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Hampton Roads Sea Level Rise Preparedness and Resilience Intergovernmental Planning Pilot Project Charter

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**Hampton Roads Sea Level Rise Preparedness and Resilience
Intergovernmental Planning Pilot Project
Charter**

October 10, 2014

Mission

The mission of the Pilot Project is to develop a regional “whole of government” and “whole of community” approach to sea level rise preparedness and resilience planning in Hampton Roads that also can be used as a template for other regions.

Vision

Upon completion of the Pilot Project, Hampton Roads will have in place intergovernmental planning organizational arrangements and procedures that can effectively coordinate the sea level rise preparedness and resilience planning of Federal, state and local government agencies and the private sector, taking into account the perspectives and concerns of the citizens of the region.

Statement of the Problem

The Hampton Roads region has an economy and culture tied largely to the strength of its ports and waters. Its geography has attracted large military installations, shipping ports, manufacturing facilities, commercial fishing, residential development, academia, outdoor recreation and tourism. The vitality of the region as a whole is dependent upon the continuing maritime and coastal activity. Additionally, the operational effectiveness of the military bases in the region are critical to US national security.

The Hampton Roads region is already being impacted by sea level rise and this is projected to continue over the next century. The impacts of sea level rise are broad and without effective preparedness and resilience measures in place will have potentially serious consequences for the region, threatening the regional economy, safety and quality of life, and the ability of the region’s government and business sectors, such as military bases, transportation and public and private utilities, to carry out their missions. Effective regional preparedness and resilience planning for sea level rise requires coordination of the planning efforts of Federal, state and local government agencies and the private sector, with public participation in the planning process.

Timeline

The Pilot Project will be conducted in two phases, each tentatively lasting one year.

Phase I. June 2014 – June 2015.

The goal of the first phase is to develop organizational structure and operating procedures for intergovernmental coordination of sea level rise preparedness and resilience planning.

Phase I will include fact-finding to identify the relevant stakeholders in the regional sea level rise planning effort; review Federal, Commonwealth of Virginia, and regional reports and policy

documents that may provide guidance or recommendations applicable to this regional planning effort; review other regional sea level rise planning efforts in the United States and abroad to identify lessons learned and best practices; and assess the value of modeling and simulation tools for the initial planning efforts to be launched in Phase II. Utilizing the information gathered, the Project shall conclude Phase I with a report identifying the findings of the Steering Committee.

Phase II. June 2015 – June 2016.

The goal of the second phase is to use the findings of the Steering Committee to draft a Memorandum of Understanding among the members of the Pilot Project that establishes an intergovernmental planning coordination organization that will commence operations upon conclusion of the Pilot Project. The Phase I report will be used to conduct initial coordination of sea level rise preparedness and resilience planning on a trial basis to test and refine organizational structure and operating procedures. The lessons learned from the initial planning coordination efforts in Phase II will be used to prepare the Memorandum of Understanding.

Initial Structure

Voluntary Participation

Participation in the IPP is voluntary. Steering Committee members, Liaisons, Working Group members and Advisory Committee members may withdraw at any time for any reason. Participation in the IPP does not bind any member, or the organization that he or she represents, to any action or expenditure. Participation in the IPP does not obligate any member, or the organization he or she represents, to enter into any agreement or Memorandum of Understanding.

Steering Committee

Voting Members:

- Commonwealth of Virginia
 - Office of the Secretary of Natural Resources
 - Virginia Port Authority
 - Virginia Department of Transportation, Hampton Roads District
 - Virginia Coastal Zone Management Program
 - Virginia Department of Conservation and Recreation
- Hampton Roads Regional Organizations and Local Authorities
 - Chair and Vice Chair, Hampton Roads Planning District Commission
 - Two Chief Administrative Officers selected by the HRPDC chair
 - City of Norfolk, Office of Emergency Preparedness and Response
- Private Sector
 - Huntington Ingalls Newport News Shipbuilding

Federal Government Liaisons

- US Navy
 - Commander Navy Region Mid-Atlantic
 - Commanding Officer, Naval Facilities Engineering Command Mid-Atlantic

Commander, Norfolk District, US Army Corps of Engineers
Commander Joint Base Langley-Eustis
US Coast Guard
 Commanding Officer, US Coast Guard Shore Infrastructure Logistics Center
 Commander Fifth Coast Guard District
National Security Council
Council on Environmental Quality

Responsibilities of Steering Committee Members and Federal Liaisons

- Actively contribute to the deliberations of the Steering Committee.
- Attend Steering Committee meetings and participate in other Steering Committee activities to the maximum extent possible.
- Principals may designate an alternate who has authority to speak and vote on behalf of the principal.
- Keep the Member's organization informed of Steering Committee deliberations and activities, and provide feedback to the Steering Committee as appropriate
- Provide "reach back," serving as a link to other offices in the Member's organization that may be able to provide information, analyses.

Chair and Vice Chair

The Steering Committee shall elect a Chair and Vice Chair from among its members to serve one year terms from the date they are elected.

Working Groups

The Steering Committee will establish Working Groups and Advisory Committees as required to accomplish the mission of the Pilot Project. Federal agencies will serve as liaisons to the Working Groups and Advisory Committees, as appropriate. The following list is provided as an initial structure and may be modified as necessary by the Steering Committee.

The Working Groups shall fulfill fact-finding, advisory, and/or planning functions. The Steering Committee shall task each Working Group with specific goals and functions. The Chairperson of the Working Group shall oversee the activity of the Working Group and report to the Steering Committee.

Legal Working Group. This Working Group will address legal issues that arise during the Pilot Project and draft a Memorandum of Understanding (MOU) for the follow-on project that emerges from the pilot project. The draft MOU will be submitted to the Steering Committee no later than April 2016. The Working Group will consult with contacts designated by other Steering Committee members.

Infrastructure Planning Working Group. This Working Group will recommend which infrastructures in Hampton Roads require adaptation planning and formulate recommendations for intergovernmental coordination of that planning, and in consultation

with the Private Infrastructure Advisory Committee, formulate recommendations for privately owned infrastructure planning.

Land Use Planning Working Group. This Working Group will recommend which land use related plans, programs and policies in Hampton Roads require adaptation planning and formulate recommendations for intergovernmental coordination. In consultation with the Municipal Planning Advisory Committee, the Working Group will address land use planning, floodplain management, local government comprehensive plans, zoning, building codes and other plans, programs and policies it identifies in the course of its work.

Citizen Engagement Working Group. This Working Group will prepare a communications and engagement plan for the Steering Committee that addresses informing the public on the Pilot Project on an on-going basis, and soliciting public comment on recommendations for intergovernmental coordination of planning. The Working Group also will coordinate messaging, oversee the ODU public-facing web site, and organize public events. The individuals listed below may designate Working Group members from their organizations, but are themselves responsible for approving the communications and engagement plan that will be submitted to the Steering Committee. The Working Group will consult with contacts designated by the other Steering Committee members and with the Citizen Engagement Advisory Committee.

Advisory Committees

The Steering Committee will establish Advisory Committees as required to accomplish the mission of the Pilot Project and designate Chairpersons for each. Advisory Committees will provide information and recommendations to the Working Groups and the Steering Committee. The following list is provided as an initial structure and may be modified as necessary by the Steering Committee.

Phase I

- Science Advisory Committee
- Economic Impacts Advisory Committee
- Municipal Planning Advisory Committee
- Private Infrastructure Advisory Committee
- Citizen Engagement Advisory Committee
- Senior Leadership Advisory Committee

Additional Advisory Committees for Phase II

- Engineering, Planning and Design Solutions Advisory Committee
- Industry Advisory Committee
- Legal and Legislative Advisory Committee
- Natural Environment Advisory Committee

Deliverables

Phase I

- October 2014. Elect a Chair of the Steering Committee, approve chairs for the advisory committees, and approve a work plan for Phase I
- October 2014. Initial report on the jurisdictional and legal issues that must be addressed in establishing an intergovernmental planning organization. (Legal Working Group)
- December 2014. Report on the initial organizational structure and operating procedures for coordinating intergovernmental planning in Phase II, including proposals for resolving management and administrative issues, and the jurisdictional and legal issues identified by the Legal Working Group.
- February 2015. Report on specific preparedness and resilience planning issues to be addressed in Phase II. This need not encompass the full range of issues that should be addressed; it should identify a set of issues that reasonably can be addressed within anticipated time and resource constraints. The Scope of Planning section below provides a starting point for identifying these preparedness and resilience planning issues.
- March 2015. Report on the administrative, management, jurisdictional and legal issues that must be addressed to commence coordinated intergovernmental planning in Phase II and to establish an intergovernmental planning organization upon completion of the Pilot Project.
- April 2015. Submit Plan of Action for Phase II.
- June 2015. Final report on Phase I, including all the deliverables listed above and a template for establishing an intergovernmental planning organization that can be adapted to the unique circumstances of other regions.

Phase II

- July 2015. Commence work on the Action for Phase II.
- December 2015. Report on recommended organizational structure and operating procedures for the intergovernmental planning organization that will be established upon completion of the Pilot Project.
- January 2016. Progress Report on coordination of planning on the specific planning issues addressed in Phase II, including lessons learned during the planning process.
- March 2016. Comprehensive, detailed list of the preparedness and resilience planning issues to be addressed by the intergovernmental planning organization, including a list of the critical infrastructures that need to be included.
- March 2016. Procedures for monitoring implementation of individual plans developed by government agencies and stakeholders to ensure consistency with the regional interagency planning coordination guidance developed by the intergovernmental planning coordination organization, and periodic review of regional plans to improve them based on experience with implementing them and to keep them current with changing circumstances.
- April 2016. Memorandum of Understanding among the members of the Pilot Project that establishes an intergovernmental planning coordination organization that will commence operations upon conclusion of the Pilot Project.
- May 2016. Submit Plan of Action for the intergovernmental planning organization for the first two years after the Pilot Project, June 2016 – June 2018.

- June 2016. Final report on Phase II, including all the deliverables listed above and an update to the template developed in Phase I based on the lessons learned in Phase II.

Key Issues

A number of issues must be addressed in establishing an intergovernmental planning organization for coordinating sea level rise preparedness and resilience planning:

- **Authority:** The degree to which the intergovernmental planning organization will be able to coordinate regional planning, which could range from making recommendations on coordination of specific plans and policies across multiple government agencies and jurisdictions, to producing integrated regional plans to be implemented by all the government agencies and jurisdictions in the region.
- **Structure:** Government agencies and key private sector stakeholders that need to be included in coordination of planning, and public engagement.
- **Governance:** Leadership of the intergovernmental planning organization and decision-making procedures.
- **Scope of Planning:** Plans and policies to be coordinated, which could cover land use plans, local government comprehensive plans, zoning and building codes, floodplain management, design and prioritization of transportation projects, construction projects to protect or accommodate, resiliency requirements for privately owned infrastructure such as electrical distribution, natural gas and telecommunications, and other planning issues.
- **Resources:** Staffing and sources of funding for the intergovernmental planning organization, including the cost of research, travel and events required during the planning process.
- **Execution:** Monitoring implementation of individual plans developed by government agencies and stakeholders to encourage and assess consistency with the regional planning recommendations developed by the intergovernmental planning organization, and periodic review of regional plans to improve them based on experience with implementing them and to keep them current with changing circumstances.

Scope of Planning

The Pilot Project will adopt the adaptive management approach to planning. Application of this approach will be developed in Phase I and included in the Phase I Final Report. Phase II will include an initial test of the adaptive management approach.

Initial planning will address the four major impacts of sea level rise:

- Permanent inundation
- Increased tidal flooding
- Increased storm-related flooding, both frequency and magnitude. This is referred to as recurrent flooding in Commonwealth of Virginia planning.
- Combined impact of sea level rise, precipitation and groundwater elevation on storm water drainage.

The Pilot Project will assess whether additional sea level rise impacts should be added in Phase II or at a later time, including shoreline erosion, saltwater contamination of aquifers, and loss of wetlands and other natural areas that provide buffers against storm surge.

Planning will encompass the three strategies for adaptation:

- Protect
- Accommodate
- Retreat

Planning will address intergovernmental and private stakeholder coordination of key plans and policies:

- Land use planning, to ensure that adjacent areas controlled by different government agencies or private stakeholders adopt mutually supportive measures for adapting to permanent inundation, tidal flooding and storm surge
- Engineering and construction solutions for protecting vulnerable areas, which may have to extend across jurisdictional boundaries and encompass areas owned by private stakeholders
- Ensuring the resilience of critical infrastructure, including transportation, electrical distribution, water supplies, sanitation systems, telecommunications and others on the Department of Homeland Security list of critical infrastructures.

The Steering Committee will keep abreast of parallel Federal, Commonwealth of Virginia and Hampton Roads regional efforts that may impact the Pilot Project, including:

- Council on Climate Preparedness and Resilience and the State, Local and Tribal Leaders Task Force established by Presidential Executive Order 13653, “Preparing the United States for the Impacts of Climate Change”
- US Army Corps of Engineers North Atlantic Coast Comprehensive Study
- Federal Emergency Management Agency Floodplain Management Program and Region III Coastal Analysis and Mapping Storm Surge Study
- Virginia General Assembly, Joint Subcommittee on Recurrent Flooding
- Governor’s Climate Change and Resiliency Update Commission
- Hampton Roads Planning District Commission Special Committee on Recurrent Flooding and Sea Level Rise

Communications and Public Engagement

Federal statutes and the Code of Virginia contain specific requirements for informing the public on the activities of public bodies and soliciting public input on proposed policies. The Steering Committee will ensure that the Pilot Project complies with applicable statutory requirements and coordinates its communications and outreach with those of participating government organizations.

Initial Management

Old Dominion University will serve as convener and facilitator until the Steering Committee takes action on permanent management.

Resources

- For Phase I Old Dominion University will serve as convener and facilitator, and provide a password-protected portal for Steering Committee members and an open web site for the public. ODU will identify staffing and resources required to carry out those functions. Individual government agencies and private stakeholders will fund their own expenses during Phase I.
- In Phase I the Pilot Project will identify staffing and sources of funding for the Phase II of the Pilot, in which initial coordination of planning efforts will commence. This should include the cost of staffing, research, travel and events required during the planning process.

**This Charter is this ____ day of _____, 2014,
hereby signed by the following, consisting of the Steering Committee and Federal Liaisons
to the Hampton Roads Sea Level Rise Preparedness and Resilience Planning
Intergovernmental Pilot Project.**

Steering Committee

Commonwealth of Virginia, Office of the Secretary of Natural Resources

Virginia Port Authority

Virginia Department of Transportation, Hampton Roads District

Virginia Coastal Zone Management Program

Virginia Department of Conservation and Recreation

Hampton Roads Planning District Commission

City of Norfolk, Office of Emergency Preparedness and Response

Huntington Ingalls Newport News Shipbuilding

Federal Liaisons

Commander Navy Region Mid-Atlantic

Commanding Officer, Naval Facilities Engineering Command Mid-Atlantic

Commander, Norfolk District, US Army Corps of Engineers

Commander Joint Base Langley-Eustis

Commanding Officer, US Coast Guard Shore Infrastructure Logistics Center

Commander Fifth Coast Guard District