



Virginia Coastal Zone MANAGEMENT PROGRAM

Coastal Policy Team Meeting Notes

Tuesday, February 3, 2015

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

Attendees:

Sharon Baxter – DEQ	Janit Llewellyn-Allen – DCR	Dan Salkovitz - DEQ
Steve Begg – VDOT	Pam Mason – VIMS	Joan Salvati - DEQ
Mark Bittner – Crater PDC	Ben McFarlane HRPDC	Curt Smith - ANPDC
Becky Gwynn – DGIF	Stuart McKenzie – NNPDC	Tom Smith - DCR
Scott Hardaway – VIMS	Corey Miles – NVRC	Sarah Stewart - RRPDC
Michele Henicheck – DEQ	Chris Moore - DEQ	Tina Sullivan - DEQ
Todd Janeski – VCU/DCR	Alicia Nelson - VMRC	Valerie Thomson - DEQ
Cindy Johnson – DEQ	Carol Papazian - DEQ	Lyle Varnell - VIMS
John Kuriawa – NOAA	Susan Parker – VA Sea Grant	Tony Watkinson - VMRC
Lewie Lawrence – MPPDC	Meghann Quinn - DEQ	Jim Wesson - VMRC

CZM Staff: Laura McKay, Shep Moon, Beth Polak, Virginia Witmer, Nick Meade, April Bahen

10:05 Indirect Cost and Procurement Policies

On December 26, 2014 OMB Super Circular 2 CFR Part 200 went into effect regarding the principles around managing grants. This affects all grants VA CZM issues. Val Thomson, DEQ Admin Division Director described the major changes affecting DEQ and VA CZM regarding the Uniform Grant Guidance for Federal Awards are (the following #1-#4 are in a draft state; final to follow):

1. Indirect Cost Rates

- a. Sub-recipients with a federally approved indirect cost rate are eligible to receive the approved rate.
- b. If the sub-recipient does not have a federally approved indirect cost rate, the 10% de minimis rate is charged

2. Conflict of Interest

- a. The federal awarding agency must establish conflict of interest policies for federal awards
- b. The recipient, including sub-recipients, of a federal award must disclose in writing any potential conflict of interest to the federal awarding agency.

3. Performance Measurements

- a. The award recipient is required to use OMB-approved standard information collections when providing financial and performance information
- b. The award recipient is required to relate financial data to performance accomplishments

- c. The recipient's performance should be measured in a way that will help the federal agency and other entities to improve program outcomes, and share lessons learned.

It was also noted that DEQ is revising its "cash advance" policy. New guidance is expected later in the year.

Other Issues Regarding Indirect Costs:

- Subrecipients are eligible to receive the approved rate – DEQ needs to find out what "eligible" means ; "up to" the approved rate or the subrecipient has to charge the exact indirect rate
- State agencies can charge indirect now
- Subrecipients can show the balance of indirect as Match if they choose to cap it on the federal side to an amount less than their approved rate. They could also possibly put all indirect costs as Match – DEQ will research this.
- Indirect costs have to be federally approved by a federal cognizant agency; subrecipients must send indirect cost rate allocation plans to their cognizant Federal agency for approval; If an entity does not have a Federal cognizant agency, they can use a state agency, but DEQ would have to approve it; CZM will have to collect approval letters if the subrecipients don't have a Federal cognizant agency.
- Charging the approved indirect cost rate could be difficult for state agencies because they will have to reduce effort and deliverables in order to pay indirect costs given budgets can't be increased. Also, it will be difficult for 309 grants since there is no Match.

Procurement:

- Subrecipients either have their own approved procurement policies or they follow State procurement policies; (i.e. PDCs can follow their procurement plan when subcontracting to nonprofits). CZM would be responsible for the subrecipient procurement policies and would monitor them to make sure they are appropriate.
- Funding nonprofits/NGOs – a competitive RFP or a sole source process must be used to subcontract with a non-profit.
- If the amount is under \$100K, Micro, Small, Woman-owned and Minority Businesses must be sought first. Only if they are found unsuitable can the RFP be re-advertised and non-profits allowed to bid.

10:30 FY15 Grant Application Process

- The CZM Program Manager described the schedule and content for the FY15 draft application to NOAA. The PDC competitive grants RFP was released in January and proposals are due Feb 13. Continuing grants are due March 13.

10:45 Program Changes Update

- In light of procurement requirements discussed above, it was decided that William and Mary's Coastal Policy Clinic will be contracted with in the future to prepare Program Changes. The

previous contractor, Environmental Law Institute, is a non-profit thus an RFP or sole source justification procurement process would be required in order to continue working with ELI.

- In light of this development and the interest of the clinic in the work of the CZM Program, the CPT agreed to offer Roy Hoagland, the clinic's Director, a seat on the CPT.
- Shep Moon provided an update on incorporating state Threatened and Endangered (T&E) Species laws into the VA CZM Program: The intent in adding T&E species to VA CZM's enforceable policies for Federal Consistency was not only to include animals but also endangered plants and insects. However there is currently no appointee to the CPT from the Virginia Department of Agriculture and Consumer Services (VDACS) – the agency responsible for the law protecting these species. CZM staff will request that VDACS appoint a representative to the CPT and provide a letter of support for including T & E plants and insects. Once VDACS support is confirmed, CZM staff will move forward with the dispute resolution process. Representatives from DCR-DNH and DGIF offered to provide letters of support for adding T&E species.

10:55 Section 312 Evaluation Update

- Stakeholder surveys are due February 15.
- John Kuriawa would like CPT members to fill them out and send them back to him so they will have the ability to weigh in on the evaluation of VA CZM.
- After target areas are chosen, interviews with program partners will be held in May.

1:05 Section 309 Strategies

- The CZM Manager reviewed the schedule for submitting the 2016-2020 Section 309 Assessment and Strategy. A draft is due May 1 and the final is due Sep 1, 2015. Grants under this 5 year strategy won't begin until October 1, 2016.
- CZM Manger presented results of the Dec 2014 Coastal Partners Workshop participants' ranking of Section 309 topics and presented the staff recommendation for 3 strategies. See: www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Section_309_Staff_Recommendations_to_CPT_20Feb_3_2015.pdf

11:20 Ocean Management/Marine Debris

- At its January 2015 meeting, the Mid-Atlantic Regional Planning Body (RPB) adopted a hybrid approach to an Ocean Action Plan. It will focus on interjurisdictional coordination (agreements) for both region-wide issues and specific geographic locations. This could be the main area of focus for work under a 2016-2020 ocean strategy.
- The need for synthesized, single layer of ecological value for the MARCO Ocean Data Portal was recognized as well as one layer to depict economic/cultural/social value.
- The 2016-2020 ocean strategy will need to continue to provide for staff time for stakeholder engagement in development of the Mid-Atlantic region's Ocean Action Plan. Todd Janeski (VCU) has been engaging stakeholders under the current strategy, particularly gathering data from commercial and recreational fishers, but more work will need to be done.

- Under her current CZM grant, Katie Register has contracted with OpinionWorks to conduct focus groups for Marine Debris social marketing purposes; MARCO is considering work on marine debris as part of its shared regional priority goal to improve ocean water quality. Additional work needs to be done to implement the recently completed Marine Debris Reduction Plan.
- There may be additional needs for data collection and synthesis. To date VA CZM efforts and funding have been for whale distribution analysis. Data so far are revealing new info on the importance of Virginia offshore waters to right whale feeding in the winter months.
- This strategy could include development of policies to better protect offshore canyons and corals. Outreach materials and interpretive signage about the canyons and corals off the coast could be developed.
- There is need to ensure that the work of the RPB is understood and supported at higher levels of state government as the RPB works toward submission of an Ocean Action Plan to the National Ocean Council by the fall of 2016.

Workgroup: Todd Janeski, Pam Mason, Becky Gwynn, Alicia Nelson, Lyle Varnell, Kirk Havens, Outreach – Sarah McGuire - NERRS , Coastal Policy Clinic, Laura may look to more people or groups at VIMS.

12:45 Building Coastal Resiliency (Coastal Hazards)

- This strategy would build on several previous CZM initiatives: two section 309 shoreline management strategies (under cumulative and secondary impacts) and the climate change adaptation focal area (sustainable communities).
- Ideas for projects came from common themes in four workgroups from the Coastal Partners Workshop last December: Hazards, Wetlands, Cumulative and Secondary Impacts, and SAMPs.
- Many ideas focused on improving shoreline management and encouraging the use of living shorelines as a means of building coastal resilience in the face of climate change.
- Shoreline management ideas fell into three categories: 1) research/data acquisition, 2) outreach/education, and 3) regulation/management.
- The other common theme was to help improve community resilience through a range of local and state initiatives.
- Coastal Hazards strategies are eligible for funding on a competitive basis through NOAA as Projects of Special Merit

Workgroup: Joan Salvati, Curt Smith, Lewie Lawrence, Pam Mason, Tom Smith, Corey Miles, Scott Hardaway, Tony Watkinson, maybe Darlene Finch

1:30 SAMPs (or CSI)

- Three potential SAMPs are being considered: Rappahannock SAMP, Lower Chickahominy SAMP and Chincoteague SAMP
- For the Rappahannock SAMP, Richmond County is not likely to be supportive according to Stuart McKenzie.

- For the Chickahominy, there are bird interests there. Becky Gwynn said the Lower Chickahominy is more important to DGIF than the other two areas. They are doing some land acquisition and marsh bird work there.
 - Tom Smith said the ecological value (including habitat conservation and ecotourism) are good in both the Rappahannock and Chickahominy areas.
 - Laura McKay said VEVA needs to be updated before CZM moves forward with a SAMP.
 - Sarah Stewart noted that in the Lower Chickahominy - Charles City hasn't really had a population loss but really slow growth. James City- opportunities for ecotourism are good here; New Kent – could get some push-back; trouble engaging them outside of themselves; Possible buy-in from Charles City County.
 - Ben McFarlane will follow-up with James City County to see if they want to move forward.
- For Chincoteague - Loss of isthmus; moving Assateague access; sand goes into the navigation channels to Wallops Island; Local, state and federal impacts; Wallops needs to do a coordinating plan to deal with the sand mining and infrastructure protection.
 - According to Curt Smith, the SAMP would be supported by the people on the Eastern Shore and TNC.
 - In addition, sand mining is a MARCO interest.
 - Scott Hardaway and Curt Smith believe this area needs a coordinator.
 - Development of MOA or MOU is the end goal.
 - CZM could possibly provide seed money to get the process started and coordinated (possibly using the PDC) then look to the other players to fund the effort after it is up and running. MARCO could possibly adopt this effort as an example of IJC: interjurisdictional coordination.
 - Scott and Curt (along with a CZM representative) will organize a briefing on what a SAMP is with the players on the Eastern Shore after General Assembly is over and evaluate reactions from all players.
- Another approach to these SAMP ideas is to write a CSI strategy assessing where priority areas should be, then move into a SAMP after that or just choose an area for a “pilot” CSI project.
 - A CSI strategy could begin with a one year research project to document the economic value (from tourism and ecosystem services) of conserved lands for Virginia's coastal zone. Then move forward with a SAMP or pilot project to protect high ecological and ecotourism value lands in following years based on the study.

Workgroup: Lewie Lawrence, Ben McFarlane, Sarah Stewart, Curt Smith, Scott Hardaway, Janit Llewellyn-Allen, Tom Smith will volunteer someone from DCR.

3:00 Native Plants

Virginia CZM's native plant marketing efforts are highlighted in the most recent issue of the program's magazine - www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/magfall2014.pdf and more information can be found on the program's website at

www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/NativePlants.aspx

The **Virginia Native Plants Marketing Partnership** (members listed on website above) is currently drafting a 2-5 year action plan focused on strategies and actions to address 4 goals: 1) Increase

collaboration and coordination among partners engaged in native plant education, communication and marketing.; 2) Increase Virginia Grown native plant stock (by a percentage yet to be determined); 3) Increase the availability of native plants at local plant retailers (by a percentage yet to be determined); and, 4) Increase demand and use of Virginia native plants by landscape and land use professions, homeowners, landscaping and demonstration restoration projects on public and private lands. Strategies include partner assistance in creation of a native plant module of a Chesapeake Bay Landscape Professional Certification Program currently under development with a NFWF grant (stakeholder meetings to be held in February –a flyer on these meetings was distributed to CPT members). The partnership also feels it needs to address the issue of the use of “nativars” and “cultivars” as it moves forward on its efforts.

Update: Two workgroup meetings will be held in June to further refine and finalize the partnership plan.

Regional Campaign Updates:

- Plant NoVA Natives – progressing very well with a very engaged steering committee, partners and community leaders; CZM staff working with steering team on revisions to the regional native plant guide – Governor McAuliffe was presented a copy of the guide by Virginia Native Plant Society staff during a check presentation to the DCR Natural Heritage Program for native plant research. Update: native plant guide printed and with NOAA approval a donation for guide is being taken to help fund future reprinting. NoVA Region Commissioners asked for presentation of the campaign due to its successes in collaboration. With final approval from NOAA, the NVRC will receive a Virginia CZM grant in fall 2015 to support continued implementation of the campaign.
- Plant NNK Natives – campaign partners organized a native plant celebration event at Stratford Hall in October 2014 including presentations, plants giveaways and a John Clayton re-enactor; the NNPDC has an open CZM grant, which will fund new publications to provide guidance for residents on planting natives for stormwater remediation, salt tolerance and deer resistance.
- Hampton Roads Region – CZM staff are currently working with HRPDC staff on revisions to the timeline of an open Virginia CZM grant to engage stakeholders and conduct an assessment and then develop a strategic plan addressing regional use and availability of native plants, which we expect will be followed up with development of a Plant HR Natives campaign.
- Plant ES Natives Campaign – a three-day native plant celebration was held in September of 2015 including public and school presentations, planning and dedication of native trees as part of a new program – Shore Big Trees, and a public event in Wachapreague attended by a John Clayton re-enactor and Delegate Rob Bloxom, who helped add plants to the Town’s demonstration garden.

3:10 Coastal GEMS

Nick Meade discussed data and tools recently added to Coastal GEMS and solicited Coastal Policy Team input on needs and ideas for new data and tools to be considered for inclusion on Coastal GEMS.

Suggestions from the Coastal Policy Team included:

- Coastal Surge data
- Rapid deployment tide gauge – USGS has the data
- NOAA tide gauges
- Weldon Cooper population data estimates
- FEMA Flood Hazard areas
- Expand Sea Level Rise piece on GEMS to include all the suggested layers

- Shoreline change (note: these data are already on VIMS website)
- Areas of potential SAV expansion on the Seaside
- Pound net locations
- Shellfish hatchery locations
- Groundwater permits up for reapplication or new applications
- Offshore wind research lease blocks (VOWTAP - 2 turbines) and proposed electric cable route.
- In the fact sheet for Private oyster leases, add link to VMRC's GIS website for oyster Lease applications.

3:20 Partner Updates

- Sarah Stewart – RRPDC and Greater Richmond Chamber received funding for high level coordinative planning for the James River, Appomattox River, Chickahominy River and Pamunkey River. Timmons is the consultant. Local governments are involved. The plan will include Water Quality, Economic Development, Public Access, and Conservation and project out 20-25 years.
- Curt Smith – A Regional Comprehensive Planning Process is being kicked off for the Eastern Shore. There will be input from all jurisdictions. DHCD is funding the work.
- Tom Smith - VA Environmental Endowment may fund a Conservation Easements proposal with VA Outdoor Foundation to develop a database of what is being protected by easements. DCR may be asking the PDCs for any easement information they may have.
- Jim Wesson – Oysters haven't had a good natural spat fall in the last 3 out of 4 years. Many new leases have come up. Poaching is increasing and law enforcement is having trouble dealing with it.