

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION
2521 CLARK STREET, SUITE 600
ARLINGTON, VIRGINIA 22202
(703) 699-2950

MEMORANDUM OF MEETING

DATE: August 4, 2005

TIME: 4:15 PM

LOCATION: Polk Building, 2521 South Clark Street, Arlington, VA

MEETING WITH: Virginia State Delegate Terrie Suit

SUBJECT: Community Information

PARTICIPANTS:

| <i>Name</i> | <i>Title/Code</i> | <i>Phone</i> |
|----------------------|--|---------------------|
| * Bill Fetzer | BRAC Staff - Navy/Marine Corps Senior Analyst | 703-699-2915 |
| Terrie Suit | Delegate 81st District of Virginia | 757-651-1852 |

* Denotes individual responsible for completing the memorandum

MEETING SUMMARY:

Following the 4 August Regional Hearing for the consideration for closure of Naval Air Station Oceana, Virginia Beach, VA, I met briefly with Ms Terrie Suit, from the Virginia House of delegates, 81st District of Virginia.

The discussion centered on the steps that the state of Virginia and the cities of Virginia Beach and Chesapeake could undertake to more proactively meet the challenges of developmental encroachment of NAS Oceana and OLF Fentress Field.

I explained that the recently approved Joint Land Use Study was a step in the right direction, but that the JLUS was only a framework for cooperation between the Navy and the local governments. I advised that more enforcement of the building restriction guidelines was needed within the Accident Potential Zones and the high Day/Night Average Noise Level areas as well as state legislation considered to stop or to reverse the negative encroachment trends.

Ms. Suit concurred that the terms of the JLUS needed more teeth and pledged to take immediate and specific steps to initiate such a process within the state legislature as well as ensure additional measures were taken to assist the Navy in dealing with encroachment challenges.

A copy of the letter to the BRAC Commission is attached to this memorandum.



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

TERRIE L. SUIT
POST OFFICE BOX 7031
VIRGINIA BEACH, VIRGINIA 23467

EIGHTY-FIRST DISTRICT

COMMITTEE ASSIGNMENTS:
GENERAL LANS
COUNTIES, CITIES AND TOWNS
COMMERCE AND LABOR

August 8, 2005

Chairman Anthony J. Principi
Base Closure And Realignment Commission
2521 S. Clark St., Suite 600
Arlington, VA 22202-3920

RE: Oceana Naval Air Station.

Dear Chairman Principi,

I write to you as the Member of the Virginia House of Delegates representing the 81st District, which hosts Naval Air Station Oceana in the City of Virginia Beach, and areas south of Naval Air Landing Field Fentress in the City of Chesapeake. On August 1st, at the invitation of Capt. Tom Keeley, I attended the Base Closure and Realignment Commission's site visit to NAS Oceana. During this visit I listened carefully to the concerns identified by members of the commission pertaining to the military value of NAS Oceana and concerns about civilian encroachment around Oceana. On August 4th I attended the public hearing in Washington DC and again heard the concerns about encroachment expressed by Commission members present. Following that hearing I met with commission staff member Bill Fetzer to clarify these concerns.

I am confident that I, along with my colleagues in the Virginia Legislature, have the means to address the Commission's concerns regarding encroachment around Oceana NAS and Fentress Air Field with **permanent statutory solutions**. I am writing this letter to articulate these legislative remedies, and offer my personal commitment to follow through with this legislation.

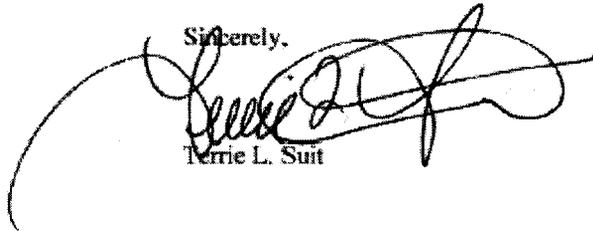
As a practice the State legislature has been reluctant to interfere with local land use planning, however, we do have the ability to legislate such land use restrictions and mandates upon local governing bodies. I, and many of my colleagues, believe that in order to address the Commission's concerns regarding encroachment around NAS Oceana we are warranted in taking the unprecedented action of putting into law a number of land use remedies. I have discussed these remedies with other legislators representing the Hampton Roads region as well as with the leadership of the Virginia House of Delegates. Delegate Cosgrove, Senator Stolle, and I are positioned to move these initiatives forward, with the support of our colleagues, and are confident of their successful adoption by the Virginia General Assembly. These initiatives are as follows:

1. **State-Mandated Zoning Controls**
Requires the cities of Chesapeake and Virginia Beach to adopt zoning ordinances that require the governing body to consider AICUZ guidelines in deciding discretionary development applications (rezoning, conditional use permits) for property in Noise Zones 70 dB DNL or greater.
2. **Purchase of Development Rights (PDRs) Housed Under the Aviation Board.**
Legislation would establish a State program for the purchase of property rights on developed and undeveloped land in Accident Potential Zones in Chesapeake and Virginia Beach. Property rights to be purchased may include development rights or fee simple title. Purchases to be funded by state and federal governments; in addition, each locality may provide funding for purchases within its own jurisdiction. The Program would be administered by a State commission members of which would be appointed by the Governor or General Assembly. Property to be acquired would have by-right development potential (i.e., no approvals needed by the governing body) for uses deemed incompatible with AICUZ guidelines.
3. **Codification of Joint Land Use Study (JLUS)**
Legislative Services (General Assembly staff) to examine JLUS recommendations to determine suitability for statutory enactments of other recommendations.
4. **Evaluation of Undeveloped Properties**
Legislation would require cities of Virginia Beach and Chesapeake to evaluate undeveloped property in Noise Zones 70 dB DNL and greater to determine the suitability of rezoning to different zoning district classifications that would not allow uses incompatible with AICUZ guidelines.
5. **Inter-facility Traffic Area**
Cities of Virginia Beach and Chesapeake to develop programs for the purchase of development rights in NAS Oceana – NALF Fentress flight path (Inter-facility Traffic Area). Purchases could include fee simple title or lesser interests, so long as effect would be the elimination of uses deemed incompatible with AICUZ guidelines.
6. **Oceana/Fentress Military Advisory Council**
Enact legislation creating the Oceana/Fentress Military Advisory Council as a sub-unit of the Virginia Military Advisory Council with staffing provided by the Virginia Office of Commonwealth Preparedness. Membership on the council would consist of two members of the Chesapeake City council, two members of the Virginia Beach City Council, Virginia legislators whose districts encompass NAS Oceana and NALF Fentress. Advisors would include Commander Navy Region Mid-Atlantic or his representative, and Commanding Officer of NAS Oceana or his representative.

I hope that these legislative remedies will offer the Commission sufficient confidence in the staying power of the actions currently being taken by the Cities of Virginia Beach and Chesapeake. I am available at your convenience to discuss the details of these initiatives. I will be out of the State for the remainder of August on post-deployment leave with my active-duty husband. I can, however, be reached on my mobile phone at 757-651-1852 or by e-mail at tlsuit@cox.net. Please feel free to contact me should you have any questions regarding this legislative package.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Terrie L. Suit", written over a large, loopy flourish that extends to the left and then curves back down to the right.

Terrie L. Suit

Cc. Members and Staff, Base Closure and Realignment Commission
Governor Warner, Virginia
Virginia's US Senate Delegation
2nd and 4th US Congressional Representatives
Virginia General Assembly Members
Virginia Beach City Council Members
Chesapeake City Council Members
Commander Navy Mid-Atlantic Region
Commander Oceana Naval Air Station

Enc.

TLS/slf