



CITY OF POQUOSON

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996
(757) 868-3000 FAX (757) 868-3101

Office of the Mayor

October 27, 2011

The Honorable Bob McDonnell
Governor, Commonwealth of Virginia
Office of the Governor
Patrick Henry Building, 3rd Floor
1111 E. Broad Street
Richmond, VA 23219

Dear Governor McDonnell:

In response to your recent correspondence requesting information on unfunded State mandates which are creating a fiscal hardship on the City of Poquoson, I offer you the following:

CSA: Administration of CSA is becoming very burdensome and complex particularly with the non-mandated (CHINS) cases. The additional funds that must be expended for these children create a significant financial burden for localities. In addition, the case management is overwhelming for most localities because of inadequate staffing and lack of funding for staff support.

The constant changing of how CSA cases are managed, i.e. forms, reporting requirements, etc., creates confusion for those who are responsible for the program and the fear of punitive actions if something is not done correctly adds more stress.

The general feeling of CSA administrators is that we were better off before implementation of CSA and that the program would run more smoothly if the funding was returned to the various agencies involved with the care of the children.

Line of Duty: In FY 12, the Line of Duty costs became the responsibility of each locality. The State still maintains all control over the program with the localities having no input on this matter.

The \$12,000 that we pay to the State for the Line of Duty includes a payback of benefits for FY 2011.

The Local Aid to the Commonwealth which the City pays back each January is another unfunded mandate. Last January Poquoson wrote a check back to the State for \$43,184.

Road maintenance funding: We are required to construct and maintain roads to VDOT standards, yet the state is cutting funds, so we don't have enough money to maintain the streets per VDOT requirements.

VDOT red tape: Localities must complete countless forms and procedures anytime we have a grant or are doing a new construction project. The paperwork could easily be streamlined. Submittal dates for status reports could be uniform so that local staff would know when information is due.

VDOT/regional transportation funds allocation process: Creates a huge regional bureaucracy that favors larger cities and interstate projects at the expense of small communities.

DCR: Each year, three reports to DCR are required, with some of the same information included in each. The reports are the annual VPDES permit report; Chesapeake Bay reports; Erosion and Sediment Control Reports. One report only should be required, and contain only the information that DCR will actually use.

New state stormwater regulations: Will make localities assume the State DCR duty of administering State construction stormwater permits. We don't have the staff. State positions should be cut if they are no longer going to do this work, with localities receiving the funding.

Chesapeake Bay Act: Stormwater treatment measures must be allowed in the buffers if we are to accomplish Chesapeake Bay TMDL program retrofits. The resource protection area (RPA) or buffer rules unnecessarily discourage redevelopment if the site has not been designated an intensely developed area (IDA). That means land uses with no stormwater treatment stay in place because it is too difficult to redevelop the site. The IDA definition should not require a special designation procedure with State approval.

Chesapeake Bay TMDL program: Communication is lacking, and goals are changing. We need:

- More active participation and clear communication from DCR.
- Virginia to push back when EPA requirements are not technically justified. Most State staffers defend EPA when localities point out issues.
- A slower timetable. The program is unaffordable at this pace.

Local government upgrades of existing stormwater systems in wetlands areas/State waters: Eliminate Joint Permit applications for local governments upgrading or maintaining their existing storm

drainage structures. Work should be covered under general permits with no paperwork.

I understand that the information submitted by Poquoson and all other Virginia localities will be considered by the Task Force for Local Government Mandate Review. We look forward to hearing from you regarding the status of the Task Force's efforts regarding unfunded State mandates.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Eugene Hunt, Jr." with a stylized flourish at the end.

W. Eugene Hunt, Jr.
Mayor, City of Poquoson

WEHjr:vhd