



Virginia Coastal Zone MANAGEMENT PROGRAM

Coastal Policy Team Meeting Notes

Tuesday, September 29, 2015

Location: DEQ Central Office, 629 E. Main Street, Richmond VA

2016-2020 Coastal Enhancement Strategies

Coastal Hazards

Shep Moon presented the two-parts of the Coastal Hazards strategy: 1) Building Coastal Resiliency through Natural/Nature-based Shoreline Resources and 2) Building Coastal Resiliency through Community Resiliency. His presentation can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Section-309-Hazards-Strategy-Overview-CPT-Mtg-Sept-2015.pdf>

Cumulative and Secondary Impacts of Coastal Growth & development

Beth Polak presented the two parts of the Cumulative and Secondary Impacts strategy: 1) Land Conservation – Leveraging Economic Benefits of Natural Resources and 2) Working Waterfronts. Her presentations can be found here:

- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Section-309-CSI-Land-Conservation-Strategy-Overview-CPT-Mtg-Sept-2015.pdf>
- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Section-309-Working-Waterfront-Strategy-Overview-CPT-Mtg-Sept-2015.pdf>

Lewie Lawrence and Stuart McKenzie offered to serve on the advisory committee comprised of local government officials recently created by CZM to guide development of an RFP and selection of an academic grant recipient for an Eastern Shore Economic Study on the positive and negative impacts of Eastern Shore Land Protection. This study which will be undertaken in 2016 could serve as a model for elements of the CSI Land Conservation strategy

Joan Salvati stated that elected officials have communicated that they would like to be included in projects like the CSI project earlier in the process and to possibly serve on a steering committee.

Ben McFarlane suggested the CSI steering committee first ask local government staff how involved they thought elected officials would want to be in this process.

Ocean Resources

Laura McKay presented an update on Mid-Atlantic Ocean Planning including the timeline for public review and submission of the Mid-Atlantic Ocean Action Plan to the National Ocean Council for approval in fall of 2016. She reviewed the interjurisdictional coordination actions proposed by the Regional Planning Body on which she and MRC Commissioner John Bull serve. She also gave an update on the CZM's project on Collaborative Fisheries Planning for VA's Offshore Wind Energy Area. Her presentation can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program--Update-on-Mid-Atlantic-Ocean-Planning-CPT-Mtg-Sept-2015.pdf>

Laura also presented the two-part Ocean Strategy: 1) Ocean Resources and 2) Marine Debris. Her presentation can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Section-309-Ocean-Strategy-Overview-CPT-Mtg-Sept-2015.pdf>

Program Changes

Shep Moon introduced Kerry Kehoe from NOAA on the phone, and provided updates on several program change issues including:

- The Virginia Department of Agriculture and Consumer Services had appointed representatives to the Coastal Policy Team – Kevin Schmidt (Representative), and Erin Williams (Alternate).
- Program changes were still necessary to address previously discussed issues related to state-listed threatened and endangered species and updates to code and ordinances for erosion and sediment control, the Chesapeake Bay Preservation Act and others. More changes to state legislation are expected during the upcoming General Assembly session.
- A previous draft program submission for the Department of Game and Inland Fisheries had raised questions from NOAA staff about which code and ordinance sections could be considered as enforceable policies.
- During a conference call between Virginia staff and the NOAA Federal Interest Team, the possibility of developing new narrative policies to replace the current code and ordinance based policies had many advantages and could address the issues just discussed. It was decided during the call to bring this issue before the Coastal Policy Team.

Kerry made several points about moving toward narrative policies:

- Three elements of an enforceable policy are: 1) It has a definable standard, 2) It has a means of being enforced, and 3) It has to be approved by NOAA.
- Advantages of narrative policies: 1) Virginia could reduce the number of enforceable policies and help clarify their intent 2) minor changes to the policy won't require the whole policy to be updated.
- NOAA is currently revising its submission and review process for program changes, which should reduce the burden on states.
- Disadvantages of narrative policies: 1) Need specificity in the policy; it can't be too generically written.
- CZM could adopt a hybrid approach of narratives and statutes together in their policies.

All members of the CPT were in agreement that CZM should move toward narrative enforceable policies. The Virginia CZM Program has \$30,000 available in FY 14 and another \$30,000 in FY15 that are earmarked for work in this area.

Joan Salvati and Ray Fernald recommended keeping statutory references. The Attorney General's office would have to be heavily involved and it could take substantial time (a year or two) to finish all enforceable policy updates.

Sharon Baxter recommended working with Angie Jenkins at DEQ.

Laura McKay suggested working with the Coastal Policy Center to develop narrative policies for submission to NOAA.

Laura McKay and John Kuriawa agreed that the laws from the Department of Game and Inland Fisheries could serve as a pilot submission, followed by others.

312 Evaluation

In May 2015 NOAA conducted a site visit with stakeholders as part of its evaluation of the Virginia CZM Program . The visit concluded with a very positive exit interview.. Draft findings have not yet been delivered to John Kuriawa or the VA CZM Programt, however they are expected soon and the state will have an opportunity to comment on the findings – perhaps in early to mid-November.

John Kuriawa presented the three topics selected for in-depth review by NOAA – 1)Ocean Planning, 2) Coastal Resilience and 3)Coastal Habitat Restoration, Protection and Public Access. He noted the many

accomplishments achieved as well as some initial recommendations; e.g. to do more of the same for Ocean Planning while diversifying and leveraging more funding, and to define CZM's niche for the Coastal Resilience topic.

Chesapeake Bay Sentinel Site Cooperative

Sarah Wilkins, the new Coordinator of the Chesapeake Bay Sentinel Site Cooperative, gave a presentation about the organization and its current initiatives. There is a CBSSC website through CBNERRVA, but it is out of date and she will need to update it and find a place to house it. The Chesapeake Bay Sentinel Sites coordinate with the Mid-Atlantic Regional Association Coastal and Ocean Observing System (MARACOOS). Sarah's presentation can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Chesapeake-Bay-Sentinel-Site-Overview-CPT-Mtg-Sept-2015.pdf>

Laura McKay asked whether the sentinel sites could measure acidity – a topic of interest to the Mid-Atlantic Regional Council on the Ocean. She noted the utility of being able to monitor and compare both estuarine and ocean acidity.

Lewie Lawrence asked if he could provide a mini sentinel site at Sinclair Landing and Sarah replied that it could possibly happen.

Coastal Resiliency Updates

Shawn Talmadge from the Office of the Secretary of Public Safety and Homeland Security gave a briefing on the collaboration efforts and agencies involved in coastal resilience. One goal is to connect people with those who can offer solutions.

He provided an overview of coastal resilience work with: 1) Homeland Security and Resilience Group, 2) Intergovernmental Pilot Program in Hampton Roads, 3) Virginia Area Maritime Security Committee (security of the Port of Virginia), 4) HUD – National Disaster Resilience Competition, 5) Secure Commonwealth Panel and the Secure Commonwealth Plan, 6) National Governor's Association/US Department of Energy Partnership, 7) US Corps of Engineers/VDEM Hurricane Study, 8) Phase I Resilience Dashboard Project, and 9) NOAA's Port of Tomorrow

His presentation can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-Sec-of-Public-Safety-Coastal-Resilience-Coordination-CPT-Mtg-Sept-2015.pdf>

Shep Moon gave a brief presentation on MARCO Climate Change Action Team grants to the National Wildlife Federation and the Environmental Law Institute.

Handouts on these grants as well as Virginia CZM Program Sea Level Rise Adaptation Projects can be found here:

- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/MARCO-Climate-Change-Action-Team-Proposed-Projects-%20CPT-Mtg-Sept-2015.pdf>
- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Sea-Level-Rise-adaptation-Projects-CPT-Mtg-Sept-2015.pdf>

By way of other CPT members activities on climate issues, Ray Fernald mentioned DGIF's 2nd iteration of the Wildlife Action Plan, due October 1, 2015, that included climate change impacts on wildlife, broken down into PDC areas.

Susan Park discussed how the Hampton Roads Adaptation Forum, the William and Mary Coastal Policy Clinic and Wetlands Watch were working with Virginia Sea Grant on climate change. In addition, Sea Grant is working with Hampton University graduate students to come up with solutions to resiliency design. Sea Grant is also working with MPPDC. Her handout on these initiatives can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-Sea-Grant-Coastal-Resiliency-Projects-Update-CPT-Mtg-Sept-2015.pdf>

Pam Mason discussed an initiative with Blue Moon Foundation to develop a web-based information exchange on community adaptation to sea level rise and recurrent funding. She also discussed the SAGE initiative that VIMS has been involved with. A link to information on SAGE can be found here:

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Systems-Approach-to-Geomorphologic-Engineering-Overview-CPT-Mtg-Sept-2015.pdf>

Kathleen Franklin is looking for practical tips for homeowners regarding resiliency and looking for leverage partners on a HUD grant they have, especially in Hampton Roads.

Reprogrammed Funds

Atlantic Sturgeon Study: Ocean planning funds were slightly redirected to allow VCU to investigate the potential impacts of electromagnetic fields (EMF) produced by offshore wind electric transmission cables on Atlantic Sturgeon behavior. Greg Garman described the biology of sturgeon and their sensitivity EMF. VCU will be testing the avoidance or attraction response of the sturgeon to electrical activity in a laboratory setting and then provide modelers with this data to extrapolate the potential impact on sturgeon in the wild.

Laura McKay noted that if sturgeon do exhibit disturbance from the EMF, the results of this study could be used to develop a best management practice for placement and burial of the cable. Pam Mason mentioned the potential difficulties in keeping cables buried.

Interjurisdictional Coordination on Sand Management grant: Virginia CZM funded VIMS and AN PDC to document the geological processes of shifting sands in and around Chincoteague Inlet and to document

stakeholder's desires and needs about potential solutions. A meeting was being held on the same day (Sep. 29, 2015) with stakeholders representing the Town, the County, TNC, NASA, USACOE and Coast Guard. This project may serve as a pilot for the Mid-Atlantic RPB's interjurisdictional coordination actions on sand management.

Beautiful Woods grant: Laura described reprogramming of FY12 funds at the last minute into this land acquisition project which created a surplus of land acquisition funds in FY14. Some of those funds will be used to fund an economic study of conserved lands on VA's Eastern Shore. CZM awarded DCR \$613,000 to acquire two lots adjacent to Pickett's Harbor Natural Area Preserve in Northampton County. DCR closed on this property on September 24, 2015. These lots contain extremely rare secondary dunes and provide exemplary maritime forest habitat for migratory songbirds.

309 Water Quality grant: Shep discussed the possibility of a project with HRPDC to evaluate ways to integrate planning efforts between local hazards plans, comprehensive plans and the Community Rating System of the National Flood Insurance Program. This would require shifting funds from the 309 Water Quality grant to HRPDC, but could be a head start on the next CZM 309 strategy.

Ben McFarlane said HRPDC could begin developing a scope of work for the project.

Joan Salvati, and Lewie Lawrence agreed that this was a good strategy, as did the other Policy Team members so Ben will prepare a new scope of work for NOAA approval.

Grants Management Updates

April Bahen gave a synopsis of some pertinent aspects of the OMB Supercircular 2 CFR Part 200 to grantees. She also discussed the Semiannual Progress Report changes and reminders on the CZM Proposal Template. Links to her Grants Management Update/OMB Supercircular 2 CFR Part 200 can be found here:

- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Grant-Uniform-Administrative-Requirements-CPT-Mtg-Sept-2015.pdf>
- <http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-CZM-Program-Grant-Recipient-Reporting-Requirement-Updates-CPT-Mtg-Sept-2015.pdf>

Native Plants Update

Virginia Witmer gave updates on the status and accomplishments to date of the regional native plant campaigns (Plant NOVA Natives, Plant NNK Natives, Plant ES Natives and efforts beginning in George Washington and Hampton Roads being funded by Virginia CZM and outside CZ in Piedmont) and the Virginia Native Plant Partners including development of an Action Plan. More detail and background on these efforts can be found on the Virginia Native Plant Marketing webpage at :

<http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia-Native-Plant-Marketing-Partnership-and-Regional-Campaign-Update-CPT-Mtg-Sept-2015.pdf>

Coastal GEMS Updates

Nick Meade showed the new population data layers on Coastal GEMS. The data come from the Demographics Research Group at UVA's Weldon Cooper Center and include layers for current population, population change, and projected population for 2020, 2030, and 2040. Each new population layer has a factsheet with text, FAQs, and links about the data and how it was created. Nick also showed the sea level rise data available on Coastal GEMS and announced that historic shoreline data from VIMS would be coming soon to GEMS.

Partner Updates

Stuart noted that Richmond County had decided to join the Public Access Authority for the Northern Neck.

Anne Darby spoke for Mark Bittner and said that FOLAR got a grant from the Cameron Foundation for a full-time employee.

Corey Miles mentioned that NVRC got a grant from NFWF to build a living shoreline.

Todd Janeski encouraged the CPT to come to a fundraiser for the oyster shell recycling project that will be held on Sunday, October 18, 2015 at Seven Springs Farm in Manakin, King William County. More information can be found at: <http://shell-raisersshindig.weebly.com/>

Attendees:

April Bahen-CZM
Sharon Baxter-DEQ
Mark Bittner-Crater PDC
Melanie Davenport-DEQ
Dave Davis-DEQ
Sandra Erdle-CBNERRVA
Hillary Essig-ANPDC
Ray Fernald-DGIF
Kathleen Franklin-Sec. of Public Safety & Homeland Security
Greg Garman-VCU
Lewis Gillingham-VMRC
Tracey Harmon-VDOT
Roy Hoagland-W&M
Rene Hypes-DCR
Todd Janeski-DCR/VCU

Laura McKay-CZM
Stuart McKenzie-NNPDC
Nick Meade-CZM
Corey Miles-NVRC
Shep Moon-CZM
Chip Neikirk-VMRC
Susan Park-VA Sea Grant
Kathryn Paxton-VDACS
Beth Polak-CZM
Danette Poole-DCR
Meghan Quinn-DEQ
Dan Salkovitz-DEQ
Joan Salvati-DEQ
Keith Skiles-VDH
Mark Slauter-VDEM

Ken Jurman—DMME
Kerry Kehoe—NOAA

John Kuriawa-NOAA
Lewie Lawrence-MPPDC
Pam Mason-VIMS
Ben McFarlane-HRPDC

Bettina Sullivan-DEQ
Shawn Talmadge-Sec. of Public Safety &
Homeland Security
Lyle Varnell-VIMS
Jim Wesson-VMRC
Sarah Wilkins-CB Sentinel Site
Virginia Witmer-CZM