Run Steering Committee Discussion

MPPDC Executive Director, Lewie Lawrence reminded the Commission that approximately 6 years ago, the Commission decided to make the Dragon Run Steering Committee inactive in lieu of disbanded, in case there was ever an issue regarding the Dragon Run. Mr. Lawrence asked the Commission to revisit this decision and asked if they would like to continue with keeping the Committee inactive or disband it. Chairman Swartzwelder requested a motion to disband the Dragon Run Steering Committee. Mr. Winebarger so moved; Mr. Love seconded the motion; motion carried.

IX. WIP III Update Report

MPPDC Executive Director, Lewie Lawrence informed the Commission the final WIP III report has been submitted to the Department of Environmental Quality (DEQ). A portion of which was included in the Commission meeting packet for review. Stephanie Heinatz, Consociate Media provided a powerpoint presentation outlining the WIP III. Ms. Heinatz was engaged to provide PR services for the Middle Peninsula Planning District Commission through limited funding from the Coastal Zone Management Program and will continue moving forward to market the work of the PDC.

X. Virginia Water Trails Website

Stephanie Heinatz, Consociate Media unveiled and demonstrated the newly developed Virginia Water Trails website. The website is in its first phase and is intended to be a tourism driver for the Middle Peninsula, Northern Neck and Eastern Shore and to showcase the MPCBPAA properties. The site provides region maps with watertrails, tips, news and currently promotes courses for certification as an Ecotour Guide in hopes of connecting locals and visitors to world-class ecotourism destinations across Rural Coastal Virginia.

XI. Rappahannock Community College Discussion: Dual Enrollment, Rankings, President's Retirement

MPPDC Executive Director, Lewie Lawrence drew the Commission's attention to a handout outlining the Dual Enrollment (DE) program offered to the schools in the Middle Peninsula by Rappahannock Community College. The data showed some school systems aren't utilizing the program and others don't have adequate back up plans for when qualified instructors are lacking. Consequently, students aren't being afforded the opportunity to enroll and earn college credits during high school. To show the value of these classes for MP families, Mr. Lawrence calculated the amount of savings these DE classes provide compared to the cost of attending 4 year institutions of higher education. Mr. Lawrence then informed the Commission of a survey which recently had Rappahannock Community College ranked last in the state of Virginia. The current President of RCC, Elizabeth Crowder recently announced her retirement and the college will begin looking for a replacement. The Commission agreed they would like to see top-notch leadership retained and are interested in being a part of the selection process. Mr. Lawrence was directed by the Commission to send a letter to the Community College Chancellor who resides in Deltaville expressing those desires.

XII. Indirect Cost Allocation Plan Amendment

MPPDC Finance Director, Beth Johnson reviewed the Amended Indirect Cost Allocation Plan. The FY2018-2019 Indirect Cost Allocation Plan is based on the budget figures adopted by the Commission in May, 2018 and needed to be amended due to staffing changes in December, 2018. The staff reduction has led management to recommend that the Commission change from a personnel costs to

modified total direct costs basis to ensure a fair and equitable sharing of indirect costs by all Commission projects. The Commission unanimously approved the Amended Indirect Cost Allocation Plan with a rate of 24.22%. Chairman Swartzwelder requested a motion to approve the Amended Cost Allocation Plan as presented. Mr. Chriscoe so moved; Mr. Moskalski seconded the motion; motion carried.

XIII. Legislative Discussion

Mr. Moskalski recommended other counties follow King William's lead in authorizing their County Administrator to advocate without any additional Board approval on any legislative issues endorsed by the MPA or MPPDC.

XIV. Other Business

MPPDC Chairman, Tom Swartzwelder informed the Commission of the Governor's budget changes proposing increases for non-constitutional officers.

XV. Adjournment

Chairman Swartzwelder requested a motion to adjourn the meeting. Mr. Love motioned to adjourn; Mr. Chriscoe seconded. The motion carried.

**Note: All handouts distributed at a meeting are filed in the official MPPDC record book of the minutes. Copies of all PowerPoint presentations, if any, are filed with the official minutes.*

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(Secretary)

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Project Financial Report

Middle Peninsula Planning District Commission

Run Date: 01/07/2019
Run Time: 1:05:12 pm
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Period Ending: 12/31/2018

-----Expenditures-----								
Code	Description	Budget	Curr Month	Project Total	Un/Over	% Budget	Revenues	Balance
30013	EE&CBG Project	3,987.44	553.34	4,605.04	(617.60)	115.49%	4,930.18	325.14
30109	MPEDRO Staff Support	21,736.00	1,977.81	7,384.57	14,351.43	33.97%	3,720.96	(3,663.61)
30111	Blue/Green Infrastructure PDC f	15,000.00	1,174.77	9,515.55	5,484.45	63.44%	9,452.81	(62.74)
30115	VHDA Community Impact Grant	30,000.00	1,032.42	11,283.34	18,716.66	37.61%	6,404.00	(4,879.34)
30170	MPBDP Staff Support	22,179.81	166.66	21,604.64	575.17	97.41%	25,012.73	3,408.09
30214	FY19 Transportation Demand M	84,807.00	8,157.97	33,800.13	51,006.87	39.86%	27,981.52	(5,818.61)
30215	TDM Marketieng	24,844.00	701.33	4,422.48	20,421.52	17.80%	3,761.82	(660.66)
30316	FY19 Rural Transportation Planr	72,500.00	6,467.57	42,546.43	29,953.57	58.68%	22,010.62	(20,535.81)
30420	Onsite Loan Management	179,713.02	642.43	154,757.73	24,955.29	86.11%	188,507.70	33,749.97
30428	WQIF 2016, \$183500 RLF match	216,500.00	323.41	123,731.64	92,768.36	57.15%	92,192.83	(31,538.81)
30502	Water Supply Planning	167,859.87	554.71	167,451.19	408.68	99.76%	168,132.45	681.26
31002	GA Lobby FY09	40,750.00	0.00	20,431.34	20,318.66	50.14%	40,750.25	20,318.91
31207	MP/NN Mass Casualty Exercise	64,473.00	3,270.34	56,681.66	7,791.34	87.92%	42,734.98	(13,946.68)
31208	MP/NN Regional Debris Manage	43,000.00	106.22	13,360.15	29,639.85	31.07%	12,027.27	(1,332.88)
31500	Living Shoreline Incentive Progr:	26,196.92	600.57	11,507.90	14,689.02	43.93%	25,765.35	14,257.45
32015	PAA Staff Support	4,400.00	507.33	3,090.21	1,309.79	70.23%	4,200.00	1,109.79
32016	VIMS Living Shoreline/EPA9633:	92,636.80	26.37	92,696.82	(60.02)	100.06%	35,075.98	(57,620.84)
32017	NAWCA PAA project	75,000.00	802.12	24,527.80	50,472.20	32.70%	75,000.00	50,472.20
32140	FY18 Coastal TA	60,000.00	1,193.78	61,107.99	(1,107.99)	101.85%	60,781.12	(326.87)
32141	WWF_ANPDC	10,000.00	116.24	9,873.85	126.15	98.74%	10,000.00	126.15
32142	ANPDC Ecotourism	47,495.00	4,228.44	49,575.19	(2,080.19)	104.38%	39,029.81	(10,545.38)
32143	WIP III	50,000.00	5,961.40	56,838.52	(6,838.52)	113.68%	275.00	(56,563.52)
32144	Coastal TA FY19	69,000.00	5,086.57	14,603.19	54,396.81	21.16%	7,253.46	(7,349.73)
32145	CZM Dredging	50,000.00	776.44	3,894.73	46,105.27	7.79%	0.00	(3,894.73)
32146	ANPDC EcoTourism II	38,263.00	2,814.48	7,945.55	30,317.45	20.77%	0.00	(7,945.55)
32147	ANPDC Rural Enhancement Autl	5,000.00	492.97	2,658.68	2,341.32	53.17%	0.00	(2,658.68)
32148	NNPDC WWF Video	5,000.00	0.00	0.00	5,000.00	0.00%	0.00	0.00
38019	FY19 Local Projects	217,617.00	33,637.91	105,890.29	111,726.71	48.66%	179,309.50	73,419.21
Totals:		1,737,958.86	81,373.60	1,115,786.61	622,172.25	64.20%	1,084,310.34	(31,476.27)

Balance Sheet by Category

Middle Peninsula Planning District Commission

Run Date: 1/10/19
 Run Time: 10:48:02 am
 Page 1 of 1

Period Ending: 12/31/2018
 Format: 1 Board

Assets:

Cash in Bank	451,233.93
Cash in Bank, Restricted	310,056.75
Receivables	274,957.53
Property & Equipment	3,034.62
Prepaid Pension (Deferred Outflows)	13,015.24

Total Assets:	\$1,052,298.07
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Liabilities:

Accounts Payable	8,541.43
VRA Loan Payables	299,459.16
Payroll Withholdings	(41.74)
Accrued Leave	47,938.02
Deferred Inflows (VRS)	157,347.00
Net Pension Liabilities	22,476.00
Cost Allocation Control	(2,719.68)

Total Liabilities:	\$533,000.19
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Equity:

Local Initiatives/Information Resources	92,992.31
Economic Development	(779.67)
Transportation Programs	(27,012.48)
Emergency Management Projects	(15,275.06)
Onsite Repair & Pumpout	2,214.14
Housing	(4,832.26)
Coastal Community & Environmental	(74,906.23)
Public Access Auth Programs	(6,038.24)
Mandates	683.01
Temporarily Restricted	177,307.09
General Fund Balance	374,945.27

Total Equity:	\$519,297.88
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Total Liabilities and Equity	\$1,052,298.07
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Balance:	\$0.00
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Agencywide R&E by Category

Middle Peninsula Planning District Commission

Run Date: 01/10/2019

Run Time: 10:48:35 am

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Period Ending: 12/31/2018

Format: 1 Agencywide R&E

With Indirect Cost Detail

Code & Description	Budget	Current	YTD	Un/Over	% Bud
Revenues					
	23,370.00	0.00	0.00	23,370.00	0.00%
Local Match	94,347.00	23,796.60	46,741.90	47,605.10	49.54%
Local Annual Dues	135,099.00	0.00	135,099.00	0.00	100.00%
Local Other Revenues	39,948.00	0.00	35,897.47	4,050.53	89.86%
Local Other Organizations	24,900.00	0.00	3,720.96	21,179.04	14.94%
State Revenues	159,817.00	0.00	61,484.00	98,333.00	38.47%
Federal Revenues	637,162.00	3,000.00	115,520.85	521,641.15	18.13%
Miscellaneous Income	11,500.00	3,066.80	8,703.69	2,796.31	75.68%
RevolvingLoan Program Income	13,250.00	1,075.33	56,644.48	(43,394.48)	427.51%
	1,139,393.00	30,938.73	463,812.35	675,580.65	40.71 %
Expenses					
Personnel	376,777.00	31,131.34	222,351.98	154,425.02	59.01%
Facilities	30,887.00	2,547.03	15,025.76	15,861.24	48.65%
Communications	3,150.00	369.87	2,566.31	583.69	81.47%
Equipment & Supplies	3,300.00	169.66	4,472.94	(1,172.94)	135.54%
Travel	6,650.00	149.90	2,273.25	4,376.75	34.18%
Professional Development	11,660.00	575.00	7,547.02	4,112.98	64.73%
Contractual	436,086.00	16,950.87	173,610.57	262,475.43	39.81%
Miscellaneous	58,430.00	5,683.35	19,019.27	39,410.73	32.55%
Regional Share	94,347.00	23,796.60	46,741.90	47,605.10	49.54%
	0.00	0.00	3,157.83	(3,157.83)	0.00%
	1,021,287.00	81,373.62	496,766.83	524,520.17	48.64 %
Agency Balance	118,106.00	(50,434.89)	(32,954.48)		

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**Middle Peninsula Planning District Commission
Executive Director's Report of Regional Progress
January 16, 2019**

Note: On May 23, 2018, the Commission voted to direct staff to email all future documents including the Commission meeting packets in an effort to save on postage. As we strive to make this report more informative and user friendly, some previously contained information may now be accessed by clicking on the following link(s):

- For Demographic Information:
http://virginalmi.com/report_center/community_profiles/5109000318.pdf
- For MPPDC Website: <http://www.mppdc.com/>

MPPDC Staff and Contact Information

Executive Director: Lewis Lawrence

Contact Info: llawrence@mppdc.com (804) 758-2311x24 (804) 832-6747 (cell)

Programs: *Coastal Zone Technical Assistance, Local Initiatives, Public Access Authority*

Finance Director: Beth Johnson

Contact Info: bjohnson@mppdc.com (804) 758-2311x22

Programs: *Commuter/Employer Transportation Services, Septic Repair & Pumpout Assistance, Living Shoreline Incentive Program, Revolving Loan Programs Administration, PDC Finance & Grants Administration, PAA Staff Support, MPA Staff Support*

Planner 1: Vacant

Planner 1: Jessica Roy

Contact Info: jroy@mppdc.com (804) 758-2311x26

Programs: *Regional Emergency Planning*

Special Projects Planner: Jackie Rickards

Contact Info: jrickards@mppdc.com (215) 264-6451 (cell)

Programs: *Environmental Programs, Hazard Mitigation Planning, Graphic Arts*

Secretary: Dawn Kirby

Contact Info: dkirby@mppdc.com (804) 758-2311x21

Programs: *Septic Pumpout Assistance, MPA Staff Support, Facilities Scheduling*

Funding – VDEM, MANDATES
VDEQ, localities, MPPDC General Fund

Project 30502 Water Supply Planning

9 VAC 25-780 establishes a planning process and criteria that all local governments will use in the development of local or regional water plans. The plan will be reviewed by the Department of Environmental Quality and a determination will be made by the State Water Control Board on whether the plan complies with this regulation. Within five years of a compliance determination by the board, the plan will be reviewed to assess adequacy and any significant changes will require the submission of an amended plan and review by the board. All local programs will be reviewed, revised, and resubmitted to the Department of Environmental Quality every 10 years after the last approval. The jurisdictions of Essex, King and Queen, King William, Mathews, Middlesex, Tappahannock, Urbanna and West Point opted to prepare a regional plan with assistance from Middle Peninsula Planning District Commission staff and EEE Consulting, an environmental consulting firm. The Regional Plan was completed and submitted to the Virginia Department of Environmental Quality for compliance review by the November 2, 2011 deadline for Regional Plan submission.

INFORMATION RESOURCES/ASSISTANCE

- Updated www.mppdc.com website – meeting notices, reports, news releases, GoVA meetings, and MPA notices.

COASTAL COMMUNITY DEVELOPMENT/ ENVIRONMENTAL

Funding – VDEQ, VIMS, VDCR, local match from MPPDC General Fund & partners

Project 32015 - Staff Support to Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA)

Middle Peninsula Chesapeake Bay Public Access Authority Special Project – Support of Executive Order 23, Goal 8 Coastal Management Coordination Public Access: Continue implementation of adopted annual work program, including identifying land, either owned by the Commonwealth or private holdings that can be secured for use by the general public as a public access site; researching and determining ownership of all identified sites; determining appropriate public use levels of identified access sites; developing appropriate mechanism for transferring title of Commonwealth or private holdings to the Authority; developing appropriate acquisition and site management plan. This Program allows the Authority to function by supporting the individual projects and operations of the Authority, as well as, by responding to daily requests for assistance from local government staff.

- Prepared vouchers, processed A/P, reconciled bank statements. Prepared monthly financial statements.
- Presented draft FY19 budget to PAA Board.
- Presented FY18 audited report to PAA Board.

Project 31500 - Living Shoreline Incentive Program RLF

MPPDC submitted a proposal to the National Fish and Wildlife Foundation for VIMS. The objective of this project is to leverage previous funding from NFWF to install oyster bag sills at two publicly-owned (MPCBPAA) properties on and monitor them for a year. In addition, existing oyster bag sill installations at four private locations will be monitored to determine overall project effectiveness. This work will provide recommendations for installations along fetch-limited shorelines of Chesapeake Bay.

- Received phone call from client requesting payoff amount for loan. Provided loan payoff report via email.
- Consulted with client regarding restructuring of loan. Homeowner has a seasonal business and is finding it difficult to make loan payments. Agreed to lower loan payments by \$100 through April and raise payments by \$50 thereafter. Client has a 5-year loan thus increased payoff period should not be an issue with repayment of parent loan to VRA.

- Executed ACH loan payments for loans. All MPPDC loan funding programs require that loan recipients authorize loan payments to be made automatically from loan recipients' bank accounts. Loan clients authorize the payments at loan closing (ACH Authorizations). MPPDC staff process these payments on the 15th of each month. This places the onus to not make a payment on the loan client contacting MPPDC staff prior to the loan processing date of the 12th of the month to request a payment be held. This has significantly reduced defaults and delinquent repayments of MPPDC loans.
- **Remaining uncommitted funds - \$70,893 plus loan repayments of \$79,000.**

Project 32017 – NAWCA PAA Acquisitions

The Wetlands Conservation on the Middle Peninsula of Virginia Phase I proposal is the first in a series of projects planned by the Middle Peninsula District Commission (MPPDC) in coordination with local, state and federal agencies, non-government organizations and landowners to protect key wetlands along the Chesapeake Bay. This project will employ a novel, creative and cost effective land conservation model in order to perpetually protect 77.05 acres of coastal habitat.

- Coordinated with multiple property owners adjacent to Captain Sinclair's Recreational area for possible sale of small outparcels.
- Submitted annual grant report to USFW as a condition of grant reporting.

Project 32143 – WIP III

In support of the Chesapeake Bay Phase III Watershed Implementation Planning (WIP) efforts, the Virginia Department of Environmental Quality, in cooperation with the Chesapeake Bay Program Partnership and other state and federal partners, has made grant funds available as authorized in the federally-funded 2017 Commonwealth of Virginia Chesapeake Bay Regulatory and Accountability Program (CBRAP) Work Plan approved by EPA. Virginia's Planning District Commissions (PDCs), as authorized in the Code of Virginia (§15.2-4207), encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance, specifically in the functional area of environmental management. The intent of this project initiative is for each Virginia Planning District Commission (PDC) covering Chesapeake Bay watershed localities to convene locality and regional officials, staff and stakeholders to provide input and recommendations for meeting Local Area Planning Goals (LAPGs) in accordance with the DEQ-provided "Outline for Local Area Planning Goal Initiative".

- Consulted with Berkley Group regarding reimbursement request submittal.
- Consulted with Stephanie Heintz, Consociate Media concerning public outreach on MPPDC WIP report.

Project 32144 – Virginia Coastal TA FY19

This project provides ongoing support to member localities of the Planning District Commission and other stakeholders committed to improving community development and coastal management within the coastal zone.

- Consulted with April Bahen, CZM regarding change to MPPDC cost allocation plan and current grants.
- Met with a Mathews County aquaculture business owner to discuss possible business expansion ideas and land conservation goals of the County.
- Consulted with a Mathews County resident with questions regarding public access at Williams Wharf.
- Received a call from Chris Davis, Principal Officer for ReadyReef to discuss shoreline stabilization projects and local wetland board permitting steps for living shorelines.
- Received multiple inquiries from citizens interested in hunting land owned by the Middle Peninsula Chesapeake Bay Public Access Authority.
- Provided maps, driving directions and parking information to citizens interested in hunting land owned by

the Middle Peninsula Chesapeake Bay Public Access Authority.

- Consulted with Del. Keith Hodges concerning VDOT placement of flood signage and possible General Assembly budget amendment language to bring VDOT to the table to discuss the relationship between signage, public safety and FEMA Community Rating System.
- Consulted with Mary Carson of Wetlands Watch to discuss FEMA Community Rating System sign language and standards for notifying citizens of flood risk in relation to CRS premiums and Del. Hodges Budget Amendment for VDOT signage.
- Consulted with two Gloucester County college students interested in internships, one with the Middle Peninsula Planning District Commission and one with the Middle Peninsula Chesapeake Bay Public Access Authority. Both students had interest in coastal zone management, public access, living shoreline, environmental protection, science and policy.
- Discussed with Laura McKay, Program Director for the Virginia Coastal Zone Management Program the need for an economic study analyzing fore-gone revenue associated with natural resource-based extraction industries within the coastal zone and the impact to local government's budget by not having a dedicated revenue stream.
- Provided copies of the new FEMA guidance for accessory structures including agricultural and aquaculture buildings within the floodplain to all Middle Peninsula local governments. The public comment period is open until January 21. PDC staff has encouraged all localities to review and submit public comment.
- Consulted with staff from the Department of Conservation and Recreation Floodplain Management Program regarding FEMA's new policy for agriculture and aquaculture structures within the floodplain.
- Provided copies of the FEMA floodplain guidance documents to Virginia Farm Bureau and Virginia Shellfish Growers Association for awareness of the impact to both industries.
- Consulted with Liz Povar, Principal Officer of Middle Peninsula Alliance and Neal Barber, President of Community Futures concerning Go Virginia Region 6 grant submittal opportunities.
- Participated in a conference call with Patrice Ludwig, George Mason University regarding research technology transfer for commercializing 3-D oyster print panels for commercialization.
- Consulted with Ann Jennings, Secretary for Natural Resources for the Chesapeake Bay regarding Watershed Implementation Plan submittals by Planning District Commissions and DEQ's report out process.
- Consulted with Sarah Richardson, Department of Conservation and Recreation regarding Conservation Income Tax Credit Bill introduced by Del. Keith Hodges to advance the work of the Middle Peninsula Chesapeake Bay Public Access Authority. Explained the history behind the Bill and the public policy problem and the solution.
- Consulted with Carl Hershner, Center for Coastal Resource Management regarding GIS and database design standards for House Bill 1307 and 1308 Stormwater Tiered Approach.
- Convened the December meeting of the Local Government Administrators. Discussed stormwater GIS tracking, Next Generation E911 issues, and local permitting issues for structures within the floodplain.
- Convened the January meeting at the Middle Peninsula Chesapeake Bay Public Access Authority. Approved a pilot internship program for 2019 to help advance the work program of the PAA. Reviewed and approved draft language for VOF easement at Captain Sinclair's.

- Consulted with interested parties regarding the Chesapeake Bay Trust request for proposals for consultant services technical assistance to support Chesapeake Bay program goals and outcomes focusing on fisheries, habitat, stewardship, leadership and climate.

Project 32145 – Dredged Material Citing: Fast-Track Permitting and Beneficial Use Program

This project will help to help localities begin to use their new authority and resources for local dredging projects by identifying opportunities for beneficial use of dredged material. In part, a channel analysis will be conducted by Virginia Institute of Marine Science (VIMS) Shoreline Studies Program to determine the best locations for dredged material. Additionally, the Virginia Coastal Policy Center (VCPC) will conduct legal research associated with HR 1096.

- Re-sent a memo to Commissioners of Revenue in the Middle Peninsula, Northern Neck and the Eastern Shore requesting data of publically owned waterfront land that could be used for the placement and storage of dredged material.
- Corresponded with Quinn Robertson with the Town of Colonial Beach regarding the request for data. Mr. Robertson was interested in gathering more information regarding this effort and the specific data is needed.
- Drafted and sent Sub-Recipient Contracts for VIMS Shoreline Studies Program and Virginia Coastal Policy Center (VCPC). VCPC has signed and returned the sub-recipient contract.
- Met with a Middlesex County citizen to discuss dredge materials spoil placement and the work of Del. Keith Hodges.

Project 32146 – ANPDC Ecotourism II

This project will build on efforts from the first year and extend Middle Peninsula Watertrails into the Mobjack Bay and the Severn River. The Rural coastal Virginia Ecotourism Steering Committee will refine the Virginia Watertrails website and will focus on marketing watertrails and eco-tourism in rural coastal Virginia.

- Added public access locations to the Middle Peninsula Virginia Water Trails Map on Mobjack Bay, Severn River and in Mathews County.
- Requested MOU from ANPDC for Year 2 of work.

Project 32147 – ANPDC Rural Enhancement Authority

ANPDC and MPPDC will host a Summit to engage interested localities towards their participation and membership in the Rural Coastal Virginia Community Enhancement Authority to further legislative advancements in Working Waterfront and other rural coastal Virginia policy.

- Coordinated with staff from the Accomack Northampton PDC concerning various Bills submitted to the General Assembly related to the Enhancement Authority.

Project 32148 – NNPDC WWF Video

This project proposes to expand available tools that help promote and ensure the sustainability of working waterfronts and related industries. Specifically, StoryMaps will be created for the Coastal Region that detail the locations and histories of selected working waterfronts and a video will be produced to capture the most important working waterfront stories of the coastal region of Virginia.

- Provided NNPDC with three contacts from the Middle Peninsula to appear on the working waterfront video.
- Corresponded with John Bateman, Northern Neck Planning District Commission, regarding the working waterfront video as well as the next part of the project which includes the development of storyboards of working waterfront businesses within the Middle Peninsula.

TRANSPORTATION

Funding – VDRPT, VDOT, local match from MPPDC General Fund

Project 30213 - Transportation Demand Management (TDM) Services

This program assists local commuters and employers with transportation issues. The main emphasis is on lowering the number of single occupancy vehicle commutes within and from the Middle Peninsula region through marketing and promotion of the program through local media and provision of ride matching services to commuters.

- Updated website – www.midpenrideshare.org
- Consulted with Rick Steele, NuRide/AgileMile regarding new ridematching software migration steps.
- Reviewed welcome emails and sent edits to Rick Steele.
- Provided major employer information to Rick Steele.
- Consulted with Ken Pollock and Mike Norvell regarding circulator stops for input into Ridematching software database.
- Prepared FY20 TDM operating grant proposal.
- Consulted with Chris Arabia, DRPT regarding operating grant proposal – marketing detail.
- Convened ACT Telework Council telemeeting to finalize 2019 Work Program. Sent meeting minutes to members and ACT to post on website.
- ***Current commuter database – 160***

Project 30214 - Transportation Demand Management (TDM) Marketing Plan

MPPDC proposes to engage the services of a marketing firm to assist its TDM program to update its marketing plan. Special emphasis will be placed on developing a social marketing plan to target regional out commuters and introduce the new Telework Center being constructed in King & Queen County. This is anticipated to be a 2-year project with the first year providing market research and design of the marketing plan and the second year, if funded, implementation of the plan.

- Met with Stephanie Heinatz, Consociate Media regarding tentative timeline for marketing plan project.
- Met with Stephanie Heinatz, Consociate Media to kick-off project and finalize timeline.

Project 30315 – Rural Transportation Planning

This program provides rural transportation planning services through the Rural Transportation Planning Work Program which outlines specific tasks and goals to guide the rural planning of transportation services.

- Updated the Long Range Transportation Plan (LRTP) with new Waterways Public Input Survey responses. The waterways survey has been closed for the final time. The survey received a total of 69 responses.
- Added a “Role of Roadways in Economic Development on the Middle Peninsula” to discuss the impact that access management along the region’s arterial’s has on economic development opportunities.
- Consulted with John Cooke of VDOT to received VDOT GIS Shapefile containing Roadway Classifications. The MPPDC will use this data to create a roadway classification map that will be used in final version of the LRTP.
- Updated “Roadway Improvements” recommendations for all six counties. However, these recommendations remain incomplete. There are currently 47 outstanding intersections that the MPPDC

and VDOT have identified as being a safety priority for the region that do not have associated recommendations.

- Finalized multiple maps that will be used in the final version of the LRTP.
- Contacted Local Planners Group to cancel the December Local Planners Meeting due to the holidays and to reschedule for January 23rd.
- Received a response from John Bolecek, Statedwide Bicycle and Pedestrian Coordinator for VDOT, on MPPDC's request to have a preliminary study commissioned by VDOT on the first leg of the RT 17 Multi-Use Path. John said that the first step would be a letter of support from the MPPDC Executive Director and the next step would most likely be submitting a task order form request.
- Reviewed feedback from Chris Arabia, DRPT's Director of Mobility Grants, on the MPPDC's draft Technical Assistance Grant Application.
- Added County level commuting data to the DRPT Technical Assistance Grant Application. Re-oriented Technical Assistance Grant Application to be more focused on evaluating the effectiveness of telecommuting as a possible solution to address out-commuting. Developed draft Project Schedule and Monitoring and Evaluation Plan.
- Finalized a draft of DRPT Technical Assistance Grant Application for Lewie's review. This draft will be refined and then will be submitted to DRPT. The application deadline is February 1st.
- Hosted the VCC's Viewing Party for the 2018 Learning Exchange.
- Met with Marc Longest, Middlesex County Environmental and Code Compliance Officer to discuss assisting Middlesex County with a bike planning project in Deltaville.
- Reviewed documents provided by Marc Longest, Middlesex County Environmental and Code Compliance Officer, related to the Deltaville bike path.
- Sent a request to Marc Keenan of VDOT for Right-of-Way maps of RT 33, RT 1102, RT 660, RT 683, RT 636 in Deltaville for the bike path. Received Right-of-Way maps from VDOT for Deltaville Roadways.
- Contacted VDOT's Local Assistance contact email to request the contact information for the Local Assistance representative for the Fredericksburg District.
- Consulted with Todd Gordon of the Berkley Group to discuss opportunities for Berkley Group intern to work on graphics and layout for the LRTP.
- Spoke with Thomas Jenkins of Mathews County on the justification and legal restraints on the County to rezone a County owned property to commercial within a residential neighborhood.

ONSITE REPAIR & PUMPOUT

Funding –VRA Loan Funds, local match from MPPDC General Fund, cost sharing

Project 30420/30428 - On-Site Technical Guidance Assistance and Revolving Loan Program

The On-Site Technical Guidance Program aids the Middle Peninsula localities and residents in the technical understanding and implementation of approaches to address On-Site Disposal Systems and improve water quality by assisting local homeowners with repairing failing septic systems through low-interest loans and/or grants. In addition MPPDC received funding under the Water Quality Improvement Fund (WQIF) to provide grants to low to moderate income Middle Peninsula and New Kent County homeowners to repair failing septic systems impacting water quality and health in the region. Grants can be paired with loans from the MPPDC Onsite Wastewater Revolving Loan Fund to provide matching funds as required. It is anticipated this funding will be used to provide assistance to 20-27 homeowners.

- Received numerous phone calls from homeowners regarding assistance with septic repairs.
- Received phone calls from septic contractors/AOSE's regarding assistance with septic repairs.
- Convened Loan Committee to review applications – 4 applications approved for funding – Gloucester repair - \$17,950 - \$11,668 grant/\$7,012 loan at 3%; Mathews repair - \$18,700 - \$12,155 grant/\$7,275 loan at 3%; Middlesex repair - \$15,800 loan at 5.25%; Gloucester repair - \$22,500 - \$18,000 grant/\$4,500 loan at 2%.
- Discovered that homeowner approved for grant/loan package has a reverse mortgage making her ineligible for loan over \$3,000 as reverse mortgages entail 2 deeds of trust – both for the entire amount of equity in the home making subsequent deeds of trust useless for using the property as collateral for any new loans. Discussed with homeowner and contractor. Contractor and homeowner will make arrangements for the amount over and above the grant funding.
- Closed on loan for Middlesex repair.
- Closed on loan for Mathews repair.
- Closed on loan for Gloucester repair.
- Received application from Mathews homeowner. Discussed funding situation. Homeowner understands that there are only enough grant funds uncommitted for 1-2 additional repairs and that the first person to submit a complete application will be funded, others will not. Currently, there are 7 incomplete applications that have been submitted.
- Inquired with DEQ as to future grant funds availability for septic repairs. DEQ is not aware of any upcoming septic repair grant opportunities.
- Consulted with Ann Jennings, Deputy Secretary of Natural Resources for the Chesapeake Bay regarding issues with lack of reliable funding to MPPDC Septic Repair Program. Discussed possibility of loan forgiveness loan from VCWRLF to bridge gap in septic repair grants. This has been used previously to keep this program operational. Having the ability to offer grants to low-moderate income homeowners along with low interest loans and the ability to modify the program as required constitutes the “secret sauce” that makes MPPDC's septic repair program the only successful program in the Commonwealth.
- Consulted with Lance Gregory, VDH Director Division of Onsite Sewage and Water Services, Environmental Engineering, and Marina Programs regarding issues homeowners are having with septic providers and capacity issues of private sector to provide needed services. In particular, MPPDC staff has been working with a Mathews homeowner for 18 months to try to get him approved for funding for septic repair. Homeowner has been through 3 contractors and still has not been able to determine the exact problem with his system. He has since received a letter from VDH informing him that his system maintenance has not been reported to the state thus he is out of compliance with maintenance requirements. Homeowner reports that he cannot find a licensed operator to provide the necessary repairs and/or maintenance to put him into compliance and does not know what to do.
- *Executed ACH loan payments for septic repair loans. All MPPDC loan funding programs require that loan recipients authorize loan payments to be made automatically from loan recipients' bank accounts. Loan clients authorize the payments at loan closing (ACH Authorizations). These payments occur on the 15th of each month. This places the onus to not make a payment on the loan client contacting MPPDC staff prior to the loan processing date of the 12th of the month to request a payment to be held. This has significantly reduced defaults and delinquent repayments of MPPDC loans as well as collection efforts.*
- **Remaining uncommitted septic repair funding – \$48,759 in loan funds, \$15,420 in grant funds.**

ECONOMIC DEVELOPMENT

Funding – EDA, local match from MPPDC General Fund, BDP Loan Program Income

Project 30115 - Blue/Green Infrastructure

Commission's effort to promote compatible economic development across the Middle Peninsula looking to leverage blue and green assets.

- Put together remaining documents for EDD application.

Project 301702 - Small Business Revolving Loan Fund

MPPDC agreed to service Middle Peninsula Business Development Partnership's (MPBDP) Small Business Loan Portfolio after MPBDP's dissolution November 30, 2011. MPPDC established a revolving loan fund and staff initiate ACH loan payments from clients bank accounts and manages the accounts. Principal repaid will be held until the Commission determines the best use for these funds as allowed by the USDA (RBEG) original lending restrictions. Interest earned will be used to offset administration costs.

- *Executed ACH loan payments for MPBDP loans. All MPPDC loan funding programs require that loan recipients authorize loan payments to be made automatically from loan recipients' bank accounts. Loan clients authorize the payments at loan closing (ACH Authorizations). MPPDC staff process these payments on the 15th of each month. This places the onus to not make a payment on the loan client contacting MPPDC staff prior to the loan processing date of the 12th of the month to request a payment be held. This has significantly reduced defaults and delinquent repayments of MPPDC loans.*
- ***Funds available – \$139,808***

Project 30109 – Staff Support to Middle Peninsula Alliance (MPA)

MPPDC staff are providing clerical and fiscal assistance to the Middle Peninsula Alliance.

- Prepared vouchers, processed A/P, processed deposits and balanced bank account. Prepared monthly financial statements.
- Prepared MPA officers meeting materials, received response to email invite for meeting and provided Liz Povar, MPA Principal Officer with the anticipated attendance.
- Attended MPA officers meeting.
- Provided financial information to Liz Povar, MPA Principal Officer for reporting to DHCD for PamunkeyNet project.
- Attended meeting with VEDP and LGA regarding Middle Peninsula certified sites inventory and JobsEQ presentations.
- Scheduled meeting with King and Queen County business to discuss grants and other funding opportunities.

Project 301093 – PamunkeyNet

PamunkeyNet, a proposed wireless internet system which would harness the Middle Peninsula's existing emergency services radio infrastructure to create a regional internet service in Middle Peninsula localities. This project proposes to address the business structure necessary for the Pamunkey Nation to operate and become a wireless provider.

- Attended MPA Board meeting. Reviewed and discussed draft RFP for Pamunkey Net.
- Consulted with Liz Povar, Principle Officer for MPA regarding draft RFP for Pamunkey Net.

LOCAL INITIATIVES

Funding - local dues, PDC base-funding from VDHCD and/or MPPDC General Fund. Funding for specific projects may come from locality requesting assistance.

Project 380191 - Local & Regional Technical Assistance

This program responds to daily requests for technical assistance which other commission programs are unable to provide.

- Drafted a support letter for Chesapeake Bay Sentinel Site Cooperative's proposal to the 2019 Ecological Effects of Sea Level Rise Program.
- Reviewed the RFP for the Virginia Department of Conservation and Recreation's Dam Safety, Flood Prevention & Protection Assistance Fund.
- Received RFP for the Chesapeake Bay Trust Goal Implementation Team Initiative.
- Reached out to Rob Beach, regarding his NFWF funded project proposal titled "Retrofitting Epping Forest's Community Clubhouse (MD)". Based on the short description and title that was provided in the Chesapeake Bay Stewardship Fund Grant Slate for 2018, the project seems to be relevant to some ditching efforts and issues within Middle Peninsula Region of Virginia.

Project 31002 – GA Lobby

This program provides professional services to represent Middle Peninsula interests at the General Assembly during the current session.

- Consulted with Robert Crockett, President of Advantis Strategies and Del. Keith Hodges regarding various bills of importance to the Middle Peninsula Planning District Commission region.
- Consulted with Troy Hartley, Director of Virginia Sea Grant regarding potential legislation associated with coastal resilience and water based economy.
- Reviewed 10 bills of concern with Del. Keith Hodges. Presented talking points of why these bills matter to the Middle Peninsula.

HOUSING

Funding –Housing Loan Program Income

Project 300132 – Energy Efficiency and Conservation Block Grant (EECBG) Revolving Loan Fund

The program emphasizes a community-based approach to help meet energy and climate protection goals. MPPDC was awarded a contract to provide weatherization renovations to 12 homeowners ineligible for LMI weatherization programs in each of the 6 counties. MPPDC subcontracted the promotion and construction portions of this project to Bay Aging but was tasked with administering the overall project. MPPDC is administering the revolving loan program per DMME.

- Executed ACH loan payments for MPBDP loans. All MPPDC loan funding programs require that loan recipients authorize loan payments to be made automatically from loan recipients' bank accounts. Loan clients authorize the payments at loan closing (ACH Authorizations). MPPDC staff process these payments on the 15th of each month. This places the onus to not make a payment on the loan client contacting MPPDC staff prior to the loan processing date of the 12th of the month to request a payment be held. This has significantly reduced defaults and delinquent repayments of MPPDC loans.
- **Funds available = \$43,594**

Project 30115 – VHDA Community Impact Grant

This project will consider new approaches to address vacant homes and clouds on deeds within the Middle Peninsula. Using recommendations derived from VCPC's extensive policy analysis, MPPDC will identify feasible strategies to address housing issues in the region. This work will also include a limited field inventory which will help MPPDC better evaluate how many vacant homes are in the Middle Peninsula. The short-term objective of Phase I is to identify tools available to address housing vacancies and determine how many vacant homes are in the Middle Peninsula. MPPDC will contract with VCPC and the Berkley Group to provide needed analysis and footwork.

- Created a draft press release for the MPPDC Vacant Housing Survey.
- Review final draft for Middle Peninsula Vacant Housing Survey as well as draft press release to be released during the month of January.

EMERGENCY SERVICES

Funding – VDEM/FEMA/Homeland Security

Project 31207 – MP/NN Mass Casualty Exercise

The 2017 Gap Analysis of the Middle Peninsula/Northern Neck's Emergency Operations Plans (EOPs), identified the need of integrating as a region, including the need for a regional exercise that would require multiple jurisdictions to carry out a coordinated response to an incident. This functional exercise will include the Middle Peninsula, will invite the Northern Neck, and will provide jurisdictions that recently purchased regional support trailers, the opportunity to deploy and use that gear in a simulated real-world event.

- Read the draft of the After Action report for the Mass Casualty Exercise. This report was reformatted, edited and sent out to participants for review.

Project 31208 – MP/NN Regional Debris Management Plan

The Middle Peninsula/Northern Neck Debris Management Plan improves and supports the jurisdictions within the Middle Peninsula/Northern Neck's Operational Coordination, Information Sharing and Recovery Planning. The 2017 Gap Analysis of the Middle Peninsula/Northern Neck's Emergency Operations Plans (EOPs) identified the need to develop a Regional Debris Removal Plan that would engage the 10 county area in a joint planning process.

- Requested project extension until September, 2019.

AGENCY ADMINISTRATION

Funding - Indirect cost reimbursements from all PDC projects

MPPDC Administration

Administrative services provided to MPPDC programs. Planned FY19 Indirect Cost rate =54.86%.

- Presented amended draft FY19 Cost Allocation Plan to Commission.
- Sent FY18 audit reports to funders.
- Submitted cost allocation plan to Department of Interior for approval.
- Prepared and sent FY20 budget requests to localities.
- Met with Drew Williams, Berkley Group to discuss MPPDC Emergency Management program grants and new planner.

Closed Projects

Project 32016 - VIMS Living Shoreline

MPPDC submitted a proposal to the National Fish and Wildlife Foundation for VIMS. The objective of this project is to leverage previous funding from NFWF to install oyster bag sills at two publicly-owned (MPCBPAA) properties on and monitor them for a year. In addition, existing oyster bag sill installations at four private locations will be monitored to determine overall project effectiveness. This work will provide recommendations for installations along fetch-limited shorelines of Chesapeake Bay.

- Prepared and submitted reimbursement request to NFWF.

Project 32140 – Virginia Coastal TA FY18

Project 32141 – Working Waterfront Zoning and Coastal Living Policy Development

Project 32142 – ANPDC Ecotourism

This project is a collaboration between rural PDCs (ANPDC, NNPDC, and MPPDC) to develop and expand watertrails within each region. MPPDC staff will focus on developing watertrails on the York River, Pamunkey River, Mattaponi River and the Mobjack. MPPDC staff will also work with PDCs to create an interactive itinerary tool and to develop an overall Rural Coastal Virginia Water Trails theme/brand.

- Created marketing material to promote Virginia WaterTrails.org. This was posted on the mppdc.com website and was sent to the Northern Neck and Accomack-Northampton PDC's.
- Edited the APNPDC Ecotourism final report and inserted information about MPPDC efforts in this project.

MPPDC: Membership, Appointments, Committee Assignments, and Networks

Coastal Policy Team (CPT): The CPT, whose members and alternates represent the Virginia Coastal Zone Management Program's key partners and eight planning district commissions, provides a forum for discussion and resolution of cross-cutting coastal resource management issues. Members serve on the team at the discretion of their agency or planning district commission director. The CPT recommends funding levels to the DEQ Director for coastal zone management projects. (MPPDC Staff 15 years +)

Congressman Robert Wittman's Fisheries Advisory Committee and Environmental Advisory Committee: (MPPDC Staff 8 years +)

Virginia Sea Grant Program External Advisory Committee (EAC): The EAC provides stakeholder input on the strategic planning process, the research proposal review process, and on Commonwealth-wide trends and needs. The EAC is a diverse group of end-users including representatives from state agencies, the education community, coastal planning and management, the private sector, and NGOs. (MPPDC Staff 9 years+)

The Association for Commuter Transportation (ACT) (Telework Council Secretary): ACT is the premier association for professionals and organizations whose focus is the delivery of commuting options and solutions for an efficient transportation system. The Telework Council is concerned with promoting telework and providing telework information and technical assistance to employers (MPPDC Staff 10 years+)

Middle Peninsula Northern Neck Coordinated Human Services Mobility Committee: Provides direction for a unified comprehensive strategy for transportation service delivery in the Middle Peninsula and Northern Neck Planning Districts focused on unmet transportation needs of seniors, people with disabilities, and people with low incomes. (MPPDC Staff 12 years)

The Coastal Society: The Coastal Society is an organization of private sector, academic, and government professionals and students. The Society is dedicated to actively addressing emerging coastal issues by fostering dialogue, forging partnerships, and promoting communications and education. (MPPDC staff serves as a Director)

Eastern Virginia Groundwater Management Advisory Committee (EVGMAC) Workgroup #2B: EVGMAC is charged with assisting the State Water Commission and DEQ in developing, revising and implementing a management strategy for groundwater in Eastern Virginia Groundwater Management Area. Group #2B will identify trading options and programs used in other states; evaluate how trading programs might help with future growth and development, and individual and regional solutions; and evaluate feasibility, data needs, cost and possible participants.

Opportunities Identified to Implement Commission Priorities

Service Center	Project Title and Description	Funding Requested	Status
Environmental	NFWF TA Service Provider	n/a	Approved
Environmental	DEQ – NPS Septic Repair WQIF grants to homeowners	\$200,000	Extended
Environmental	NFWF – PAA Living Shoreline Oyster Bag Sills & Monitoring (VIMS)	\$96,637	Funded
Emergency Mgmt	VDEM – Middle Peninsula/Northern Neck Mass Casualty Functional Exercise	\$64,473	Funded
Emergency Mgmt	VDEM – Homeland Security Middle Peninsula/Northern Neck Regional Debris Mgmt Plan	\$43,000	Funded
Environmental	NAWCA Acquisitions	\$75,000	Funded
Environmental	CZM ANPDC WWF	\$10,000	Funded
Housing	VHDA – Community Impact Grant	\$30,000	Funded
Environmental	CZM ANPDC Ecotourism	\$39,263	Funded
Transportation	DRPT -FY19 TDM Operating	\$67,846	Funded
Transportation	DRPT – TDM Marketing Research and Design	\$20,000	Funded
Environmental	CZM – Coastal Technical Assistance – FY19	\$30,000	Funded
MPCBPAA	Virginia Outdoor Foundation – Captain Sinclair Easement/Improvements	\$180,000	Approved
Environmental	CZM ANPDC Ecotourism	\$38,263	Funded
Environmental	CZM NNPDC WWF	\$5000	Funded
Environmental	CZM Dredging	\$50,000	Funded
Environmental	CZM Rural Enhancement Authority	\$10,000	Funded
Transportation	VDOT – RTP FY19	\$58,000	Funded
Local	Urbanna Comp Plan Update	\$15,000	Submitted
Emergency Mgmt	Re-Entry and Access Authorization Plans	\$44,050	Funded
Emergency Mgmt	Regional Emergency Planner Position	\$49,500	Funded
Environmental	Virginia CWF Funding – Living Shoreline Capitalization	\$250,000	Approved
Emergency Mgmt	VDH RSAF – Middle Peninsula RMS Recruitment/Retention Plan	\$17,500	Submitted
Emergency Mgmt	Gloucester County – COOP Plan	\$9,000	Funded
Environ/Emergency	VDEM – Pre-Disaster Mitigation - Gloucester County Capt Sinclair Residential Property Mitigation	\$103,098	Submitted
Environ/Emergency	VDEM – Flood Mitigation - Gloucester County Capt Sinclair Property Mitigation	\$103,098	Submitted
Environ/Emergency	VDEM – Pre-Disaster Mitigation – Gloucester County – Nature Based Resiliency Solutions	\$132,001	Submitted
Environ/Emergency	VDEM – Flood Mitigation - Gloucester County – Nature Based Resiliency Solutions	\$132,001	Submitted
Environ/Emergency	VDEM – Pre-Disaster Mitigation – MP Reducing Flooding Impact of Repetitive Loss Structures	\$269,914	Submitted
Environ/Emergency	VDEM – Flood Mitigation - MP Reducing Flooding Impact of Repetitive Loss Structures	\$269,914	Not Funded
Environmental	NFWF – Resiliency Planning and Design for Hog Island Restoration	\$132,0112	Not funded
Environmental	NFWF – Improving Coastal Resiliency Through Nature Based Solutions	\$269,914	Funded

ACRONYMS

ACH	Automated Clearing House	MPRSC	Middle Peninsula Regional Security Center
AFG	Assistance to Firefighters Grants	NHD	Natural Heritage Data
AFID	Agricultural and Forestry Industries Development	NIMS	National Incident Management System
AHMP	All Hazards Mitigation Plan	NFWF	National Fish and Wildlife Foundation
BCC	Building Collaborative Communities Project	NOAA	National Oceanic and Atmospheric Administration
BOS	Board of Supervisors	NPS	National Park Services
CBPA	Chesapeake Bay Preservation Area	OCVA	Oyster Company of Virginia
CBSF	Chesapeake Bay Stewardship Fund	OLGA	On-line Grant Administration
CDBG	Community Development Block Grant	PAA	Public Access Authority
CEDS	Comprehensive Economic Development Strategy	RBEG	Rural Business Enterprise Grant
CIP	Capital Improvement Plan	RBOG	Rural Business Opportunity Grant
COI	Conflict of Interest	RFP	Request for Proposal
CRS	Credit Rating System	RFQ	Request for Qualifications
CVE	Countering Violent Extremism	RLF	Revolving Loan Fund
CZMP	Coastal Zone Management Program	RTP	Rural Transportation Planning
DEQ	Department of Environmental Quality	SERCAP	Southeast Rural Community Assistance Project
DGIF	Department of Game and Inland Fisheries	SHSG	State Homeland Security Grant
DHR	Department of Historic Resources	SWCD	Soil and Water Conservation District
DHCD	Department of Housing and Community Development	SWM	Storm Water Management
DMME	Department of Mines Minerals and Energy	SWRP	State Water Resource Plan
DOC	Department of Corrections	THIRA	Threat & Hazard Identification & Risk Assessment
DOE	Department of Energy	TIF	Tax Increment Financing
DRPT	Department of Rail and Public Transportation	TMDL	Total Maximum Daily Loads
EDA	Economic Development Administration	USDA	U.S. Department of Agriculture
EDO	Economic Development Organization	USFWS	U.S. Fish and Wildlife Service
EECBG	Energy Efficiency and Conservation Block Grant	VAPA	Virginia Planning Association
EOC	Emergency Operation Center	VAPDC	Virginia Association of Planning District Commissions
EPA	Environmental Protection Agency	VASG	Virginia Sea Grant
FEMA	Federal Emergency Management Agency	VAZO	Virginia Association of Zoning Officials
Fracking	Hydraulic Fracturing	VCP	Virginia Coastal Program
GIS	Geographic Information System	VCZMP	Virginia Coastal Zone Management Program
HAM	Amateur Radio	VCWRLF	Virginia Clean Water Revolving Loan Fund
HRPDC	Hampton Roads Planning District Commission	VDEM	Virginia Department of Emergency Management
LGA	Local Government Administrators	VDH	Virginia Department of Health
LPT	Local Planning Team	VDOT	Virginia Department of Transportation
LSIP	Living Shoreline Incentive Program	VDMME	Virginia Department of Mines, Minerals, and Energy
MOU	Memorandum of Understanding	VEE	Virginia Environmental Endowment
MPA	Middle Peninsula Alliance	Vertical Assets	"Towers or other structures that hold cell, broadband and other equipment"
MPBA	Middle Peninsula Broadband Authority	VHB	Vanasse Hangen Brustlin
MPCBPAA	Middle Peninsula Chesapeake Bay Public Access Authority	VIMS	Virginia Institute of Marine Science
MPEDRO	Middle Peninsula Economic Development and Resource Organization	VMRC	Virginia Marine Resource Commission

VOAD	Volunteer Organization Active in Disasters
VOP	Virginia Outdoors Plan
VRA	Virginia Resources Authority
VSMP	Virginia Stormwater Management Program
VTA	Virginia Transit Association
VWP	Virginia Water Protection
VWWR	Virginia Water Withdrawal Reporting
WIP	Watershed Implementation Plan
WQIF	Water Quality Improvement Fund

From: Kristin Owen [<mailto:kristin.owen@dcr.virginia.gov>]
Sent: Monday, January 07, 2019 9:27 AM
Cc: Gina Diccico <gina.diccico@dcr.virginia.gov>
Subject: Re: Important Floodplain Information - Upcoming Training - FEMA Draft Policy on Accessory Structures

Hi everyone,

I realized I forgot to attach FEMA Region III's memo related to accessory structures for you to compare to the new draft policy. I apologize. Both documents are attached to this email.

The FEMA Region III memo was used for those of you that got new maps in 2017 to update your ordinances, and it was also used to update the Virginia Model Floodplain Ordinance and our training materials over the last 2 years. The regional memo only addresses accessory structures.

The draft policy, if approved, would become a national policy that would affect all NFIP community, not just in Region III. The draft policy aligns with the minimum standards in 44 CFR and is more detailed/specific than the Regional memo, but not all of the language is straight from 44 CFR.

Public comment must be received by January 21, 2019 and it must be emailed to FEMA-Floodplain-Management-Division@fema.dhs.gov.

Thanks,
Kristin

On Fri, Jan 4, 2019 at 2:19 PM Kristin Owen <kristin.owen@dcr.virginia.gov> wrote:
Hello everyone,

Happy New Year! We're barely into 2019, but we already have a lot going on to share with you.

1. FEMA Draft Policy Open for Public Comment Until January 21, 2019

FEMA HQ recently released a draft policy related to accessory structures and agricultural structures that is currently open for public comment. Although they are similar, this draft policy does not match the memo that FEMA Region III previously provided.

Public comment must be received by January 21, 2019 and it must be emailed to FEMA-Floodplain-Management-Division@fema.dhs.gov. Please do not send your comments to DCR.

To access the draft policy document, please [click here](#). It is also attached to this email.

**FEMA REGION III MEMO:
Accessory Structures in the Special Flood Hazard Area**

MEMORANDUM FOR: All Region III NFIP Communities

FROM: Region III Floodplain Management and Insurance Branch

THROUGH: State NFIP Coordinator's Office

SUBJECT: Guidance for adopting a square footage upper limit for accessory structures to be placed or constructed below the base flood elevation.

DATE: November 7, 2016

Any community that wishes to participate in the National Flood Insurance Program (NFIP) must adopt the minimum standards found in the federal regulations to be eligible. See 44 CFR §§59.22 and 60.3. The minimum standards of the program address two types of structures, residential and non-residential. A structure is defined as *a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.* See 44 CFR §59.1. It is important to note that because structures are defined as walled and roofed buildings, development such as carports with open sides, development with three or fewer walls, gazebos, and pavilions are not considered structures and do not have to meet the elevation or floodproofing requirements of 44 CFR §60.3.

For new and substantially improved structures in the riverine special flood hazard area, residential structures must be elevated to or above the base flood elevation and non-residential structures must be elevated or dry-floodproofed to or above base flood elevations. See 44 CFR §60.3(c)(2) & (3). For new and substantially improved structures in the coastal special flood hazard area, space below the lowest floor must be free of obstruction or constructed with non-supporting breakaway walls, open wood lattice, or insect screening intended to collapse under wind and water loads. See 44 CFR §60.3(e)(5).

The federal regulations define an appurtenant structure as *a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.* See 44 CFR 59.1. They do not define accessory structures nor are there provisions or exceptions that allow for appurtenant or accessory structures to be treated as anything other than a non-residential structure. Absent an exception, accessory structures fall within the regulatory definition of a structure and in riverine areas have to be elevated to or above base flood elevation or made watertight (dry-floodproofed) below the base flood elevation and in coastal areas must be elevated to or made watertight below the BFE in addition to being free of obstruction or with breakaway walls. See 44 CFR 59.1.

In 1985 and 1986, memorandums were released by FEMA addressing the treatment of accessory structures. The latter document was written by the Assistant Administrator for the Office of Loss Reduction (OLR) and directly addressed requirements for detached garages that are not elevated:

If feasible, OLR would recommend that detached garages be elevated to or above the base flood elevation to minimize damage to the garage and to vehicles and contents stored in the

garage. However, if a detached garage constituted a minimal investment and was used only for parking or limited storage, that garage could have its floor below the base flood elevation provided that it was constructed in accordance with previously established policy on accessory structures. At a minimum, detached garages which are not elevated so that their floor is at or above the base flood elevation would have to be designed and constructed to meet the following requirements.

1. Use of the garage must be limited to parking or limited storage.
2. The garage must be built using unfinished and flood damage resistant materials.
3. The garage must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure (and meet the §60.3(c)(5) openings requirement if the FY 86 Proposed Rule provision becomes final).
4. Any mechanical and utility equipment in the garage must be elevated to or above the base flood elevation or floodproofed.
5. The garage must comply with floodplain encroachment provisions at §60.3(c)(10) or (d)(3).

In order to permit detached garages which are not elevated or dry floodproofed, the community would have to include these or equivalent provisions in its ordinances or require the issuance of variances.

Published in 1993, Technical Bulletin 7-93: Wet Floodproofing Requirements also discussed accessory structures and more specifically than the memorandum, addressed size on page 3: “**Accessory structures**, used solely for parking (*two-car detached garages or smaller*) or limited storage (*small, low-cost sheds*)” (*emphasis added*).

There is also published information specific to accessory structure in V zones. FEMA Technical Bulletin 5-08 (August 2008) states, “...the term “small” means less than or equal to 100 square feet in size, and “low cost” means \$1,000 or less. Some States and communities recommend other values.” See TB 5-08, p. 18. This Technical Bulletin allows for reasonable small and low cost structures that are anchored to resist floatation and have openings to equalize the hydrostatic pressure during a flood. See FEMA Bulletin 5-08, p. 18. Limiting the size of an accessory structure prevents the construction of structures that are costly to replace and create dangerous debris in the event of flooding.

FEMA Region III in conjunction with FEMA Headquarters staff, FEMA floodplain management staff nation-wide, and our state partners has determined how to define small and low cost accessory structures. The intent in establishing a definition for small and low cost accessory structures is to provide limited relief from the minimum requirement that all new or substantially improved accessory structures be elevated to or dry floodproofed above the base flood elevation within the Special Flood Hazard Area. The needs and circumstances of each state were considered when establishing an upper limit for accessory structure size. To maintain consistency, Region III will only consider the below language or more restrictive language for community ordinances to be compliant when addressing accessory structures. Furthermore, FEMA Region III suggests that all permits for accessory structures, even if granted by variance, include a Non-Conversion Agreement. The Non-Conversion Agreement will be signed by both the community official and the homeowner to ensure that the accessory structure does not subsequently get converted to living space. The agreement would also alert future homeowners to development restrictions.

Note on Insurance Implications:

There are also potential flood insurance ramifications for Accessory Structures. Under the Standard Flood Insurance Policy (SFIP), an “Appurtenant Structure” (which is a subset of Accessory Structures) is very narrowly defined as “a detached garage servicing a 1-4 family dwelling.” While the SFIP contains an extension of coverage to detached garages, this coverage is limited to no more than 10 percent of the amount of building coverage carried on the dwelling. And, this coverage does not apply to any detached garage “used or held for use for residential, business, or farming purposes”.

While nearly any Accessory Structure may be insured under its own separate flood insurance policy as long as it has two or more outside rigid walls and a fully secured roof and is affixed to a permanent site, the cost of insurance will be based on full-risk (elevation) rates and will also include a \$250.00 annual surcharge.

Ordinance integration:

Option 1: If a [*Name of State*] community chooses to prohibit accessory structures in their ordinance, the community should state that prohibitive language in their ordinance including a provision in the variance section stating that a variance will not be granted for accessory structures.

Option 2: If a [*Name of State*] community chooses not to specifically address accessory structures in their ordinance, applications for this type of development in the special flood hazard area would have to follow the provisions in the local ordinance for a variance. The minimum requirements for a variance are included in 44 CFR §60.6. In addition to variance requirements, add language for the conditions for a variance for accessory structures:

- May not exceed 600 square feet.
- anchored to prevent floatation, collapse, and lateral movement (44 CFR §60.3(b)(3)(i));
- constructed with flood-resistant materials (44 CFR §60.3(b)(3)(ii));
- electrical, ventilations, and other service facilities located to prevent water from entering (44 CFR §60.3(b)(3)(iv));
- be used solely for parking, access, and storage (44 CFR §60.3(c)(5));
- and be designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of flood waters (44 CFR §60.3(c)(5)).
- A signed Non-Conversion Agreement is required and shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

Option 3: If a [*Name of State*] community chooses to include language related to accessory structures, the [*Name of State Model Ordinance*] provides the upper limit of [*number agreed upon by the State NFIP coordinator and FEMA Region III*].* Development of this type is required to meet all other minimum standards in 44 CFR Part 60 including the following:

- anchored to prevent floatation, collapse, and lateral movement (44 CFR §60.3(b)(3)(i));
- constructed with flood-resistant materials (44 CFR §60.3(b)(3)(ii));
- electrical, ventilations, and other service facilities located to prevent water from entering (44 CFR §60.3(b)(3)(iv));
- be used solely for parking, access, and storage (44 CFR §60.3(c)(5));
- and be designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of flood waters (44 CFR §60.3(c)(5)).

*If the upper limit used in this language is less than 600 square feet, the [*Name of State*] community must include a provision in the variance section that variances to the accessory structure size limit are not to exceed 600 square feet. Suggested language is provided below.

Suggested language for accessory structures:

Accessory structures shall comply with the elevation requirements and other requirements of [*Section with provisions for elevation requirement*] or, if not elevated or dry flood proofed, shall:

- (1) Not be used for human habitation;
- (2) Be limited to not more than [*number agreed upon by the State NFIP coordinator and FEMA Region III*] square feet in total floor area;
- (3) Be useable only for parking of vehicles or limited storage;
- (4) Be constructed with flood damage-resistant materials below the base flood elevation;
- (5) Be constructed and placed to offer the minimum resistance to the flow of floodwaters;
- (6) Be anchored to prevent flotation;
- (7) Have electrical service and mechanical equipment elevated to or above the base flood elevation;
- (8) shall be provided with flood openings which shall meet the following criteria:
 - (a) There shall be a minimum of two flood openings on different sides of each enclosed area; if a building has more than one enclosure below the lowest floor, each such enclosure shall have flood openings on exterior walls.
 - (b) The total net area of all flood openings shall be at least 1 square inch for each square foot of enclosed area (non-engineered flood openings), or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exit of floodwaters; the certification requirement may be satisfied by an individual certification or an Evaluation Report issued by the ICC Evaluation Service, Inc.

- (c) The bottom of each flood opening shall be 1 foot or less above the higher of the interior floor or grade, or the exterior grade, immediately below the opening.
 - (d) Any louvers, screens or other covers for the flood openings shall allow the automatic flow of floodwaters into and out of the enclosed area.
- (9) For accessory structures that are [*number agreed upon by the State NFIP coordinator and FEMA Region III*] but no larger than 600 square feet in area (footprint) and that are below the base flood elevation, a variance is required as set forth in [*variance section of the ordinance*]. If a variance is granted, a signed Declaration of Land Restriction (Non-Conversion Agreement) shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

Suggested language to obtain a variance for accessory structures: (to be inserted as an item in the variance section)

- (1) No variance shall be granted for an accessory structure exceeding 600 square feet. A signed Non-Conversion Agreement is required as a condition of receiving the variance. The Agreement must be recorded with the Deed. If a variance is granted and the accessory structure is not elevated or dry flood proofed, conditions in [*Section with provisions for Accessory structures*] apply.

Conclusion:

This memo establishes the framework for compliant local ordinance language related to accessory structures. Ordinances that do not adhere to the options provided in this memo will be found non-compliant. Existing community ordinances that do not have accessory structure language consistent with this memo will be required to incorporate compliant language when there is a map change, a Community Assistance Visit review, a change in the Code of Federal Regulations, or upon the discovery of other non-compliant language.

At this time, Guidance on agricultural accessory structures in the Special Flood Hazard Area is forthcoming from FEMA's Building Science Branch at Headquarters. Please be aware that this memo will be reevaluated when any new guidance is released.

State-Wide Implementation plan:

1. Final memo: November 4, 2016
2. Distribute Memo to State NFIP Coordinators: November 7, 2016
3. Distribute Memo to communities through NFIP State Coordinators: November – December 2016
4. Discuss Memo with State NFIP Coordinators: COMPLETED
5. Require all communities adopting an updated ordinance to be compliant with memo: January 1, 2017



FEMA POLICY: Floodplain Management Requirements for Agricultural Structures and Accessory Structures

FEMA Policy #XXX-XX

BACKGROUND

This policy is intended to provide clarification and technical assistance to National Flood Insurance Program (NFIP) State Coordinators and local floodplain administrators regarding implementation of the minimum NFIP construction requirements for agricultural structures and accessory structures, as defined in this policy, which are located within floodprone areas. This policy supersedes portions of existing guidance related to agricultural structures and accessory structures found in FEMA Technical Bulletin 1 “Openings in Foundation Walls and Walls of Enclosures” and FEMA Technical Bulletin 7 “Wet Floodproofing Requirements”.

PURPOSE

The purpose of this policy is to acknowledge the unique characteristics and uses of agricultural structures and accessory structures in order to ensure sound development within floodprone areas and promote public health, safety and welfare. This policy aims to clarify the definition of agricultural structures and accessory structures, and provide a clear, consistent process for ensuring compliance with NFIP requirements for those structures located within the Special Flood Hazard Area (SFHA).

This policy does not intend to provide clarification on eligibility or application of insurance for agricultural structures or accessory structures. Agricultural and accessory (or appurtenant) structures are generally eligible for flood insurance coverage under the NFIP. See FEMA’s Flood Insurance Manual for information on the rules governing building coverage and/or contents coverage for agricultural structures.

PRINCIPLES

FEMA recognizes that clear criteria for agricultural structures and accessory structures supports floodplain management principles and provides a consistent approach to implementation. Agricultural structures and accessory structures are non-residential structures, and the NFIP requires non-residential structures to be elevated or dry-floodproofed. However, in accordance with NFIP statute and regulations, wet floodproofing may be an allowable alternative mitigation technique for certain agricultural structures and accessory structures in certain situations. This policy explains the minimum requirements for agricultural



structures and accessory structures in general, and the criteria for when and how wet floodproofing may be used in specific situations, consistent with the principles outlined below.

- A. This policy is applicable to agricultural structures and accessory structures, as defined in this document.
- B. Agricultural structures and accessory structures are not exempt from floodplain management requirements.
- C. Development in the SFHA must meet the minimum NFIP requirements identified in Title 44 of the Code of Federal Regulations, Section 60.3.
- D. In accordance with the design and performance standards of 44 C.F.R. 60.3, non-residential structures located in the SFHA must be elevated or dry floodproofed to or above the base flood elevation (BFE).
- E. In accordance with Section 1315(a)(2) of the National Flood Insurance Act of 1968 (NFIA) (42 U.S.C. 4022(a)(2)), agricultural structures that are repetitive loss structures or have been substantially damaged by flood may be repaired or rebuilt to pre-damaged condition without elevating or dry floodproofing.
- F. In accordance with the design and performance standards of 44 C.F.R. 60.3(c)(5), wet floodproofing requires openings that allow the automatic entry and exit of floodwaters.
- G. In accordance with the provisions of 44 C.F.R. 60.6, and State and local laws, NFIP communities may be able to allow certain agricultural structures and accessory structures to be wet floodproofed rather than elevated or dry floodproofed. Typically, communities may either grant a variance for an individual structure, or request approval from FEMA for a community-wide exception.

REQUIREMENTS

This section provides the floodplain management development and construction standards for agricultural structures and accessory structures located within the SFHA, as well as the requirements for granting exceptions to the minimum standards.

A. DEFINITIONS OF AGRICULTURAL STRUCTURE AND ACCESSORY STRUCTURE

Outcome: FEMA provides a clear NFIP definition of agricultural structures and accessory structures for floodplain management purposes, consistent with the NFIA and NFIP regulations.

1. An *agricultural structure* means a structure, as defined by the NFIP in 44 C.F.R. 59.1, which is used exclusively for the production, harvesting, storage, raising, or drying of agricultural commodities and livestock; and specifically excludes any structures used for human habitation.
 - a. The NFIP recognizes aquaculture to be farming that is conducted in water. As such, the NFIP considers an aquaculture structure to be included within the NFIP definition of agricultural structure for floodplain management purposes, provided that:



- i. the aquaculture structure meets the NFIP definition of a structure, for floodplain management purposes (walled and roofed), and
 - ii. the aquaculture structure is used exclusively for the production, harvesting, storage, raising or drying of aquatic animals and plants.
 - b. The following may be related to agricultural purposes or uses, but are not considered to be agricultural structures by the NFIP:
 - i. Structures that do not meet the exclusive use requirement of the NFIP definition of agricultural structure, such as:
 - 1. structures used for human habitation, whether as a permanent residence or as temporary or seasonal living quarters;
 - 2. structures used by the public, such as a place of employment or entertainment; and
 - 3. structures with multiple, or mixed, uses where one or more use does not meet the definition of agricultural structure.
 - ii. Development that does not meet the NFIP definition of a structure. Examples include, but are not necessarily limited to, a pole barn (roofed but not walled) or a holding pen or aquaculture tank/pool (walled but not roofed).
 - 2. An *accessory structure* means a structure, as defined by the NFIP in 44 C.F.R. 59.1, which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure; and, specifically excludes structures used for human habitation.
 - a. Examples of accessory structures include, but are not necessarily limited to, two-car detached garages (or smaller), carports, storage and tool sheds, and small boathouses.
 - b. The following may have uses that are incidental or accessory to the primary structure on a parcel, but are not considered to be accessory structures by the NFIP:
 - i. Structures in which any portion is used for human habitation, whether as a permanent residence or as temporary or seasonal living quarters, such as a detached garage or carriage house that includes an apartment or guest quarters, or a detached guest house on the same parcel as a primary residence.
 - ii. Development that does not meet the NFIP definition of a structure, such as a gazebo, pavilion, picnic shelter, or carport that is open on all sides (roofed but not walled).



B. MINIMUM FLOODPLAIN MANAGEMENT REQUIREMENTS FOR AGRICULTURAL STRUCTURES AND ACCESSORY STRUCTURES.

Outcome: FEMA specifies clear construction requirements for agricultural structures and accessory structures located in Special Flood Hazard Areas (SFHAs). Consistent with the minimum standards outlined in 44 C.F.R. 60.3, communities must:

1. Require permits for all proposed development and proposed construction located within the SFHA, and ensure all other necessary permits have been received from government agencies from which approval is required by Federal or State law.
2. Determine whether proposed building sites will be reasonably safe from flooding.
3. Require new construction and substantial improvements to be:
 - a. designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
 - b. constructed with materials resistant to flood damage,
 - c. constructed by methods and practices that minimize flood damages,
 - d. constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.
4. Require that new construction and substantial improvements in A zones (including A, AE, A1-30, AH, AO and AR/A99) be constructed with the lowest floor elevated to or above the base flood elevation or, together with attendant utility and sanitary facilities, be dry floodproofed.
5. Require that new construction and substantial improvements in V zones (including V, VE and V1-30) be elevated on pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor is elevated to or above the base flood elevation.
6. Obtain and maintain a record of the elevation of the lowest floor for all new construction and substantial improvements and, if applicable, the elevation to which the structure has been floodproofed.

C. EXCEPTIONS TO THE MINIMUM FLOODPLAIN MANAGEMENT REQUIREMENTS FOR AGRICULTURAL STRUCTURES AND ACCESSORY STRUCTURES

Outcome: FEMA articulates clear requirements for granting exceptions to the minimum floodplain management standards for agricultural structures and accessory structures.



1. **Agricultural Structures**. Exceptions to the elevation or dry floodproofing requirement for agricultural structures are allowed in the following circumstances and in accordance with the associated requirements explained below.
 - a. Per Section 1315(a)(2)(A) of the NFIA, the land use and control measures of a participating NFIP community may provide, at the discretion of the appropriate State or local authority, for the repair and restoration to pre-damaged conditions of an agricultural structure that is a repetitive loss structure or has been substantially damaged by flood.
 - i. Substantial damage must be solely from flood-related damages. If damages are from another sources, or a mix of sources, the agricultural structure must meet elevation or dry floodproofing requirements when repaired or rebuilt.
 - ii. The language of the provision must be reviewed and approved by FEMA to confirm consistency with the minimum NFIP requirements and incorporated into the community floodplain management ordinance.
 - iii. The repair or restoration must be to pre-damaged condition only. Substantial improvements require the agricultural structure to meet elevation or dry floodproofing requirements.
 - iv. Repair and restoration to pre-damaged condition requires a floodplain development permit.
 - v. In accordance with Section 1315(a)(2)(C) of the NFIA, disaster assistance is not available for agricultural structures repaired or restored to pre-damaged condition.
 - vi. In accordance with Section 1315(a)(2)(B) of the NFIA, FEMA may deny flood insurance coverage unless the agricultural structure is wet floodproofed.
 - b. The appropriate State or local authority may grant a variance to allow an agricultural structure to be wet floodproofed in lieu of the elevation or dry floodproofing requirement, under the following conditions:
 - i. The variance must be for an individual agricultural structure, as defined in this policy.
 - ii. Justification for the variance must be on a case-by-case basis in accordance with the criteria established in 44 C.F.R. 60.6(a) and the variance must include the following additional requirements:
 1. The agricultural structure must be located within an A zone (including A, AE, A1-30, AH, AO, AR zones).



2. The agricultural structure must represent a minimal investment and be designed to have a low-damage potential.
3. The agricultural structure must meet the exclusive use requirement of the NFIP definition of agricultural structure.
4. The agricultural structure must be anchored to resist flotation, collapse and lateral movement.
5. The portions of the agricultural structure located below the base flood elevation must be constructed with flood-resistant materials.
6. Mechanical and utility equipment for the agricultural structure must be elevated or dry floodproofed to or above the base flood elevation.
7. The agricultural structure must comply with the floodway encroachment provisions of the NFIP.
8. The agricultural structure must be wet floodproofed to protect the structure from hydrostatic pressure. The wet floodproofing design must meet the NFIP minimum openings requirements and must allow for the automatic entry and exit of floodwaters.
 - a. Engineered openings must be certified by a registered professional engineer or architect.
 - b. Non-engineered openings must meet or exceed the following minimum requirements:
 - i. Include at least two openings
 - ii. Net opening area must be at least one square inch for every square foot of enclosed area
 - iii. The bottom of the opening must not be higher than one foot above grade
 - iv. Screens, louvers, valves, or other coverings or devices are permissible providing they:
 1. Allow for the automatic entry and exit of floodwaters
 2. Do not require manual operation or the presence of a person (or persons) to allow automatic entry and exit of floodwaters.



- iii. The variance must provide the minimum relief necessary and the community should consider requiring the use of mixed mitigation (e.g., elevating as much as possible before wet floodproofing, wet floodproofing the structure and elevating or dry floodproofing the machinery, equipment and contents).
 - iv. The variance must restrict use of the agricultural structure in accordance with the exclusive use requirement of the NFIP definition of agricultural structure.
 - v. Communities electing to allow wet floodproofing of agricultural structures are encouraged to include the criteria for receiving a variance to wet floodproof agricultural structures within their local floodplain management ordinances.
 - vi. Wet floodproofing is not an appropriate mitigation technique in certain circumstances. Due to the increased risk, a variance for wet floodproofing is NOT permissible for:
 - 1. an agricultural structure located in a V zone (including V, VE and V1-30 zones). Due to the greater risk associated with waves, agricultural structures in V zones must be elevated or dry floodproofed in accordance with the minimum V-zone design and construction requirements of 44 C.F.R. 60.3(e).
 - 2. an agricultural structure which, if flooded, would create a threat to public safety, health and welfare. Such structures include, but may not be limited to: confinement operations, structures with liquefied natural gas terminals, and facilities producing and storing highly volatile, toxic, or water-reactive materials. Ideally, these structures should be located outside of the SFHA; however, when located within the SFHA, these structures must be elevated or dry floodproofed in accordance with minimum NFIP requirements.
- c. In accordance with the provisions of 44 C.F.R. 60.6(b), a NFIP community may request from FEMA a community-wide exception to allow certain agricultural structures to be wet floodproofed in lieu of the elevation or dry floodproofing requirement of the NFIP.
- i. The community must submit a request, in writing, to the FEMA Regional Office, including:
 - 1. the nature and extent of, and reasons for, the exception;
 - 2. a description of the extraordinary circumstances and local conditions that cause a hardship or inequity for elevating or dry floodproofing agricultural structures;



3. sufficient supporting justification, such as economic, environmental, topographic, hydrologic and hydraulic conditions and data, or other scientific and technical data, as well as data with respect to the impact on public safety and the environment;
 4. sufficient supporting information regarding other planning considerations and factors that justify wet floodproofing as an appropriate alternative mitigation design, including flooding characteristics (frequency, duration, depth, etc.), flood warning time, safety and access, emergency operations plans, protection of contents and equipment, as well as any other conditions, requirements or restrictions the community proposes to enforce for an agricultural structure to be eligible for the exception to wet floodproof; and
 5. the proposed ordinance language for allowing wet floodproofing of certain agricultural structures, consistent with the minimum criteria outlined in Section C, Part 1(b)(ii) of this policy.
- ii. The proposed community-wide exception request must include the following conditions and restrictions:
 1. The agricultural structure must meet the NFIP definition of agricultural structure, including the exclusive use requirement.
 2. Due to the increased risk, wet floodproofing is NOT permissible and elevation or dry floodproofing is required in the SFHA if:
 - a. the agricultural structure is located in a V zone (including V, VE and V1-30 zones), or
 - b. the agricultural structure, if flooded, would create a threat to public safety, health and welfare. Such structures include, but may not be limited to: confinement operations, structures with liquefied natural gas terminals, and facilities producing and storing highly volatile, toxic, or water-reactive materials.
 - iii. The FEMA Regional Office will complete an initial review and evaluation of the request and work with the community to ensure sufficient documentation and justification for the request has been received prior to submitting the request to FEMA Headquarters for final review and approval.
 - iv. FEMA will prepare a Special Environmental Clearance to determine whether the proposed community-wide exception will have a significant impact on the human environment. The decision to prepare an Environmental Impact



Statement, or other environmental documentation, will be made in accordance with FEMA Directive 108-1 and FEMA Instruction 108-1-1.

v. After review and evaluation of the request, FEMA will notify the community whether the requested community-wide exception is approved.

1. If the request is denied, FEMA will provide an explanation for the denial.
2. If the request is approved, FEMA will provide technical assistance, as necessary, to ensure the ordinance language is sufficient and consistent with the requirements of the approved community-wide exception.

2. **Accessory Structures**. Exceptions to the elevation or dry floodproofing requirement for accessory structures are allowed in the following circumstances and in accordance with the associated requirements explained below.

a. The appropriate State or local authority may grant a variance to allow an accessory structure to be wet floodproofed in lieu of the elevation or dry floodproofing requirement, under the following conditions:

- i. The variance must be for an individual accessory structure, as defined in this policy.
- ii. Justification for the variance must be on a case-by-case basis in accordance with the criteria established in 44 C.F.R. 60.6(a) and the variance must include the following additional requirements:

1. The accessory structure must be located within an A zone (including A, AE, A1-30, AH, AO, AR zones).
2. The accessory structure must be small and low-cost, as established by local floodplain management authorities, representing a minimal investment, and be designed to have a low-damage potential.
3. The accessory structure must be used solely for parking or limited storage.
4. The accessory structure must be anchored to resist flotation, collapse and lateral movement.
5. The portions of the accessory structure located below the base flood elevation must be constructed with flood-resistant materials.



6. Mechanical and utility equipment for the accessory structure must be elevated or dry floodproofed to or above the base flood elevation.
7. The accessory structure must comply with the floodway encroachment provisions of the NFIP.
8. The accessory structure must be wet floodproofed to protect the structure from hydrostatic pressure. The wet floodproofing design must meet the NFIP minimum openings requirements and must allow for the automatic entry and exit of floodwaters.
 - a. Engineered openings must be certified by a registered professional engineer or architect.
 - b. Non-engineered openings must meet or exceed the following minimum requirements:
 - i. Include at least two openings
 - ii. Net opening area must be at least one square inch for every square foot of enclosed area
 - iii. The bottom of the opening must not be higher than one foot above grade
 - iv. Screens, louvers, valves, or other coverings or devices are permissible providing they:
 1. Allow for the automatic entry and exit of floodwaters
 2. Do not require manual operation or the presence of a person (or persons) to allow automatic entry and exit of floodwaters.
 - iii. The variance must provide the minimum relief necessary and the community should consider requiring the use of mixed mitigation (e.g., elevating as much as possible before wet floodproofing, wet floodproofing the structure and elevating or dry floodproofing the machinery, equipment and contents).
 - iv. The variance must require the accessory structure to be used exclusively for parking or limited storage.
 - v. Although a variance is required, communities are encouraged to include within floodplain management ordinances the criteria for receiving a variance to wet floodproof accessory structures.



- vi. Wet floodproofing is not an appropriate mitigation technique in certain circumstances. Due to the increased risk, a variance for wet floodproofing is NOT permissible for:
 - 1. an accessory structure located in a V zone (including V, VE and V1-30 zones). Due to the greater risk associated with waves, accessory structures in V zones must be elevated or dry floodproofed in accordance with the minimum V-zone design and construction requirements of 44 C.F.R. 60.3(e).
 - 2. an accessory structure which, if flooded, would create a threat to public safety, health and welfare. Such structures include, but may not be limited to, structures storing highly volatile, toxic, or water-reactive materials. Ideally, these structures should be located outside of the SFHA; however, when located within the SFHA, these structures must be elevated or dry floodproofed in accordance with minimum NFIP requirements.
- b. In accordance with the provisions of 44 C.F.R. 60.6(b), a NFIP community may request from FEMA a community-wide exception to allow certain accessory structures to be wet floodproofed in lieu of the elevation or dry floodproofing requirement of the NFIP.
 - i. The community must submit a request, in writing, to the FEMA Regional Office, including:
 - 1. the nature and extent of, and reasons for, the exception;
 - 2. a description of the extraordinary circumstances and local conditions that cause a hardship or inequity for elevating or dry floodproofing accessory structures;
 - 3. sufficient supporting justification, such as economic, environmental, topographic, hydrologic and hydraulic conditions and data, or other scientific and technical data, as well as data with respect to the impact on public safety and the environment;
 - 4. sufficient supporting information regarding other planning considerations and factors that justify wet floodproofing as an appropriate alternative mitigation design, including flooding characteristics (frequency, duration, depth, etc.), flood warning time, safety and access, emergency operations plans, protection of contents and equipment, as well as any other conditions, requirements or restrictions the community proposes to enforce for an accessory structure to be eligible for the exception to wet floodproof; and



5. the proposed ordinance language for allowing wet floodproofing of certain accessory structures, consistent with the minimum criteria outlined in Section C, Part 2(a)(ii) of this policy.
- ii. The proposed community-wide exception request must include the following conditions and restrictions:
 1. The accessory structure must be used exclusively for parking or limited storage.
 2. Due to the increased risk, wet floodproofing is NOT permissible and elevation or dry floodproofing is required in the SFHA if:
 - a. the accessory structure is located in a V zone (including V, VE and V1-30 zones), or
 - b. the accessory structure, if flooded, would create a threat to public safety, health and welfare. Such structures include, but may not be limited to, structures storing highly volatile, toxic, or water-reactive materials.
 - iii. The FEMA Regional Office will complete an initial review and evaluation of the request and work with the community to ensure sufficient documentation and justification for the request has been received prior to submitting the request to FEMA Headquarters for final review and approval.
 - iv. FEMA will prepare a Special Environmental Clearance to determine whether the proposed community-wide exception will have a significant impact on the human environment. The decision to prepare an Environmental Impact Statement, or other environmental documentation, will be made in accordance with FEMA Directive 108-1 and FEMA Instruction 108-1-1.
 - v. After review and evaluation of the request, FEMA will notify the community whether the requested community-wide exception is approved.
 1. If the request is denied, FEMA will provide an explanation for the denial.
 2. If the request is approved, FEMA will provide technical assistance, as necessary, to ensure the ordinance language is sufficient and consistent with the requirements of the approved community-wide exception.



FEMA

Signatory's Name
Title

Date

DRAFT



ADDITIONAL INFORMATION

REVIEW CYCLE

FEMA Policy # [insert FEA number]: *Floodplain Management Requirements for Agricultural Structures and Accessory Structures* will be reviewed, reissued, revised, or rescinded within 4 years of the issue date.

AUTHORITIES

- A. Homeland Security Act of 2002, Pub. L. No. 107-296
- B. Executive Order 11988: Floodplain Management, 42 FR 26951, May 24, 1977
- C. National Flood Insurance Act of 1968, as amended, 42 U.S.C. § 4001 *et seq.*

REFERENCES

- A. 42 U.S.C. § 4022 and § 4102
- B. 44 C.F.R. § 59.1
- C. 44 C.F.R. § 60.1
- D. 44 C.F.R. § 60.3
- E. 44 C.F.R. § 60.6
- F. American Society of Civil Engineers (ASCE) 24-14, *Flood Resistant Design and Construction*, January 2014
- G. International Code Council, *International Building Code*, August 2017
- H. FEMA 480, *National Flood Insurance Program Floodplain Management Requirements*, February 2005
- I. FEMA P-936, *Floodproofing Non-Residential Buildings*, July 2013
- J. FEMA Technical Bulletin 1, *Openings in Foundation Walls and Walls of Enclosures*, August 2008
- K. FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, August 2008
- L. FEMA Technical Bulletin 3, *Non-Residential Floodproofing – Requirements and Certification*, April 1993
- M. FEMA Technical Bulletin 7, *Wet Floodproofing Requirements*, December 1993
- N. FEMA P-993, *Floodplain Management Bulletin – Variances and the National Flood Insurance Program*, July 2014
- O. FEMA Directive 108-1, *Environmental Planning and Historic Preservation Responsibilities and Program Requirements*, August 2016
- P. FEMA Instruction 108-1-1, *Instruction on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements*, August 2016

DEFINITIONS

Base Flood Elevation – the height of the flood having a 1 percent chance of being equaled or exceeded in any given year



Community – any State or area or political subdivision thereof (such as county, city, township, village), or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction

Development – any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials

Dry Floodproofing – A combination of measures that results in a structure, including the attendant utilities and equipment, being watertight with all elements substantially impermeable to the entrance of floodwater and with structural components having the capacity to resist flood loads

Exception – a waiver from the minimum floodplain management requirements found in 44 C.F.R. 60, granted by FEMA and directed to a community, which relieves the community from the requirements, regulation, order or other determination made or issued pursuant to the National Flood Insurance Act, as amended

Floodplain/Floodprone Area – any land area susceptible to being inundated by water from any source

Floodplain Management – the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and such state or local regulations, ordinances and building codes which provide standards for the purpose of flood damage prevention and reduction

Hardship – the inability to comply with a floodplain management regulation and make reasonable use of a property because of unusual physical and topographical conditions which are unique to the property, are not caused by the applicant, and pertain to the land and not any structures, its inhabitants or the personal circumstances of the property owner

Local Floodplain Administrator – the local official or other person designated by a community as responsible for administering the floodplain management ordinance

Lowest Floor – the lowest floor of the lowest enclosed area of a structure, including a basement. Any NFIP-compliant unfinished or flood-resistant enclosure used solely for parking of vehicles, building access, or storage (in an area other than a basement) is not considered a structure's lowest floor

National Flood Insurance Program (NFIP) – a program enacted by Congress intended to reduce the impact of flooding on private and public structures by making federal flood insurance available within communities that adopt and enforce floodplain management regulations



New Construction – (for floodplain management purposes) structures for which the start of construction commences on or after the effective date of a floodplain management regulation adopted by a community and includes all subsequent improvements to the structures

Opening – open area or space within a wall which meets certain performance characteristics related to allowing the automatic entry and exit of floodwaters

Repetitive Loss Structure – a structure covered by an NFIP flood insurance policy that has incurred flood-related damage on 2 occasions during a 10-year period ending on the date of the event for which a second claim is made, in which the cost of repair, on average, equaled or exceeded 25 percent of the value of the structure at the time of each such flood event

Special Flood Hazard Area (SFHA) – the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year

State Coordinator – the person, office or agency of the state government designated by the Governor of the state, or by state statute, that assists in the implementation of the National Flood Insurance Program in that state

Structure – (for floodplain management purposes) a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home

Substantial Damage – damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred

Substantial Improvement – any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure (or a smaller percentage if established by the community) before the start of construction of the improvement

Variance – a grant of relief by a community from the terms of a floodplain management regulation

Wet Floodproofing – use of flood-damage-resistant materials and construction techniques to minimize flood damage to a structure by intentionally allowing flood waters to enter and exit automatically (without human intervention)

MONITORING AND EVALUATION

The efficacy of this policy shall be monitored as a joint effort of local floodplain administrators, NFIP State Coordinators and FEMA through data and documentation available from regular inspections of structures, monitoring and recording of building performance, Community Assistance Visits and Contacts conducted by FEMA or State NFIP personnel, permit and variance records, insurance policy data and the Community Information System (CIS).



FEMA Headquarters will utilize the data and documentation to evaluate of the effectiveness of this policy and inform policy review, reissuance, revision or rescission.

QUESTIONS

Direct questions to FEMA- Floodplain Management Division – FEMA-Floodplain-Management-Division@fema.dhs.gov.

DRAFT

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**Middle Peninsula / Northern Neck
Mass Care Exercise – A Pandemic Response Exercise**

September 22, 2018

This document was prepared under a grant with FEMA's Grant Programs, Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official opinion policies of FEMA's Grant Programs, Directorate, U.S. Department of Homeland Security.

ADMINISTRATIVE HANDLING INSTRUCTIONS

1. The title of this document is the *"After Action Report Implementation Plan: Middle Peninsula / Northern Neck Mass Care Exercise – A Pandemic Response Exercise"*.
2. The information gathered in this After Action Report (AAR) Implementation Plan (IP) is classified as For Official Use Only (FOUO) and should be handled as sensitive information not to be disclosed. This document should be safeguarded, handled, transmitted, and stored in accordance with appropriate security directives.
3. At a minimum, the attached materials will be disseminated only on a need-to-know basis and, when unattended, will be stored in an area offering sufficient protection against theft, compromise, inadvertent access, and unauthorized disclosure.

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ACRONYMS

Acronym	Meaning
COMM	Communications
CONOPS	Concept of Operations
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
ESF	Emergency Support Function
IAP	Incident Action Plan
IC	Incident Command
ICS	Incident Command System
IMT	Incident Management Team
JIC	Joint Information Center
LOFR	Liaison Officer
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPPDC	Middle Peninsula Planning District Commission
MRC	Medical Reserve Corps
NIMS	National Incident Management System
OPS	Operations
PIO	Public Information Officer
SitRep	Situation Report
SOG	Standard Operating Guideline
SOP	Standard Operating Procedure
SSU	Shelter Support Units (Trailers in this case)
UC	Unified Command
VDH	Virginia Department of Health

EXECUTIVE SUMMARY

The "Middle Peninsula / Northern Neck Mass Care Exercise – A Pandemic Response Exercise" was designed as an opportunity for the Middle Peninsula and Northern Neck localities and partnering entities to assess their ability to manage response activities to a national pandemic at a regional vaccination site and to exercise Regional Support Trailers. The Middle Peninsula and the Northern Neck of Eastern Virginia consist of ten counties. Middle Peninsula localities include Essex, Gloucester, King & Queen, King William, Mathews and Middlesex Counties and the Northern Neck includes Lancaster, Westmoreland, Richmond, and Northumberland Counties.

The purpose of this report is to:

1. Analyze exercise results;
2. Identify regional strengths to be maintained and built upon;
3. Identify potential areas for further improvement; and
4. Support the development of corrective actions and recommendations.



Figure 1: Photo of regional support trailer.

SECTION 1: EXERCISE DESIGN

The exercise was designed as an opportunity for the Middle Peninsula and Northern Neck localities and partnering entities, including the Middle Peninsula Planning District Commission, Department of Social Service, and Local Sheriff’s Department to assess their ability to manage response activities to a national pandemic at a selected regional vaccination site. This was also an opportunity to deploy recently purchased regional support trailers and use that gear in a simulated real-world event.

Below is a summary of exercise details:

Exercise Name:	<i>Middle Peninsula / Northern Neck Mass Care Exercise – A Pandemic Response Exercise</i>
Type of Exercise:	Functional
Participants:	MPPDC, Mathews County, Gloucester County, Lancaster County, Middlesex County, Gloucester Community Emergency Response Team (CERT), Middlesex Department of Social Services, Middlesex Office of the Sheriff
Exercise Start Date:	September 22, 2018
Duration:	4 Hours
Location:	Cook’s Corner, Middlesex County, VA
Sponsor:	Middle Peninsula Planning District Commission
Scenario Type:	Pandemic

Exercise Objectives, Capabilities and Activities

Capabilities-based planning is a class of all-hazards planning. By using capabilities-based planning in designing this exercise, the planning team was able to establish exercise objectives and observe exercise outcomes through a framework of specific action items that were derived from the Core Capabilities. The Core Capabilities creates the mission of the National Preparedness Goal, including prevention, protection, mitigation, response and recovery. The National Preparedness Goals follow a whole communities approach to preparedness and recognizes that everyone can contribute to and/or benefit from national preparedness efforts. The capabilities listed below form the foundation for the organization of all objectives and observations in this exercise.

Based upon the identified exercise objectives below, the exercise planning team decided to target and demonstrate the following capabilities during this exercise:

Manage Response Activities	
Activity	Core Capability
# 1	Operational Coordination
# 2	Public Health, Health Care and Emergency Management Services
# 3	Mass Care Services – Shelter
# 4	Operational Communications

Scenario Summary

Middlesex County, in coordination with VDH, requests activation of the Regional EOC Mutual Aid Agreement to provide support for a Regional Shelter to be set-up in Middlesex County, adjacent to Three Rivers Health District, to support staff dispensing vaccines. Regional aid was provided in the form of volunteers and Shelter Support Trailers (SST) or other Trailers. Staff dispensing vaccines are not local; they work 12-hour shifts, and need beds, food, showers, parking, and other items for daily living for up to 72 hours.

SECTION 2: ANALYSIS OF CAPABILITIES

Upon completion of the exercise, participants analyzed how the target core capabilities were carried out. Each core capability was determined to be performed either as “Adequate” or as “Needs Improvement”. Those core capabilities considered “Adequate” meant that the core capabilities were performed at a satisfactory level during the exercise. Those core capabilities considered to “Need Improvement” meant that the core capability was not performed at a satisfactory level during the exercise and needs attention to improve performance of the capability in the future.

The tables below include a list of observations and recommendations associated with each core capability as a result of the exercise.

Manage Response Activities

Performance	Core Capability
Adequate	Activity # 1: <i>Operational Coordination</i>

Associated Critical Tasks	
Task # 1.1: Activating Volunteers	
Adequate	Activating Volunteers – MP/NN
Observations	<ul style="list-style-type: none"> Activating volunteers was discussed, but no formal process was followed and local Emergency Operations Plans (EOP) were not referred to at this stage. Gloucester County and Lancaster County have Community Emergency Response Team (CERT) teams, but only the Gloucester County CERT participated. VDH cancelled participation in the Exercise due to excessive deployment for Hurricane Florence the week before. The Medical Reserve Corps (MRC) had to cancel their participation.
Recommendations	<ul style="list-style-type: none"> In future exercises, EOPs need to be reviewed during this stage so personnel understand the process for activating volunteers. Multi-jurisdictional volunteer activation needs to be discussed and best practices should be developed at a regional level. Define who oversees volunteers.

Performance	Core Capability
Adequate	Activity # 2: Public Health, Health Care and Emergency Management Services

Associated Critical Tasks	
Task # 2.1: Portable (PODS) Medical Material Management and Distribution	
Adequate	Portable (PODS) Medical Material Management and Distribution
Observations	<ul style="list-style-type: none"> PODS were delivered to destination without issue. Personnel assigned to PODS understood logistics and supplies available. Volunteers were trained on trailers. Policies, procedures and directives from EOPs were not discussed in a structured manner (i.e. refer to EOP during this discussion).
Recommendations	<ul style="list-style-type: none"> Schedule an exercise with VDH and/or MRC to understand the difference in roles between non-medical and medical volunteers and to provide general guidance on medical supplies that would be available for the PODS in an actual pandemic. Develop policies and best practices for PODS, SSUs, and other resources that may be shared within and among the region. Encourage more localities to exercise PODS, either on their own or with the VDH. While the general attitude seemed to be: “we are connected communities and can work it out”, the localities may consider broadening their knowledge of resources outside of their Region.

Performance	Core Capability
Needs Improvement	Activity # 3: Mass Care Services – Shelter

Associated Critical Tasks	
Task # 3.1: Coordinate Mass Care efforts among local and county (i.e. Social Services), and VDH (3 –Rivers Health District).	
Needs Improvement	Coordination of Mass Care efforts
Observations	<ul style="list-style-type: none"> • Middlesex County Social Services were well versed in their duties. • Middlesex County Sheriff’s Department was clear on its duties. • VDH and MRC did not participate due to Hurricane Florence the prior week. • Social Services departments from other MP/NN localities did not participate. • Shelter Support Trailers (SSUs) were available and a candid and useful discussion of their availability within the region was held. • Volunteers were trained on trailers. • SSUs had adequate Shelter supplies and the volunteers were able to easily assemble and disassemble the equipment.
Recommendations	<ul style="list-style-type: none"> • Define a procedure to request activation of SSUs from one locality to the next in order to clarify who can borrow, share and staff the equipment. • Define and discuss the procedure / process / reasoning for opening a Regional shelter. Make the decision to open a shelter and practice / discuss this scenario. • Define external support organizations that could be requested with VDH and MRC participation, • Define Regional shelter roles. • Since there was no discussion of public messaging and PIO responsibilities, the region may want to discuss these topics and define associated roles and duties.

Performance	Core Capability
Needs Improvement	Activity # 4: Operational Communications
Associated Critical Tasks	
Task # 4.1: Operational Communications	
Needs Improvement	Operational Communications – Regional
Observations	<ul style="list-style-type: none"> Regional communications were exercised the prior week for Hurricane Florence. The Middle Peninsula Emergency Managers felt they were proficient in the use of the Satellite phones. The Northern Neck Emergency Managers do not have Satellite phones that are part of the MP Regional talkgroup. A great discussion on the types and availability of communications equipment across the MP/NN Region was held. Communications need to be in a timely manner, therefore it should not be assumed that the regional radio cache will solve all the Regional communications. Amateur radio volunteers did not participate in the Exercise.
Recommendations	<ul style="list-style-type: none"> Exercise Regional communications quarterly. Fund NN Satellite phones and add them to the MP talkgroup. Continue to work towards regional radio systems, policies, and procedures on a Regional basis. Embrace and expand Amateur radio groups and volunteers.

The participants were also asked to fill out a participant survey (Appendix A) based on their experience at the exercise. Eleven participants provided feedback to the survey. Table 1 outlines survey questions and the percentage of participants that strongly agreed, agreed, disagreed or disagreed strongly with the proposed question. Appendix B includes specific strengths and areas of improvement associated with the exercise.

Questions	Strongly Agree	Agree	Disagree	Disagree Strongly
1. My professional knowledge has increased as a result of this training.	81.8%	18.2%	0%	0%
2. The skills I learned help me do my job better.	18.2%	27.3%	0%	0%
3. I will modify how I perform my duties based on what I learned.	54.5%	45.5%	0%	0%
4. My participation has added value to my organization.	81.8%	18.2%	0%	0%
5. I will take on more responsibilities as a result of this exercise.	54.5%	27.3%	9.1%	0%
6. My organization will modify its policies, practices, or procedures based on what I learned in this exercise.	27.3%	54.5%	0%	0%
<i>Please note that one participant did not answer this question and another participant answered 2.5 which did not fall into the pre-determined categories.</i>				
7. I would recommend participating in exercises to others.	90.9%	9.1%	0%	0%

SECTION 3: CONCLUSION

Exercises such as this allows personnel to validate training and practice strategic and tactical prevention, protection, response and recovery capabilities in a risk-reduced environment. Exercises are the primary tool for assessing preparedness and identifying areas for improvement, while demonstrating community resolve to prepare for major incidents.

Exercises aim to help entities within the community gain objective assessments of their capabilities so that gaps, deficiencies, and vulnerabilities are addressed prior to a real incident.

Exercises are the most effective (and safer) means to:

- Assess and validate policies, plans, procedures, training, equipment, assumptions, and interagency agreements;
- Clarify roles and responsibilities;
- Improve interagency coordination and communications;
- Identify gaps in resources;
- Measure performance; and
- Identify opportunities for improvement.

This exercise succeeded in addressing all of the above as it provided examples of good to excellent participant knowledge, teamwork, communication and use of plans and procedures while pointing out areas in need of improvement and clarification.

Listed below is a summary of the level of performance the Core Capabilities and Tasks evaluated during the exercise. This summary outlines the areas in which exercise participants are strong as well as identifying areas that the departments should invest future planning, training and exercise funds on.

Emergency Operations Center Management		
Activity	Core Capability	Performance
# 1	Operational Coordination	Adequate
# 2	Public Health, Health Care and Emergency Management Services	Adequate
# 3	Mass Care Services - Shelter	Needs Improvement
# 4	Operational Communications - Regional	Needs Improvement

APPENDIX A: PARTICIPANT SURVEY

This Improvement Plan has been developed based on the results of *Middle Peninsula / Northern Neck Mass Care Exercise – A Pandemic Response Exercise* conducted on September 22, 2018. Below is a copy of the Participant Survey sent to participants for feedback and Table 1 (page 12) shows participant responses.

Middle Peninsula/Northern Neck Mass Care Exercise Saturday, September 22, 2018 Cook’s Corner County Complex, 2911 General Puller Highway, Saluda, VA 23149				
Please circle the number that most closely represents your views.	Strongly Agree	Agree	Disagree	Strongly Disagree
1. My professional knowledge has increased as a result of this training.	1	2	3	4
Comments:				
2. The skills I learned help me do my job better.	1	2	3	4
Comments:				
3. I will modify how I perform my duties based on what I learned.	1	2	3	4
Comments:				
4. My participation has added value to my organization.	1	2	3	4
Comments:				
5. I will take on more responsibilities as a result of this exercise.	1	2	3	4
Comments:				
6. My organization will modify its policies, practices, or procedures based on what I learned in this exercise.	1	2	3	4
Comments:				
7. I would recommend participating in exercises to others.	1	2	3	4
Comments:				
What one change would you suggest for improvement?				
If changes are made, what one thing would you most want to stay the same?				

APPENDIX B: PARTICIPANT FEEDBACK

The below table outlines the strengths that were identified by participants as a result of the exercise.

Strengths	Why
Meeting key people.	Developing relationships makes for a more efficient response and saves money and time.
Knowledge of community and things needed to help individuals.	Quicker decision making with this knowledge is more efficient.
Coordination of Regional Emergency Management efforts by the MPPDC has resulted in Regional Emergency Management Cooperation in the Middle Peninsula and Northern Neck to a level never achieved in the past.	Regional planning, exercising, and relationships need to be coordinated to be effective.
Coordination of various parties that participated.	Practice on how to respond to a regional disaster results in a more efficient response in a real-world scenario.
Good dialogue between parties to address the situation.	Candid conversation on issues and solutions gives participating parties ideas for how to improve.
Gained information pertaining to what other Regional equipment is available for sharing.	Just knowing what equipment is available regionally is half the battle when disaster strikes.
Number and variety of participants.	Regional collaboration, especially on a Saturday, is hard to achieve. The participation in this exercise showed a strong desire to achieve excellence.
Multi-jurisdictional cooperation.	Creates personal connections for Regional Events.
Good feedback afterwards.	Critical thinking is necessary for improvement.

The below table outlines the areas needing improvement that were identified by participants as a result of the exercise.

Areas for Improvement	Why
Calling in resources faster.	Speed of response to a disaster saves lives.
Need to know more about how the other departments operate.	Cross training allows for efficient use of resources in a disaster.
Community outreach / education.	An educated population is a prepared population. This results in less demand for limited resources during a crisis.
Better understanding of what specifics localities can do with regards to the 3-Rivers Health District and the Medical Reserve Corps Better understanding of how localities can utilize VDH and the Medical Reserve Corps.	There is still a disconnect between and among localities and the Health Departments. Joint planning and exercising is needed.
Provide standards and options for communication between and among the MP and NN Emergency Managers.	Disasters know no boundaries. Communication, specifically radio systems, in the MP/NN Region are fragmented at best.
Exercise Regional Communications quarterly.	Practice makes perfect.
Develop a Regional NN/MP MOU for SSU's, similar to the 2018 MP/NN Regional MOU.	Having equipment is good. Knowing the rules of use and costs related to the equipment should be pre-planned or there will be confusion and delay during a disaster.
Find ways to engage Amateur Radio volunteers.	Backup communications and volunteers are needed in the MP/NN region.

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HB 2313 Comprehensive highway access management standards.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 33.2-245 of the Code of Virginia, relating to comprehensive highway access management standards.

19100395D

Summary as introduced:

Comprehensive highway access management standards. Requires the Commissioner of Highways to (i) require any official who approves a highway access project to certify such project's consistency with the comprehensive highway access management standards and such official's due diligence in reviewing the project and (ii) establish an appeals process whereby an approved or denied highway access project can be reviewed by a different official.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19100395D

01/08/19 House: Committee Referral Pending

HB 2314 Local enterprise zone; traffic plan.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 58.1-3245.12 of the Code of Virginia, relating to local enterprise zone; traffic plan.

19102356D

Summary as introduced:

Local enterprise zone; traffic plan. Requires that, upon petition of a locality that has adopted a local enterprise zone development taxation program, the Department of Transportation, in consultation with the Virginia Economic Development Partnership and relevant local economic officials, shall develop a traffic plan to support and encourage the development of businesses located in such program zone.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102356D

01/08/19 House: Committee Referral Pending

HB 2315 Department of Transportation; at-risk infrastructure; report.

Chief patron: Hodges

Patron: Hodges

A BILL to direct the Department of Transportation to identify at-risk infrastructure. Report.

19102325D

Summary as introduced:

Department of Transportation; at-risk infrastructure; report. Directs the Department of Transportation, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to identify public transportation infrastructure at risk of flooding or deterioration due to flooding and to develop a plan for managing such assets.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102325D

01/08/19 House: Committee Referral Pending

*LOCALITY BILL

HB 2316 Voluntary boundary agreement between Counties of Caroline and Essex.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 15.2-3108 of the Code of Virginia, relating to voluntary boundary agreement; GIS maps.

19101192D

Summary as introduced:

Voluntary boundary agreement between Counties of Caroline and Essex; attachment of GIS map to petitions. Allows the Counties of Caroline and Essex, in adopting a voluntary boundary agreement, to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. Under current law, such use of a GIS map, rather than a metes and bounds description, is permitted only regarding the boundary agreements of certain named localities.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19101192D

01/08/19 House: Committee Referral Pending

HB 2322 Department of Health; plan for oversight and enforcement; requirements governing onsite sewage.

Chief patron: Hodges

Patron: Hodges

A BILL to require the Department of Health to develop a plan for oversight and enforcement of certain requirements governing onsite sewage treatment systems.

19102316D

Summary as introduced:

Department of Health; plan for oversight and enforcement; requirements governing onsite sewage treatment systems. Directs the Department of Health to develop a plan for the oversight and enforcement by the Department of requirements related to the inspection and pump-out of onsite sewage treatment systems that do not require a Virginia Pollutant Discharge Elimination System permit established pursuant to the Chesapeake Bay Preservation Act and are located in counties eligible for participation in the Rural Coastal Virginia Community Enhancement Authority.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102316D

01/08/19 House: Committee Referral Pending

HB 2403 Impacts to wetlands; permit requirements for compensation.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 62.1-44.15:21 of the Code of Virginia, relating to impacts to wetlands; permit requirements for compensation.

19102108D

Summary as introduced:

Impacts to wetlands; permit requirements for compensation. Requires the State Water Control Board to evaluate Virginia Water Protection Permits mitigation options for impacts to wetlands on a case-by-case basis with consideration for which option is most practicable and ecologically and environmentally preferable, including, in terms of replacement of acreage and functions, the greatest likelihood of success and reduction of temporal loss of acreage and function. Preference shall be given first to mitigation bank credits, then to permittee-responsible mitigation under a watershed approach conducted before or concurrently with project impacts, over in-lieu fee program credits that have not met success criteria.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102108D

01/08/19 House: Committee Referral Pending

**LOCALITY
BILL**

HB 2404 Transient occupancy tax; Mathews County; Middlesex County.

Chief patron: Hodges

Patron: Hodges (by request)

A BILL to amend and reenact § 58.1-3819 of the Code of Virginia, relating to transient occupancy tax; Mathews County; Middlesex County.

19102251D

Summary as introduced:

Transient occupancy tax; Mathews County; Middlesex County. Adds Mathews County and Middlesex County to the list of counties that may impose a transient occupancy tax at a rate above two percent, but not to exceed five percent. The revenue attributable to a rate in excess of two percent shall be used solely for tourism and travel purposes. Current law allows all counties to impose a transient occupancy tax at a rate not to exceed two percent.

01/08/19 House: Prefiled and ordered printed; offered 01/09/19 19102251D

01/08/19 House: Committee Referral Pending

HB 2482 Land preservation tax credits; operation of facility on donated land; third party agreements.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 58.1-512 of the Code of Virginia, relating to land preservation tax credits; operation of facility on

donated land; agreements between the Commonwealth and a third party related to donated land.

19100278D

Summary as introduced:

Land preservation tax credits; operation of facility on donated land; agreements between the Commonwealth and a third party related to donated land. Provides that if Virginia or one of its political subdivisions operates a facility on land donated for a land preservation tax credit, including charging fees for the use of such facility, such operation of a facility shall not disqualify the donation from eligibility for the credit, so long as any fees are used for conservation or preservation purposes. The bill provides that if Virginia or one of its political subdivisions contracts with a third party to manage a facility on donated land, such agreement shall not disqualify the donation from eligibility for the credit, so long as such agreement is for conservation or preservation purposes.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19100278D

01/09/19 House: Committee Referral Pending

HB 2483 Income tax credit for donation to public access authority.

Chief patron: Hodges

Patron: Hodges

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.13, relating to income tax credit for donation to public access authority.

19100323D

Summary as introduced:

Income tax credit for donation to public access authority. Establishes for taxable years 2019 through 2023 a nonrefundable income tax credit in the amount of 40 percent of a donation to a public access authority. A credit would be allowed only for a donation to a public access authority that owns an aggregate of at least 200 acres of real property located on a waterfront and available for use by the general public. The amount of credit claimed per year shall not exceed \$20,000, but unused credit may be carried forward for three years. The aggregate amount of available credits is limited to \$5 million per year.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19100323D

01/09/19 House: Committee Referral Pending

HB 2484 Identity theft; credit card fraud; charging several acts; venue.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact §§ 18.2-186.3 and 18.2-198.1 of the Code of Virginia, relating to identity theft; credit card fraud; charging several acts; venue.

19102072D

Summary as introduced:

Identity theft; credit card fraud; charging several acts; venue. Allows multiple distinct acts of alleged identity theft to be included in the same indictment or accusation if such acts were committed within six months from the first to the last of the acts charged. The bill also provides that a prosecution for credit card fraud may occur in the county or city in which the cardholder resides. Under current law, such prosecution may only be had in the county or city in which (i) any act in furtherance of the crime was committed or (ii) an issuer or acquirer, or an agent of either, sustained a financial loss as a result of the offense.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102072D

01/09/19 House: Committee Referral Pending

HB 2485 Industrial development authorities; legislative intent.

Chief patron: Hodges

Patron: Hodges

A BILL to amend and reenact § 15.2-4901 of the Code of Virginia, relating to industrial development authorities; legislative intent.

19102884D

Summary as introduced:

Industrial development authorities; legislative intent. Authorizes an industrial development authority to facilitate and support landowner access to carbon markets through aggregation of landowners to reach a size that attracts the investment of private capital.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102884D

01/09/19 House: Committee Referral Pending

HB 2506 Chesapeake Bay Preservation Areas; filling low-lying areas.*Chief patron:* Hodges*Patron:* Hodges

A BILL to amend the Code of Virginia by adding a section numbered § 62.1-44.15:72.1, relating to Chesapeake Bay Preservation Areas; filling low-lying areas.

19104058D

Summary as introduced:

Chesapeake Bay Preservation Areas; filling low-lying areas. Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19104058D

01/09/19 House: Committee Referral Pending

HB 2516 Health insurance rate reviews; minimum anticipated loss ratios; pharmacy benefit price spread.*Chief patron:* Hodges*Patron:* Hodges

A BILL to amend and reenact §§ 38.2-4214 and 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-316.2, relating to the State Corporation Commission's reviews of premium rates for health benefit plans; minimum anticipated loss ratios; price spread on pharmacy benefits.

19102959D

Summary as introduced:

Health insurance rate reviews; minimum anticipated loss ratios; pharmacy benefit price spread. Requires the State Corporation Commission (Commission) to treat the price spread on any contract between the issuer of a health benefit plan and its pharmacy benefits manager as an administrative cost of the issuer. The measure requires the issuer's administrative costs to be excluded from the amount of benefits provided under a health benefit plan when the Commission determines the health benefit plan's anticipated loss ratio. The measure codifies portions of the Commission's regulations promulgated to implement the requirement that it review and approve the premium rates for health benefit plans, including the requirement that the benefits provided by a health benefit plan are reasonable in relation to the premiums charged.

01/09/19 House: Prefiled and ordered printed; offered 01/09/19 19102959D

01/09/19 House: Committee Referral Pending

Counts: HB: 13

★ THERE WILL ANOTHER MPPDC BILL FOR LIVING SHORELINES ADDING "BUSINESS" ELIGIBLE FOR LOAN FUNDING



Commissioner's Priorities

(Please discuss with your local Boards)

Please Return to MPPDC Staff by February 25th

The MPPDC Overall Program Design/Budget Committee uses the Commissioners Priority sheet to help shape the work program for the upcoming year. If you have thoughts concerning services or policy issues you would like for the Committee to consider, please complete the below.

Name:

1. What are your top priorities for improving your locality?
2. What cross jurisdictional issues or policy concerns should MPPDC study?
3. Do you have a special topic area that you need researched?
4. Which MPPDC Service Center do you consider the most important to your constituents?
5. Other comments on how and what MPPDC could be doing to improve your locality or the region.

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Draft CY 2019 Annual Meeting Schedule

January 23 *MPPDC Boardroom, General Meeting*

Adoption of Calendar Year Meeting Schedule
Appointment of Overall Program Design (OPD) & Budget Committee
Appointment of Nominating Committee
General Assembly Update

February 27 *MPPDC Boardroom, General Meeting*

Adoption of CDBG Regional Priorities

March 27 *MPPDC Boardroom, General Meeting*

Local Budgets Discussion

April 24 *MPPDC Boardroom, General Meeting*

Draft Overall Program Design and Budget to Committee members
May Budget Committee work sessions as needed

May 22 *MPPDC Boardroom, General Meeting*

Presentation and Adoption of Draft OPD & Budget

June 26 *MPPDC Boardroom, General Meeting*

Election of MPPDC Officers

July 24 *MPPDC Boardroom, General Meeting*

Presentation & Adoption of FY20 Indirect Cost Allocation Plan
Legislative Program Discussion

August – *No meeting*

September 25 *MPPDC Boardroom, General Meeting*

Adoption of Legislative Program
Discussion of PDC Financial Issues

October 23 *MPPDC Boardroom, General Meeting*

November 20 *MPPDC Boardroom, General Meeting*

Presentation of Audited Financial Statements

December 18 *MPPDC Boardroom, General Meeting*

General Legislative Discussion

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