

April 30, 2015

**Virginia Coastal Zone Management Program
Semiannual Section B.2-4 Report
For the Period from October 1, 2014 – March 31, 2015**

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SECTION B.2 PERMIT ADMINISTRATION, MONITORING AND ENFORCEMENT

1) DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

a) DEQ – Virginia Coastal Zone Management Program

Virginia CZM Program staff continued to work with our partner agencies to implement the Program over the last 6 months. For a full description of staff activities, please refer to the Section A report for Task 1.

b) DEQ – Water Permitting Programs

DEQ- Virginia Water Protection Permit (VWPP) Program

The Virginia Water Protection (VWP) Permit Program is required for water withdrawals and activities in wetlands and surface waters that may or may not require Clean Water Act section 401 water quality certifications. This narrative highlights any challenges encountered during the reporting period. Please refer to the last reporting cycle for summaries of data for both permit processing data and wetlands impact data that apply to all areas of the Commonwealth. Revised data will be provided in the fall of 2015.

During the period of October 2014 through March 2015, two general permit authorizations experienced a processing delay beyond statutory limits due to coordination issues for the State Program General Permit (SPGP) issuance and completing a survey for cultural resources. Application processing for another thirteen general permit authorizations was suspended, typically because of inadequate project information or change in project scope or impacts, threatened and endangered species concerns and/or coordination, and/or required coordination under the SPGP process. Eight VWP individual permits experienced processing delays primarily due to application completeness, coordination on threatened and endangered species, and addressing public comment. Processing of these individual permits was not suspended.

The VWP Permit Program continued the process of revising its regulations during the reporting cycle, which will continue well into 2016. In addition, the Program was tasked in early 2013 with developing a new in-lieu fee fund program for compensatory mitigation across the Commonwealth, and staff continues to develop the required documentation for fund approval through the U.S. Army Corps of Engineers. Financial assistance was received from the University of North Carolina-Chapel Hill to assist in the development of a credit fee structure for the fund. A meeting is planned in May 2015.

The VWP Permit Program continued to work with the Virginia Institute of Marine Science to develop wetland condition assessment tools under existing grant funding from the U.S. Environmental Protection Agency's nontidal wetland grants program. DEQ and VIMS are hosting a public meeting about the tools in May 2015.

The VWP Permit Program did not receive comments, concerns, or procedures for expediting decision-making for the management of coastal resources.

DEQ-Virginia Pollution Discharge Elimination System (VPDES) Water Permitting Program

There are a total of 261 individual municipal and industrial CZM area VPDES permits. This number and the numbers in the table above represent typical activity in the program. There is no known reason for increases or decreases in numbers of permits from the last reporting period. There are also numerous facilities registered under general permits in CZM areas including 39 car wash facilities, 74 concrete products facilities, 5 cooling water discharges, 194 single family homes, 64 nonmetallic mineral mining facilities, 14 petroleum and

hydrostatic testing discharges, 7 potable water treatment plants, 49 seafood processors, and 540 industrial storm water discharges. These represent typical numbers for general permit registrants in CZM areas in Virginia.

DEQ – VPA Water Permitting Program

The Virginia Pollution Abatement permit (VPA) is required for facilities that manage wastewater, animal waste, biosolids or industrial sludges in such a manner that they do not have a discharge from the site. For example, an agricultural facility that temporarily stores wastewater to be land applied as part of an irrigation/fertilization program. During the period between October 1, 2014 and March 31, 2015, DEQ received 8 permit applications for VPA Individual Permits within the coastal zone area: 4 for new permits authorizing land application of biosolids; 4 applications for reissuance of VPA permits authorizing various other activities. Nine permits that authorize the land application of biosolids were modified during the period, each to incorporate amended regulatory language. Two VPA Individual Permits were reissued within the Coastal Zone Management area; the application for each was submitted during the same reporting period.

During the period between October 1, 2014 and March 31, 2015, one application for coverage under the General Permit for Poultry Waste management was submitted in the Coastal Zone Management area. Also, during the period, 5 applications were received and coverage was reissued under the VPA General Permit for Animal Feeding Operation in the Coastal Zone Management area.

VPDES/VPA/VWP - October 1, 2013 – March 31, 2014										
	Permits Issued / Avg Proc. Days ⁽¹⁾		Permits Reissued / Avg Proc. Days		Permits Modified / Avg Proc. Days		Denied / Avg Proc. Days		Permits Reissue Pending / Avg Proc. Days	
VPDES	1	11	27	458***	3	84	0	N/A	20**	N/A
VPA	4	205	2	76	9	149	0	N/A	2	63
VPA GP	1	1	5	20.8	0	0	0	0	0	0

Processing day is the amount of time between receiving a complete application and making the final case decision (issuance, reissuance, modification, etc.).

* Information from CEDS database

** This represents existing VPDES individual permits expired but pending through March 31, 2015.

***This processing time is abnormally high because two MS4 permits were issued during this reporting period and the processing time average includes the time the application was received at DCR in 2005 and 2007. These permits remained expired and unissued at DCR until the MS4 program moved to DEQ in July 2013 and these permits were reissued within 18 months of being transferred to DEQ.

c) DEQ – Water Program Enforcement and Compliance

DEQ continues to apply both informal and formal enforcement measures in the enforcement program. Reference Table 1, on the following page.

Informal measures, such as Warning Letters and Letters of Agreement, are used in those cases where non-compliance is not significant in nature and where compliance can be achieved in a short period of time. For the period October 1, 2014 through March 31, 2015, DEQ issued 125 Warning Letters and one Letter of Agreement for violations of VPDES, VPA, VWPP, and Ground Water program requirements.

Formal enforcement actions are used in those cases where non-compliance is more serious or may take a significant amount of time to correct. Formal measures generally involve the issuance of a Notice of Violation followed by a Consent Order, or an Executive Compliance Agreement in the case of a state agency. In some cases, Unilateral Administrative Orders or court orders may be sought. Between October 1, 2014 and March

31, 2015, DEQ issued 28 Notices of Violation for violations of VPDES, VPA, VWPP, and Ground Water program requirements. During the same period, the agency concluded enforcement cases with the issuance of eight Consent Orders that assessed a total of \$153,438 in civil charges.

Table 1

Measure	Action Type	Count	Total Civil Charges Assessed
Informal	Warning Letters	125	N/A
Informal	Letters of Agreement	1	N/A
Formal	Notices of Violation	28	N/A
Formal	Consent Order	17	\$153,438
Total		171	\$153,438

d) DEQ – Air Permitting Program

**OFFICE OF AIR PERMIT PROGRAMS
PERMITS ISSUED REPORT FOR
VIRGINIA’S COASTAL RESOURCES MANAGEMENT PROGRAM**

Period: October 1, 2014 – March 31, 2015

PERMIT TYPE	NUMBER OF PERMITS ISSUED	AVERAGE PROCESSING TIME (Days)
PSD & NA	0	NA
Major	0	NA
Minor	31	33
Administrative Amendment	5	25
Exemptions	13	25
State Operating	2	86
Federal Operating (Title V)	1	109
Acid Rain (Title IV)	0	NA
Total Number Permits Issued	<u>52</u>	

* The average processing time is determined by computing the difference between when the application was deemed administratively complete and when the permit was issued.

Note: The information provided for this report includes data from the Northern Virginia Regional Office, Portions of the Piedmont Regional Office and the Tidewater Regional Office only.

Definitions:

Prevention of Significant Deterioration (PSD) = A source which emits **250 tons or more** per year of any regulated pollutant or is one of 28 specific industries listed in the state regulations and will emit 100 tons per year of a regulated pollutant.

Major = A source which emits, or has the potential to emit, **100 tons or more** per year of any air pollutant.

Minor = A source which emits, or has the potential to emit, **less than 100 tons** per year of any air pollutant.

State Operating= Permit written pursuant to 9 VAC 5-80-800 et al.

Administrative Consent Agreement = An agreement that the owner or any other person will perform specific actions to diminish or abate the causes of air pollution for the purpose of coming into compliance with regulations, by mutual agreement of the owner or any other person and the Board.

Administrative Amendment = Administrative changes made to the permit to clarify or correct an issued permit. For example, typographical errors, name changes, etc.

Exemption = Facilities are exempted from permitting requirements by exemption levels defined in 9 VAC 5-80-1105.

Federal Operating (Title V) = a source that emits **10 tons or more** per year of any hazardous air pollutant, **or 25 tons** per year of any combination of hazardous air pollutants or emits any criteria pollutant above 100 tons per year.

Acid Rain (Title IV) = Permits issued specifically to address SO₂ and NO_x from electric generating units covered under the Acid Rain regulations.

**OFFICE OF AIR PERMIT PROGRAMS
PERMITS PENDING REPORT FOR
VIRGINIA'S COASTAL RESOURCES MANAGEMENT PROGRAM**

Permits pending as of March 31, 2015

PERMIT TYPE	NUMBER OF PERMITS PENDING
PSD & NA	1
Major	1
Minor	22
Administrative Amendment	2
Exemptions	0
State Operating	2
Federal Operating (Title V)	6
Acid Rain (Title IV)	0
Total Permits Pending	<u>34</u>

Note: The information provided for this report includes data from the Northern Virginia Regional Office, Piedmont Regional Office and Tidewater Regional Office only.

**PERMITS WITHDRAWN AND APPLICATIONS DENIED REPORT FOR
VIRGINIA'S COASTAL RESOURCES MANAGEMENT PROGRAM**

Period: October 1, 2014 – March 31, 2015

PERMIT TYPE	NUMBER OF PERMITS WITHDRAWN	NUMBER OF APPLICATIONS DENIED
PSD	1	0
Major	0	0
Minor	13	0
Administrative Amendment	2	0
Exemptions	1	0
State Operating	2	0
Federal Operating (Title V)	0	0
Acid Rain (Title IV)	0	0
Total Permits Rescinded	<u>19</u>	<u>0</u>

Note: The information provided for this report includes data from the Northern Virginia Regional Office, Piedmont Regional Office and Tidewater Regional Office only.

e) DEQ – Air Program Enforcement and Compliance

DEQ continues to apply both informal and formal enforcement measures in its air enforcement program. Reference Table 1, on the following page.

Informal measures include Requests for Corrective Action, Informal Correction Letters, Warning Letters, and Letters of Agreement. These actions are used in those cases where non-compliance is not significant in nature and where compliance can be achieved in a short period of time. During the six-month period beginning October 1, 2014 through March 31, 2015, DEQ issued 22 Requests for Corrective Action, and 7 Warning Letters.

Formal enforcement actions are used in those cases where non-compliance is more serious or may take a significant amount of time to correct. Formal measures generally involve the issuance of a Notice of Violation and negotiation of a Consent Order, or an Executive Compliance Agreement in the case of a state agency. In some cases, Unilateral Orders or court orders may be pursued. Between October 1, 2014 and March 31, 2015, DEQ initiated three new formal enforcement actions via issuance of Notices of Violation. Additionally, the Agency issued six Consent Orders; assessing \$61,985 in civil charges.

Table 1

Measure	Action Type	Count	Total Civil Charges Assessed
Informal	Requests for Corrective Action	22	N/A
Informal	Informal Correction Letter	0	N/A
Informal	Warning Letters	7	N/A
Formal	Notices of Violation	3	N/A
Formal	Consent Orders	6	\$61,985
Total		38	\$61,985

f) DEQ – Erosion and Sediment Control

Summary of Specific Outputs:

Specific Outputs	Progress / Status
18 CZM Chesapeake Bay Land Disturbing Activities Permitted - Projects greater than 2,500 s.f. but less than 1 acre found within Chesapeake Bay Designated Areas.	Permit coverage has been issued and projects are under construction. Compliance is achieved through ongoing permit review, technical assistance, and project inspection.
234 CZM Small Construction Activities Permitted- Land Disturbing Activities greater than 1 acre but less than 5 acres.	Permit coverage has been issued and projects are under construction. Compliance is achieved through ongoing permit review, technical assistance, and project inspection.
236 CZM Large Construction Activities Permitted- Land Disturbing Activities greater than 5 acres.	Permit coverage has been issued and projects are under construction. Compliance is achieved through ongoing permit review, technical assistance, and project inspection.
488 Total CZM Land Disturbing Activities Permitted thru coverage under the Construction General Permit.	Coastal Zone Management resources are conserved and restored through permit compliance.

Supplemental Narrative:

Considerable erosion and sediment control and stormwater management progress occurred during the performance period. New and improved requirements for project stabilization during construction and recently enhanced post construction requirements will result in further improvements to coastal zone resources. The new post construction requirements have been developed to more closely mimic predevelopment hydrology found in a naturally wooded site condition. The implementation of these new requirements will result in less downstream sediment export and fewer nutrient export impacts from land development.

Erosion & Sediment Control (ESC) and Stormwater Management (SWM) Laws and Regulations are designed to help reduce pollutants in the Chesapeake Bay, and require localities, developers, and consultants to be certified in various knowledge and practices. The regulations require DEQ to offer two certification tracks, one for ESC and another for SWM.

Each track includes training courses to assist people to become certified as Program Administrators, Inspectors, Plan Reviewers and Combined Administrators. Each certification type is valid for 3 years and individuals can recertify by completing continuing education throughout the certification period.

Between October 1, 2014 and March 31, 2015 DEQ Office of Training Services trained approximately 476 people in Erosion & Sediment Control through 10 classes and 872 people in Stormwater Management through 22 classes.

g) DEQ- Office of Stormwater Management – Local Government Programs - Chesapeake Bay Local Assistance

Summary

Program Description

The Bay Act requirements fall into three implementation phases. Phase I consists of local governments designating and mapping Chesapeake Bay Preservation Areas (CBPAs) and adopting land use and development performance criteria to protect those features. CBPAs include Resource Protections Areas (RPAs) and Resource Management Areas (RMAs). RPAs are made up of tidal wetlands, tidal shores, nontidal wetlands connected and contiguous to tidal wetlands or perennial streams and a 100-foot fully vegetated buffer. RMAs include lands adjacent to RPAs that are made up of land features such as highly erodible soils, steep slopes and floodplains. Roughly half of all the Tidewater localities have identified their entire jurisdiction as an RMA. Phase II consists of the incorporation of water quality protection measures into local comprehensive plans. Phase III involves the review and revision of local land use codes to include specific standards that implement water quality performance criteria.

During the reporting period, October 1, 2014 – March 31, 2015, the initiation of new compliance reviews remains suspended as the Department focuses on implementing the new Virginia Stormwater Management Program (VSMP) and the federally mandated Construction General Permit. Even with this suspension, however, staff continued to provide technical assistance to the localities with the implementation of their Bay Act programs. Further, the Department recently undertook process to streamline and update the existing Bay Act compliance review process, review materials and schedule. This effort was conducted in preparation for restarting the compliance review process. At this time, staff is proposing to reinstate compliance reviews in the fall of 2015. The purpose of the compliance reviews is to determine the level of local government compliance with land use and water quality provisions contained in the regulations pertaining to the Chesapeake Bay Preservation Act. The Bay Act liaisons have nearly concluded with the conduct of Advisory Reviews of the local codes and ordinances to identify the extent to which these ordinances address the protection of the quality of state waters. The Advisory Reviews will be completed in July of this year. During the reporting period, 5 advisory reviews were completed.

The compliance review elements that were being applied to the current round of compliance relate to specific provisions contained in the Chesapeake Bay Preservation Area Designation and Management Regulations and include soil & water quality conservation assessment for all agricultural land in local Chesapeake Bay Preservation Areas, a determination as to the status of the water quality provisions of the local comprehensive plans, and an evaluation as to how well local governments are ensuring that impervious cover is minimized, indigenous vegetation is maintained and land disturbance is minimized on approved development projects. Progress on this second round of compliance evaluations continues during the reporting period. Due to the temporary suspension of compliance reviews, no additional compliance reviews were conducted during the reporting period.

Advisory Code and Ordinance Reviews

As stated in previous reports, Chesapeake Bay Local Assistance staff initiated Phase III of the Bay Act, requiring localities to review and revise their codes and ordinances for the inclusion of specific standards that minimize impervious cover, minimize land disturbance and maintain indigenous vegetation. The advisory review process, which is the first component of Phase III, began in September of 2009 and uses two checklists as screening tools in the review the local ordinances. A [Plan and Plat Consistency Review Checklist](#) helps determine if a locality has addressed the six plan and plat provisions that must be contained in local ordinances, as they are specifically required by the Regulations. The [Checklist for Advisory Review of Local Ordinances](#) determines if there are adequate provisions to address the three performance criteria and contains numerous examples of requirements that may be contained within a locality's land development ordinances. As stated above, the Advisory Reviews for all 84 Bay Act localities are due to be completed by July 1, 2015.

2) VIRGINIA MARINE RESOURCES COMMISSION (VMRC)

a) VMRC – Habitat Management Division

During the period October 1, 2014 through March 31, 2015, the Habitat Management Division received 806 applications for projects involving State-owned submerged lands, wetlands or dunes. These applications were for projects such as piers, boathouses, boat ramps, marinas, dredging and shoreline stabilization. As the clearinghouse for the Joint Permit Application all applications were assigned a processing number by the Division and forwarded to the appropriate agencies, including, local wetlands boards, the Norfolk District of the U.S. Army Corps of Engineers, the Department of Environmental Quality, VIMS and others as necessary.

A public interest review was initiated and site inspections were conducted for those projects requiring a permit from the Marine Resources Commission. Likewise, Habitat Management staff also conducted site inspections for all projects requiring a local wetlands board permit and evaluated each local board decision for Commissioner review. Habitat Management staff also conducted compliance inspections on permits issued by VMRC and local wetlands boards. One notice to comply was issued during the period.

The Habitat Management staff completed actions on 825 applications received during the period. Action on most applications was completed within 90 days after they were received. As such, a number of the actions taken during the period were for applications received prior to October 2014. Similarly, those applications received near the end of the current reporting period are still under review. Habitat Management Staff also participated in the inter-agency review process involving general permits for Virginia Department of Transportation projects.

In addition to staff actions, the Full Commission considered 41 projects. During the reporting period the Commission considered 23 protested projects or projects requiring a staff briefing, The Commission also approved 18 projects over \$500,000.00 in value.

During the reporting period, local wetland boards throughout Tidewater Virginia acted on 179 projects involving tidal wetlands. Of this total, 134 were approved as proposed, 35 were approved as modified, 0 were denied, 10 are pending, 0 were inactivated, 1 no permit was required, and 23 required compensation either on or off site (12), or through payment of an in lieu fee (11) accounting for 14,423 square feet of tidal wetland impacts.

b) VMRC – Fisheries Management Division

At the October 2014 meeting, the agency established amendments to regulations for scup and summer flounder. The commercial scup possession limit was increased from 8,000 to 18,000 pounds for the Winter II period. The agency also established an emergency amendment to delay the opening of the second commercial summer flounder landing period and establish the possession limit. The opening was moved from the second Monday in November to December 1 2014. The possession limit was established as 10,000 pounds that could be landed within a 20-day period.

At its November/December 2014 meeting, the agency established amendments to regulations for several species. To comply with Addendum IV to Amendment 6 to the Atlantic Striped Bass Interstate Management Plan of the Atlantic States Marine Fisheries Commission (ASMFC), the agency established the commercial coastal quota as 138,640 pounds; the commercial Chesapeake Bay quota was 1,064,997 pounds; a recreational coastal striped bass daily possession limit of one fish per person per day; and a spring recreational striped bass trophy permit for the Chesapeake Bay, coastal, and Potomac River tributaries. To comply with Addendum III to the Interstate Management Plan for American eel of the ASMFC, the agency established an eel buyer permit; reporting requirements for individuals purchasing eels from a legally licensed harvester; and a requirement that any lawful harvester, who self-markets or retails eels to an individual or business, must obtain an eel self-marketing permit. The agency established the 2015 Virginia commercial landing quota for horseshoe crabs as 172,828 horseshoe crabs. The agency codified emergency amendments pertaining to commercial summer flounder established at its October 2014 meeting. The agency established emergency amendments pertaining to black sea bass to establish the 2015 commercial quota for the directed fishery as 408,000 pounds and the bycatch fishery quota as 40,000 pounds.

At its January 2015 meeting, the agency codified emergency amendments pertaining to commercial black sea bass established at its November/December 2014 meeting. The agency established emergency amendments pertaining to bluefish to establish the 2015 commercial quota as 608,230 pounds.

At its February 2015 meeting, the agency codified emergency amendments pertaining to commercial bluefish established at its January 2015 meeting. The agency also established the 2015 commercial summer flounder possession limit as 7,500 pounds for the first landing period.

At its March 2015 meeting, the agency adopted several amendments to Chapter 4 VAC 20-252-10 et seq., “Pertaining to the Taking of Striped Bass”, to comply with Addendum IV to Amendment 6 to the Atlantic Striped Bass Interstate Management Plan of the ASMFC. The agency established a minimum landing size of 28 inches total length (TL) for striped bass harvested recreationally in coastal waters; the Chesapeake Bay area minimum landing size was increased from 18 to 20 inches TL for recreational anglers; and the Chesapeake Bay recreational trophy season minimum landing size was increased from 32 to 36 inches TL (by emergency action). Other regulations established by the agency for striped bass included an emergency action to delay to start date of the maximum size limit, of 28 inches TL, for the commercial striped bass fishery, in the Chesapeake Bay, from March 26 until April 2, 2015 and corresponding gill net regulations due to inclement weather and icing conditions. The agency established regulations pertaining to Virginia pound nets to comply with the National Marine Fisheries Service final rule amending the Bottlenose Take Reduction Plan under the Marine Mammal Protection Act and the Endangered Species Act for sea turtles. This updated rule requires the year-round use of a modified pound net leader for offshore Virginia pound nets in specified waters of the mainstem Chesapeake Bay and coastal state waters. Virginia pound net-related definitions, gear prohibitions, and non-regulatory measures are included in the final rule, based on consensus recommendations from the Bottlenose Dolphin Take Reduction Team. For consistency, the final rule also amends current regulations and definitions for Virginia pound nets under the Endangered Species Act for sea turtle conservation. The agency adopted an emergency amendment to close the offshore commercial summer flounder fishery on April 19, 2015.

c) VMRC – Law Enforcement Division

Enforcement under "Other Agency" refers to summons issued for other agencies' laws, code or regulation sections. The majority of the summons in this category are for DGIF regulations on boating safety laws, expired boat registration, no life jackets, flares, etc.

Summons under "Police Powers" are all criminal vs fisheries. These are the reckless driving, drunk driving, driving without a license/suspended license, shoplifting, possession of cocaine, marijuana, etc.

VIRGINIA MARINE POLICE ARRESTS/CONVICTIONS SUMMARY BY CATEGORY

REPORT FORMAT: FEDERAL FISCAL YEAR AREA: ALL AREAS
START PERIOD: 10/01/2010
END PERIOD: 09/30/2015



Category	2010/2011		2011/2012		2012/2013		2013/2014		2014/2015	
	Convictions	Arrests	Convictions	Arrests	Convictions	Arrests	Convictions	Arrests	Convictions	Arrests
Buyers	1	1	7	7	6	8	7	7	1	1
Casting Garbage/Trash	1	1	1	1	0	0	5	5	0	0
Clams	1	1	6	6	7	9	4	7	0	0
Commercial Fishing License	3	6	8	9	4	6	5	9	0	0
Conch	0	0	0	0	0	0	0	0	0	0
Conchs	0	0	4	4	2	2	1	2	0	0
Crab	0	0	0	0	0	0	0	0	0	0
Crabs	48	59	79	96	43	50	92	119	5	8
Federal Violation	0	0	0	0	0	0	0	0	0	0
FIP Violations	92	100	142	156	63	63	57	59	10	10
Fish	118	138	520	608	219	253	75	81	52	56
Freshwater Fishing without a license	11	13	9	11	14	18	12	16	1	1
Gill Nets	6	8	7	14	9	11	14	18	1	2
Habitat/Wetlands	0	0	0	0	0	0	0	0	0	0
License Tags	2	4	4	10	0	2	3	4	1	1
Mandatory Reporting	0	2	0	0	1	58	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Non-residents	0	0	0	0	0	0	0	0	0	0
NSSP	0	3	0	0	0	0	0	0	0	0
Other Agencies	275	321	317	354	220	255	221	269	79	89
Oysters	60	74	147	194	139	226	103	153	88	113
Piers	0	0	0	0	0	0	0	0	0	0
Police Powers	95	118	87	97	93	107	73	85	20	22
Removal of Obstructions	1	1	3	3	3	5	1	1	0	0
Resisting officer	0	0	0	0	0	0	0	0	0	0
Shellfish	2	3	14	15	15	20	14	16	5	6
SW Recreational Licenses	167	212	210	250	204	262	188	239	35	37
TOTALS:	883	1065	1565	1835	1042	1355	875	1090	298	346
PERCENT OF CONVICTIONS:	82.91%		85.29%		76.90%		80.28%		86.13%	

3) VIRGINIA DEPARTMENT OF HEALTH (VDH) – DIVISION OF SHORELINE SANITATION

From October 1, 2014 through March 31, 2015, the VDH Division of Shellfish Sanitation had 2421 acres of shellfish grounds *closed* to harvesting. There were 1172 acres of shellfish grounds *reopened*.

Activities of the Virginia Department of Health for the Virginia Coastal Resources Management Report are summarized below. This includes statics on applications for sanitary facilities at marinas and other places where boats are moored.

The Department received and reviewed a total of 25 VMRC Permit Applications, and processed as follows:

Zero (0) Permit Applications needed action in the Marina Program.

Thirteen (13) applications were approved based on meeting the requirements of providing adequate facilities. *Only received VMRC permits through January 1, 2015. The agency (VMRC) implemented an “application” tracking system that did not include the VDH Marina Programs contact information

Zero (0) applications were denied because of inadequate facilities.

*The numbers reflected in this report are only for those VMRC Joint Permit Applications received by this department between October 1, 2014 and January 1, 2015. VMRC has initiated steps to correct the problem.

4) Department of Conservation and Recreation (DCR)

a) DCR - Division of Soil and Water Conservation

Nutrient Management

DCR Nutrient Management Staff have been active in developing, reviewing nutrient management plans, enhancing private sector plan development, and other nutrient reduction activities to achieve the Commonwealth's nutrient reduction commitments of Chesapeake Bay TMDLs. In the coastal zones of Virginia, DCR staff have overseen the development of nutrient management plans covering 39,832 acres during the reporting period. Many plans are active for up to three years and all currently active acreage developed in the coastal watershed is summarized in the following table:

CZM Basins	Cropland	All Other Hayland	Pasture	Specialty Crop	Total
Albemarle Sound	50	7	0	0	58
Atlantic Ocean	60	0	0	0	60
Chesapeake Bay Coastal	9,192	53	47	66	9,358
Chowan	2,504	0	35	9	2,548
James	1,139	64	2	16	1,221
Potomac	1,779	137	99	0	2,016
Rappahannock	21,415	204	20	116	21,755
York	2,777	40	0	0	2,817
Total	38,916	506	202	207	39,832

b) DCR - Division of Natural Heritage

This report lists projects and activities conducted by the Department of Conservation and Recreation, Division of Natural Heritage (DCR-NH) during this period that were not funded by or otherwise reported to the VCZMP

Inventory

New Native Plant Documented in Virginia – 12/12/14

Northeastern Cutleaf coneflower (*Rudbeckia laciniata* var. *bipinnata*), a member of the Aster family, has recently been confirmed from three counties in Virginia's Coastal Plain. This discovery was made during re-examination of archived specimens by DCR Natural Heritage botanists. Variety *bipinnata* is known primarily from Maine to New York as implied by the common name, with some occurrences as far south as Maryland. In Virginia, the plants are found in open, seepage-influenced powerline right-of-way habitats which support numerous rare plant species. Due to the small number of populations known, the Northeastern Cutleaf coneflower will be evaluated for potential inclusion on the Natural Heritage Resources of Virginia Rare Plant List.



Northeastern Cutleaf Coneflower

Pollinators of Smooth Coneflower (*Echinacea laevigata*, G2G3/S2) Study Reported – 1/30/15

The observations of insect visitors to smooth coneflower (*Echinacea laevigata*, G2G3/S2/LE/ST) at three managed areas (two DCR owned natural area preserves, and one TNC owned tract) and preliminary management recommendations have been summarized in a report. Forty-five different insect taxa were identified from 473 total observations, and were comprised of (in descending order of numbers observed) Lepidoptera (skippers and butterflies), bees, beetles, and true bugs. Smooth coneflower pollination is likely performed by a suite of generalist species. Considerations for pollinators should be included in the management of smooth coneflower populations. Prescribed fire and other methods of opening the forest canopy are essential to maintaining smooth coneflower populations, but those management treatments should be both spatially and temporally distributed to allow pockets of pollinators to persist. This report has been submitted to the Virginia Department of Agriculture and Consumer Services (VDACS). This project was made possible through funding provided by the U.S. Fish and Wildlife Service and VDACS.



Smooth Coneflower (*Echinacea laevigata*)

Harperella (*Harperella nodosa*= *Ptilimnium nodosum*, G2/S1/LE/LE) Surveys Completed – 1/30/15

The DCR Natural Heritage Field Botanist submitted to the Virginia Department of Agriculture and Consumer Services (VDACS) the report on the 2014 surveys for the federally listed endangered and state listed endangered plant harperella (*Harperella nodosa*= *Ptilimnium nodosum*, G2/S1/LE/LE). Harperella is a mostly-annual herb in the carrot family (Apiaceae) found in the southeastern U.S. In Virginia and adjacent states it is found on rocky or gravelly shoals and bedrock crevices in clear, swift-flowing streams or rivers. The only known Virginia population occurs in Aquia Creek in Stafford County in northeastern Virginia. In 2014, harperella was surveyed for, by canoe and on foot, in the James River and its tributaries in western Virginia, including a stretch of the James River above Glasgow, and sections of the Maury River above Lexington, the Bullpasture River, and Potts Creek. A short stretch of the Meherrin River in Lunenburg County in the southern Piedmont was also surveyed. No new occurrences of harperella were found. However, a new occurrence of a rare vegetation community and updates to several known rare community and rare plant occurrences were documented during the harperella inventory. Along the Maury River, a new occurrence of a globally rare vegetation community Ridge and Valley Gravel-Wash Riverside Prairie (*Panicum virgatum* – *Andropogon gerardii* Herbaceous Vegetation, G2G3/S2), consisting of multiple patches, was identified, and an existing record for a state rare plant flattened spikerush (*Eleocharis compressa* var. *compressa*, G4/S2/NL/NL), last observed at this location in 1989, was updated. Along the James River, updates were made to existing occurrences, last observed in 1994, of a globally rare community, Piedmont / Central Appalachian Bedrock Floodplain Prairie (*Fraxinus pennsylvanica*/ *Andropogon gerardii* – *Panicum virgatum* – *Baptisia australis* Wooded Herbaceous Vegetation, G3/S2), and two state rare plants: nodding wild rye (*Elymus canadensis* var. *canadensis*, G5TNR/S2?/NL/NL) and American vetch (*Vicia americana* var. *americana*, G5T5/S1S2/NL/NL). This survey was funded by the U.S. Fish and Wildlife Service (USFWS), under Section 6 of the Endangered Species Act, and the Virginia Department of Agriculture and Consumer Services (VDACS).



Harperella nodosa= *Ptilimnium nodosum*

Report (2014) to VDACS on Small Whorled Pogonia – 3/6/15

The DNH Field Botanist submitted to the Virginia Department of Agriculture and Consumer Services (VDACS) the report on the surveys conducted by DNH in 2014 for small whorled pogonia (*Isotria medeoloides*, G2/S2/LT/LE) a federally listed threatened and state listed endangered orchid of eastern North America. In Virginia, it is found primarily in the Coastal Plain and Piedmont, most typically in deciduous second or third growth successional hardwood forests with fairly sparse ground cover. As many of the occurrences of this species have not been updated recently in DNH's Biotics database, the survey strategy was to target sites with known colonies not updated recently and then to continue surveying in adjacent lands. Eleven areas in eastern Virginia were selected for small whorled pogonia surveys by DCR-DNH in 2014. These contained 13 known colonies of *Isotria medeoloides* targeted for updates in addition to additional lands to be searched. Of the 13 colonies representing 9 occurrences recognized by DNH, plants were present at only 4 of these, containing a total of 35 plants, 4 of these plants in fruit. Three of these extant colonies were on Marine Corps Base Quantico in Prince William County and one was on private land in Caroline County with a conservation easement held by the Virginia Outdoors Foundation. One of these known colonies at Marine Corps Base Quantico was expanded into adjacent lands that were surveyed in 2014. There were another 3 colonies at MCB Quantico that DCR-DNH learned of from MCB Quantico staff for the first time during the survey; 2 of these supported a total of 9 plants in 2014, all vegetative. The total number of plants observed during these surveys was 44 plants, 39 of these vegetative and 5 in fruit. The work in 2014 allowed for location corrections of some colonies mapped before the use of GPS units and also the obtaining of additional years of monitoring data from land managers and researchers. This survey was funded by the U.S. Fish and Wildlife Service (USFWS), under Section 6 of the Endangered Species Act, and VDACS.



Small Whorled Pogonia

Report (2014) to VDACS on Small Anthered Bittercress – 3/6/15

The DNH Field Botanist submitted to the Virginia Department of Agriculture and Consumer Services (VDACS) the report on the surveys conducted by DNH in 2014 for small-anthered bittercress (*Cardamine micranthera*, G2/S1/LE/LE) a federally listed endangered and state listed endangered herb in the mustard family. Found along creeks and in seepages, its global range includes tributaries in the Dan River drainage within Patrick County in the southwestern Piedmont and the edge of the southern Blue Ridge Mountains of Virginia and in adjacent Stokes County in North Carolina. In April and May 2014, DNH conducted fieldwork to update some of the small-anthered bittercress occurrences in Patrick County, Virginia, and search additional areas for new colonies, visiting 9 sites of previously documented small-anthered bittercress and expanding the

search into areas upstream and downstream not previously surveyed by DCR-DNH. Small-anthered bittercress plants were found in 11 out of 26 of the previously mapped colonies that were targeted for surveys in 2014. At most of the 2014-observed colonies plants also continued upstream or downstream or between colonies, resulting in expansion, from minor to significant, of the mapped locations. In addition to the expansions of population areas noted above, 10 new colonies were mapped that represent new locations. Population trends in the specific revisited colonies tended to be downward, either with no plants present or reduced numbers. Reduced numbers of plants were even observed in some cases where plants were found in additional habitat. A recent heavy rainfall event shortly before the 2014 field work may have played a role in reduced population numbers; there was evidence of scouring of gravel/sand bars in some of the creeks. In a few cases, the surveys in additional sections of stream significantly increased the numbers and distribution known for the overall site. Two of the newly mapped areas are immediately downslope from roads and so are vulnerable to road maintenance actions and run-off of pollutants. This survey was funded by the U.S. Fish and Wildlife Service (USFWS), under Section 6 of the Endangered Species Act, and VDACS.



Small-anthered bittercress

Prescribed Burning

Prescribed Burn Assistance at Rappahannock River Valley National Wildlife Refuge – 10/20/14

Two fire crew members from DCR Natural Heritage assisted USFWS staff to complete a prescribed burn project at Rappahannock River Valley NWR. Two burn units were successfully treated with fire, totaling 36 acres. These units are open fields where fire is used to control woody vegetation and promote herbaceous vegetation, thus maintaining and enhancing habitat for both resident and migratory grassland bird species.

Interagency Annual Fire Refresher – 10/22/14

Participating on a DCR Prescribed Fire Crew requires extensive training, one element of which is an annual one-day fire refresher. On Wednesday October 22, approximately 40 staff from DCR, The Nature Conservancy, U.S. Fish & Wildlife Service, and Dept of Game and Inland Fisheries participated in annual fire training, which included: the work capacity test (carrying 45 lbs for 3 miles in under 45 minutes), a classroom session on safety lessons learned, and four outdoor refresher stations dealing with safety, fire engines and pumps, fire shelter deployment, and map & compass. This was one of five interagency refreshers offered this fall at Lake Anna, Pocahontas, Great Dismal Swamp, Twin Lakes and Hungry Mother.



Participants at prescribed fire crew refresher course

Natural Heritage Wildland Fire Engine Upgrades – 1/9/2015

The Natural Heritage Division's Eastern Fire Engine has been returned to service following improvements to the vehicle's emergency warning light system. This upgrade, completed in December 2014, added an emergency warning light package, rear work lights, vehicle shoreline and charger, and switch console. While the engine's original light-bar could only be seen from the rear of the vehicle, the new light package includes 360 degrees of warning lights, compliant with state emergency lighting regulations and highly useful when the engine is in use for traffic control and protecting fire crew working along roadways. In addition, a rear-view camera with motion detection was installed to aid in safe backing and for monitoring personnel working at the engine's rear pump-panel.



Natural Heritage Eastern Fire Engine Upgrades

Prescribed Burn at the Rappahannock River Valley NWR – 2/12/15

Three DCR Natural Heritage staff and one volunteer assisted the U.S. Fish & Wildlife Service with a prescribed burn at the Rappahannock River Valley NWR. The 35-acre native warm-season grass unit was treated with fire to control woody plants and enhance habitat for grassland birds and other wildlife species requiring early-succession vegetation. The burn was conducted successfully with desired effects achieved, even with cold temperatures and high relative humidity, and as heavy snow began falling before ignition was completed. Also assisting with the burn was staff from The Nature Conservancy's Charlottesville Office. TNC and USFWS continue as DCR's key partners in prescribed fire. Our long-standing cooperative fire management agreements and effective working relationships with these two organizations increase overall capacity and make it possible to achieve shared resource management goals.



Prescribed Burn at Rappahannock River Valley NWR

Assistance with Volunteer Student Firefighter Training – 3/2/15 to 3/7/15

During the week of March 2, 2015, DCR's Natural Heritage Eastern Fire Manager assisted the U.S. Fish & Wildlife Service in training 35 AmeriCorp student volunteers as wildland firefighters. The week-long session covered an introduction to fire behavior, basic firefighting techniques, UTV operations and hands-on training with various firefighting tools, equipment and methods. Teams of eight AmeriCorps volunteers will return to Virginia on six-week rotations during spring of 2015 to assist DCR, TNC, USFWS and DGIF with burn unit preparation and prescribed burn projects on various state, federal and private conservation lands.



AmeriCorps volunteers and instructors at spring 2015 wildland fire training session

Assistance to The Nature Conservancy – 3/9/15

DCR's Natural Heritage Eastern Operations Steward and Longleaf Pine Restoration Specialist assisted The Nature Conservancy with a 35-acre prescribed burn at TNC's Piney Grove Preserve in Sussex County. This burn was conducted to restore longleaf pine and enhance Red-cockaded Woodpecker habitat. Fire crew members from the VDGIF, USFWS and AmeriCorps also participated.

Rx Burn at South Quay Sandhills NAP – 3/12/15

Following many weeks of cold, wet and snowy weather conditions, DCR Natural Heritage staff conducted the first burn of the year at South Quay Sandhills NAP on Thursday March 12, 2015. During February, about 190 acres of 5-year-old hardwood re-growth were drum-chopped to help prepare sites for planting with longleaf pine seedlings. Of this area, about 150 acres were treated with fire to reduce woody debris and create space for planting longleaf seedlings, as well as to reintroduce fire into transition zones (*ecotones*) bordering wet soil units. A total of 23 firefighters, 3 UTV's (Type 7 engines), 2 fire engines (Type 6 engines) and burn support trailer were assembled and used to complete this critical burn project. Crew members included staff and a volunteer from DCR plus staff from DGIF, USFWS, AmeriCorps, TNC and Wildland Restoration International (WRI) – a TNC-contracted prescribed burn crew. The 190 treated acres will be planted with Virginia-native longleaf pine seedlings during the upcoming week of March 16.

Rx Burn at Chub Sandhill NAP – 3/13/15

DCR Natural Heritage staff and key partners burned four units at Chub Sandhill NAP in Sussex County. In total, 125 acres was treated with fire, with 60 acres burned in preparation for longleaf pine planting during the upcoming week of March 16. The remainder of the area was treated with fire to control competition for 2-year-old longleaf seedlings planted in 2013. Fire crew on site for this burn included DCR staff and volunteer, plus AmeriCorps and WRI personnel.



Prescribed burning at South Quay Sandhills NAP to prepare site for longleaf pine planting

Fire Management Assistance to Forest Service – 3/18/15

DCR Natural Heritage staff assisted the USDA Forest Service with a 63-acre prescribed burn at Hidden Valley Recreation Area near Warm Spring in Bath County. The primary objective was to maintain and improve habitat for grassland birds, but additionally the burn prepared portions of Hidden Valley for restoration work aimed at increasing plant species biodiversity in low diversity switchgrass fields. NH stewardship staff had previously assisted the Forest Service with developing forb-rich seed mixes to be applied after herbicide and burning treatments of these fields. These efforts will maintain high quality grasslands habitats and also increase biodiversity at this popular public recreation area.



Prescribed fire at Hidden Valley Recreation Area in Bath County

Prescribed Burn Completed at Antioch Pines Natural Area Preserve – 3/31/15

DCR's Southeast Region Steward Darren Loomis led a crew of 17 firefighters to complete a 108-acre prescribed burn project at Antioch Pines preserve in Isle of Wight County. Primary objectives for this burn were to reduce understory hardwoods and increase herbaceous plant abundance, maintaining open pine savanna structure. Frequent fire at Antioch Pines creates and maintains habitat for wild lupine (*Lupinus perennis*) – the primary larval host plant for a rare species of butterfly, the frosted elfin (*Callophys irus* G3 S2?). The burn crew of 17 included six staff from DCR-Natural Heritage plus 11 from The Nature Conservancy, Dept Game & Inland Fisheries and the U.S. Fish and Wildlife Service, including AmeriCorps student volunteers.



Interagency fire crew burning at Antioch Pines.



Wild lupine – host plant of a rare butterfly at Antioch Pines.

Natural Area Preserve Stewardship

Harley-Davidson “Renew the Ride” Roars into South Quay Sandhills Natural Area Preserve – 10/12/14

On Sunday October 12 some 50 Harley-Davidson riders joined H-D Corporate staff, The Nature Conservancy and DCR Director Clyde Cristman and staff at DCR’s South Quay Sandhills Natural Area Preserve to plant the first 1,000 native Virginia longleaf pine seedlings of a total 110,000 trees to be planted on 250 acres at South Quay with H-D’s financial support. Sunday was the U.S. launch for Harley’s “Renew the Ride” commitment of 50 million trees to TNC’s Plant a Billion Trees project in Brazil, China and the United States. DCR will be working in the coming years to plant native longleaf over some 1,400 acres of the 3,585 acres at South Quay NAP.



Harley-Davidson supports planting of 110,000 native Longleaf Pine at South Quay Sandhills NAP

Great Dismal Swamp National Wildlife Refuge Celebrates 40th Anniversary – 10/15/14

DCR Natural Heritage Director joined USF&WS, The Nature Conservancy, Department of Game and Inland Fisheries, Department of Forestry, US Geological Survey and citizens in celebration of the 40th Anniversary of Union Camp Corporations donation to The Nature Conservancy and transfer to the U.S. Fish & Wildlife Service to create the National Wildlife Refuge. DCR has a long history of natural community, rare plant and animal research and prescribed fire and wildfire assistance on the Refuge, and manages the 2,773 acre Northwest River Natural Area Preserve protecting key portions of the corridor from the Swamp to the Albemarle Pamlico Sound.

South Quay Sandhills Natural Area Preserve Longleaf Pine Cone/Seed Collection in 2014 – 10/31/14

From October 6 – 16, 2014, DCR Natural Heritage staff collected hundreds of bushels of longleaf pine (*Pinus palustris*) cones from South Quay Sandhills Natural Area Preserve south of Franklin, Virginia – where the last few remaining mature VA native longleaf pine trees are located. Once collected, cones are sent to a state forest tree nursery in Goldsboro, North Carolina operated by the NC Forest Service, where containerized longleaf seedlings are grown from seeds extracted from VA cones. In 2014, DCR Natural Heritage staff again worked with the VA Department of Forestry to coordinate and conduct cone collection at South Quay Sandhills. Volunteers from VA Master Naturalists, The Nature Conservancy, US Fish & Wildlife Service and VA Cooperative Extension assisted DCR with cone collecting, as did DCR Director Clyde Cristman. In addition, a contract crew with specialized equipment was procured to access trees and pick cones in harder-to-reach areas. This year's collection efforts spanned two weeks and resulted in an unprecedented 510 bushels of cones picked. If seed viability turns out to be as good as expected, up to 1,000,000 seedlings may result from the fall 2014 cone harvest to support future longleaf pine restoration projects in Virginia.



Contract crew picking longleaf cones at SQSNAP DCR Director Clyde Cristman ready to pick cones

Canoe Launch Project Approaches Completion at Crow's Nest – 12/4/14

Construction of the canoe launch facility at Crow's Nest Natural Area Preserve has reached substantial completion and is scheduled for final inspection on December 4, 2014. The contractors are in the process of cleaning up the site and removing their equipment. Natural Heritage hopes to be able to open the site officially to the public in early 2015 pending proper trail/launch signage and the removal of several dead trees from the parking area.



Construction of the launch began in early September. The boardwalk/launch is nearly 400 feet long from the start of the boardwalk to the canoe launch. Several step-off points along the boardwalk provide excellent vantage points over Accokeek Creek.

Short Course on Pollinator Conservation – 12/5/14

DCR's Natural Heritage Field Zoologist and Eastern Shore Regional Steward attended a Pollinator Conservation Short Course sponsored by the Xerces Society for Invertebrate Conservation and the Eastern Shore Soil and Water Conservation District held at the Eastern Shore Community College in Melfa, VA. Attendees included private citizens (e.g. farmers, beekeepers, Master Naturalists and Master Gardeners), local extension offices, and state government personnel. Topics included the principles of pollinator biology, economics of insect pollination, basic bee field identification, and evaluation of pollinator habitat. Federal programs outlining how to get assistance to create habitat for pollinators was discussed as well.

Installation of Restroom and Water Trail Kiosk at Crow's Nest Natural Area Preserve – 3/16 & 3/17, 2015

The DCR Natural Heritage Northern Region Steward and Operations Steward along with the Coastal Operations Steward installed an enclosure for a porta-john at the Brooke Road parking lot at Crow's Nest Natural Area Preserve. In addition, a kiosk was installed that will hold information signs for the Crow's Nest Water Trail. The canoe launch facility is scheduled to open in April 2015, in time for visitors to enjoy a spring paddle along Accokeek Creek.



Recently completed enclosure and kiosk at the Brooke Road access point at Crow's Nest NAP

Trash Removal Day at Crow's Nest Natural Area Preserve – 3/14/15

Three volunteers teamed up with the DCR Natural Heritage Northern Region Steward and Operations Steward to assist in removing trash and debris along the hiking trail adjacent to the canoe launch facility at Crow's Nest Natural Area Preserve. Approximately 700 pounds of debris was collected, including old tires, chairs, vehicle parts, glass and various trash adjacent to Brooke Road. The volunteers were a part of our Crow's Nest Volunteer Stewardship Committee. Volunteers spent approximately three hours on the project.



Volunteers that teamed up to remove trash at Crow's Nest NAP

Longleaf Pine Planting Completed at Two State Natural Area Preserves – 3/18-3/20/2015

On March 18-20, 2015, DCR Natural Heritage Longleaf Pine Restoration Specialist and Southeast Region Steward supervised planting of 133,600 longleaf pine seedlings on 265 acres at South Quay Sandhills and Chub Sandhill state natural area preserves. This work represents the first step to restore 1,500 acres of longleaf pine

forest at South Quay Sandhills, and is a continuation of restoration work begun in 2007 at Chub Sandhill. This effort in 2015 was, in large part, made possible by DCR's effective partnerships with The Nature Conservancy and Virginia Department of Forestry. TNC secured a major donation from the Harley-Davidson Corporation to cover most costs for establishing longleaf pine on state lands and their staff helped to arrange and supervise site preparation and tree planting contractors. DOF provided key support for longleaf cone collection and seedling production.



Crew from Horizon Forestry Services planting longleaf pine seedlings at South Quay Sandhills Natural Area Preserve in March 2015

Invasive Species

University of Richmond Landscape Ecology Class – 10/2/14

DCR Natural Heritage Stewardship Biologist Kevin Heffernan presented an overview of invasive species issues in Virginia to an upper-level ecology class of 15 students at UR. They were introduced to key definitions of native and invasive, pathways of species introduction, biological characteristics of invasive plants, and ecological and economic impacts of invasive species. A class project will focus on presenting select data from Virginia's iMapInvasive.org site via ArcGIS Online for sharing invasive species spatial information to a wider audience.

Eastern Shore Chapter of Virginia Master Naturalists Workshop – 10/20/14

DCR Natural Heritage Stewardship Biologist led an invasive species early detection and reporting workshop for the Eastern Shore Chapter of Virginia Master Naturalists. The workshop took place at Historic Onancock School. Twenty-seven participants were given an overview of invasive species issues in Virginia. Particular emphasis was given to identifying wavyleaf grass (*Oplismenus hirtellus* ssp. *undulatifolius*). Four other species were also reviewed: cogon grass (*Imperata cylindrica*) and giant hogweed (*Heracleum mantegazzianum*), beach vitex (*Vitex rotundifolia*), and giant salvinia (*Salvinia molesta*). The participants also learned about online mapping and reporting tools, EDDMapS.org and iMapInvasives.org.

Pocahontas Chapter of Virginia Master Naturalists Workshop – 3/24/15

DCR Natural Heritage Stewardship Biologist led an invasive species early detection and reporting workshop for the Pocahontas Chapter of Virginia Master Naturalists. The workshop took place at Pocahontas State Park. Twenty-seven participants were given an overview of invasive species issues in Virginia. Particular emphasis was given to identifying wavyleaf grass (*Oplismenus hirtellus* ssp. *undulatifolius*). Four other species were also reviewed: cogon grass (*Imperata cylindrica*) and giant hogweed (*Heracleum mantegazzianum*), beach vitex (*Vitex rotundifolia*), and giant salvinia (*Salvinia molesta*). The participants also learned about online mapping and reporting tools, EDDMapS.org and iMapInvasives.org.

Publically Available Data on Virginia Department of Conservation and Recreation ArcGIS Online website – 10/31/14

ArcGIS Online is a cloud-based mapping platform for use by organizations. Users are able to upload content, access shared content, create maps and applications, and share these maps and data, either with each other, the entire organization, or the public. Over the past few months, DCR Natural Heritage has published several datasets to Virginia DCR's ArcGIS Online website, making those data available to the public. Among these layers are: Phragmites Aerial Survey Data from 2004-2011 (showing the extent of Phragmites invasion in Tidewater Virginia), Virginia's Conservation Lands (boundaries for lands of conservation and recreational interest in Virginia), and ConservationVision models. ConservationVision models help guide and prioritize land conservation opportunities as well as comprehensive green infrastructure planning. These models summarize Cultural, Recreational, Forest Economics, Ecological Integrity, Agricultural, Vulnerability (to development), and Watershed Integrity priorities, statewide. By making these datasets available to the public, anyone has the ability to access the data in the ArcGIS Online map viewer or open the data in ArcGIS for desktop. The Virginia Department of Conservation and Recreation ArcGIS Online site can be accessed here: <http://vdcr.maps.arcgis.com/home/index.html>

Natural Heritage Staff Learn How to Use New Data Collection Software in the Field – 1/21 & 1/22/2015

Natural Heritage staff from Information Management, Inventory, Protection and Stewardship sections convened to discuss new uses of ArcGIS Online at Natural Heritage. Using software provided under the current Enterprise License Agreement between DCR and ESRI, DCR-Natural Heritage has developed two simple starter applications to enable data collection with smartphones and tablets in the field using an ArcGIS Collector app and ArcGIS Online. One app will greatly expedite collection of rare species and habitat data and another will allow data collection pertaining to operations at Natural Area Preserves. In both cases staff will be able to collect, manage and share data, internally and with partners, with significantly less investment of time and staff resources, short and long term. These applications were developed in house and will also serve as a testing ground so that Natural Heritage can consider additional ways to take advantage of mobile technology, staff expertise in the field and the GIS software we all use. This field effort consisted of instruction indoors at Westmoreland State Park and hands-on training in the field at Crow's Nest Natural Area Preserve.



Natural Heritage staff training on new collection data system at Crow's Nest

Outreach and Education

VA Master Naturalist Eastern Shore Chapter Basic Training – 10/2/14

The VA Master Naturalist Eastern Shore Chapter basic training class visited Wreck Island Natural Area Preserve (WINAP) for outdoor training experiences in coastal ecology. Training began with 2 lectures at the Anheuser-Busch Coastal Research Center. The Natural Heritage Coastal Operations Steward presented an overview of protected lands on the Eastern Shore and Bo Lusk, Coastal Scientist at The Nature Conservancy

Virginia Coast Reserve presented an overview of oyster biology and restoration efforts on the Eastern Shore. Once on the island, the Natural Heritage Eastern Shore Region Steward led the trainees on an exploration of barrier island ecological, geological and physical processes. Highlights of the trip included the sighting of three Wilson’s Plovers, flocks of Royal Terns, Black Skimmers and American Oyster Catchers and a Bald Eagle. The Natural Heritage Southeastern Operations Steward assisted with boat transportation to WINAP, and the Natural Heritage Eastern Shore Region Stewardship Technician provided bird identification skills and techniques for the trip.

Native Plant Society Jefferson Chapter – 10/8/14

DCR Natural Heritage ecologist Gary P. Fleming spoke at the fall meeting of the Virginia Native Plant Society’s Jefferson Chapter in Charlottesville. The presentation, entitled “The Ecological Regions and Natural Communities of Virginia,” emphasizes the great diversity of landforms and biological habitats across Virginia, while highlighting the natural communities and special natural areas that need protection.

Eastern Shore Birding and Wildlife Festival – 10/10/14 – 10/12/14

DCR Natural Heritage was well represented at the Eastern Shore Birding and Wildlife Festival held October 10-12, 2014. Two birding field trips to Magothy Bay NAP were led by the Eastern Shore Region Steward, with assistance by the Coastal Operations Steward and the Eastern Shore Stewardship Technician. The avid birders spotted 46 species of birds, including White Ibis, Palm, Yellow, and Yellow-rumped Warblers, several Merlin, a Pileated Woodpecker, and a flock of 30 Great Blue Herons flying south. In addition to the field trips, the Environmental Review Coordinator staffed the Natural Heritage display, providing program resource information and engaging children in learning about the importance of Natural Heritage resources on the Eastern Shore. The Natural Heritage Zoologist led a field-based two session workshop on dragonfly identification. The Festival tallied 227 registered attendees and 162 bird species counted.



Birders



Birders



Project Review Displays



Interested Participants

Workshop on Enhancing Coastal Resilience on Virginia’s Eastern Shore – 10/12/14

The DCR Natural Heritage Eastern Shore Region Steward attended a workshop on enhancing coastal resilience on Virginia’s Eastern Shore. The workshop, sponsored by The Nature Conservancy (TNC), was held at the Chincoteague Bay Field Station at Wallops Island, Virginia. Attendees were presented with an overview of the possible impacts of sea level rise to natural resources and infrastructure on the Eastern Shore and introduced to the sea-level rise/marsh migration modeling tool being developed by TNC. The workshop was attended by representatives from various universities, federal and state agencies, and local governments.

Field Trips to Magothy Bay and Savage Neck Dunes NAP – 10/18/14

The DCR Natural Heritage Eastern Shore Region Steward led field trips to Magothy Bay and Savage Neck Dunes NAP on October 18, 2014. The trips were offered as part of the Virginia Native Plant Society annual meeting. Participants had a great time learning about coastal natural communities and got a snapshot of the uniqueness of the Eastern Shore flora from the Atlantic Ocean to the Chesapeake Bay.



October 18, 2014 Field Trip Participants

Savage Neck Dunes NAP Visit – 10/25/14

Twenty-five science teachers from the Portsmouth city school system visited Savage Neck Dunes NAP on October 25, 2014. The focus of the trip was to better understand the role of the “critical layer” of the biosphere (the area between the top of the forest canopy to the groundwater), in water and nutrient cycling. The soil strata was the area of primary interest. The Natural Heritage Eastern Shore Region Steward and the Coastal Operations Steward lead the group on a “critical layer” tour of the preserve, emphasizing changes in vegetation cover and soil matrix parameters as the group moved from former agricultural uplands, through maritime forest, dune woodlands, dune swales and primary dunes to the edge of the Chesapeake Bay. The teachers received Continuing Education Credits and increased their knowledge of the importance of soil composition to

vegetation growth and nutrient cycling in coastal systems.



Portsmouth city school system science teachers explore soil structure and vegetation parameters at Savage Neck Dunes NAP.

Healthy Waters Presentation – 10/31/14

The DCR Natural Heritage Healthy Waters Program Manager provided an overview on the Healthy Waters Program at the USEPA Region 3 regional meeting in Delaware. The presentation included a discussion on the Chowan Basin Watershed Protection Plan and the development of the Criteria for Ecologically Healthy Watershed Conservation. Attendees included staffs of the USEPA Region 3 Office, USEPA HQ and the Region 3 State Water Quality and TMDL programs.

Natural Heritage Program Presentation at Roanoke College – 11/6/14

Mountain Region Stewardship staff gave a presentation to an environmental science class at Roanoke College. The presentation introduced the students to the history and mission of the Virginia Natural Heritage Program, as well as tools that would be useful to students of ecology such as Natural Heritage Data Explorer and NatureServe's Explorer. The presentation also served to introduce the students to the importance of Natural Area Preserves as refugia of biodiversity in the counties proximate to Roanoke College. Students were encouraged to follow up the lecture with a visit to Poor Mountain Natural Area Preserve, which dominates the skyline just south of Roanoke College.

Crow's Nest Fall Field Day – 11/8/14

The DCR Natural Heritage Northern Region Steward and Operations Steward, with assistance from Stafford County staff and Hal Wiggins with the Corps of Engineers, welcomed visitors to the Fall Field Day at Crow's Nest Natural Area Preserve. It was a beautiful fall day for the 80 participants who signed up for the event. After a brief introduction to the Natural Heritage Program and Crow's Nest, participants divided into three groups for hikes on the Accokeek Creek Loop, Potomac Creek Loop and Boykin's Island trails. Hikers were able to enjoy what remained of the fall color as well as nice views of the freshwater tidal marsh and water along Accokeek and Potomac Creeks. Hikers on the Accokeek Creep Loop also got to enjoy the new completed spur trail to a pond along Accokeek Creek. Trip leaders shared information on the ecological value of the preserve and the history of the Crow's Nest peninsula.



Crow's Nest NAP Field Day Participants

Crow's Nest Tour with the Northern Virginia Conservation Trust – 11/16/14

The DCR Natural Heritage Northern Region Steward and Operations Steward, welcomed staff and board members of the Northern Virginia Conservation Trust (NVCT) to a tour of Crow's Nest Natural Area Preserve. Also in attendance were several easement donors to NVCT as well as Supervisor Bohmke, a member of the Stafford County Board of Supervisors. The NVCT have and continue to play a role in conservation efforts on the Crow's Nest Peninsula. In addition, the NVCT own a parcel adjacent to the preserve that contains the majority of the Potomac Creek Heronry, an important nesting site for great blue herons. After a brief introduction to the Natural Heritage Program and Crow's Nest, participants enjoyed a hike on the Accokeek Creek Loop Trail. Hikers were able to enjoy what remained of the fall color as well as nice views of the freshwater tidal marsh and the canoe launch facility along Accokeek Creek. Approximately 25 people attended the event.



NVCT staff and board members at Crow's Nest walk.

Girl Scout visit to Crow's Nest – 11/23/14

The DCR Natural Heritage Northern Region Steward and Operations Steward led a field trip for Stafford County Girl Scout Troop 442 to Crow's Nest Natural Area Preserve. The field trip started at the Brooke Road parking lot where the scouts visited the site of the recently completed canoe launch facility. After a brief look over the tidal freshwater marsh along Accokeek Creek, the group carpooled into the main portion of the Preserve. After a brief introduction to the Natural Heritage Program and Crow's Nest, participants enjoyed a hike on the Accokeek Creek Loop Trail. Along the trail, scouts were introduced to a number of topics, including invasive species management and the importance of the intact soils at Crow's Nest to the health and productivity of the forest. Including the seven scouts, approximately 20 people attended the field trip.



Girls Scouts with Troop 442 in Stafford County

James River Trash Cleanup Event – 12/3/14

On the morning of December 3, 2014, nine DCR Natural Heritage staff members participated in a trash cleanup along the James River in downtown Richmond. This activity was part of the James River Association's self-directed trash cleanup. In just a few hours, staff members picked up five bags of trash and one bag of recycling on Brown's Island and along the James River up to the Bell Isle footbridge. Their efforts helped clean up a popular recreation area along the James River.



NH staff and trash collected along the James River

Talk on Rare Plants of Southeast Virginia – 1/15/15

The Southeast Region Steward presented information on Natural Heritage Resources to the Norfolk Master Gardeners at the Norfolk Botanical Garden. The theme of the talk was rare plants of Southeast Virginia. The talk was well received by the 40 Master Gardeners in attendance and resulted in a request for a spring field trip to Blackwater Ecological Preserve.

Training Session – ArcGIS Online and Collector for ArcGIS App – 2/5/2015

DCR Natural Heritage Data Management Specialist met with the North Carolina Natural Heritage Program to provide training for ArcGIS Online, a cloud-based mapping platform, and the Collector for ArcGIS App, an App designed for mobile data collection in the field using smart devices. NC Natural Heritage aims to utilize ArcGIS Online and Collector to streamline rare species mapping and data collection efforts. Sharing VA NHP's existing experience with this technology and its applications assisted NC NHP in effective planning for incorporation of this technology into their workflow. Training was held at the NC Department of Environment and Natural Resources headquarters in Raleigh and consisted of a morning session with presentations and demonstrations of both ArcGIS Online and the Collector App. After lunch, the group walked outside and collected data with the App, then finished the afternoon in the training room with hands-on data manipulation in the ArcGIS Online website. Additionally discussed were techniques for integrating data into Biotics5, a customized biodiversity information management system used by NatureServe and its network of Natural

Heritage Program. Staff members of the North Carolina Natural Heritage Program were engaged, eager to learn, and shared ideas readily. Collaboration within the NatureServe Network strengthens relationships between member programs.



DCR staff instructing NC staff

Natural Heritage Director Meeting – 2/14/15 – 2/18/15

The DCR Natural Heritage Director attended a three-day meeting with Natural Heritage Directors from Oregon, Colorado, New York and Florida Feb 14 – 18. Topics included collection of vegetation data for monitoring climate change; pilots for development of a U.S. Ecological Integrity Index as part of the President’s report on Sustaining Environmental Capital: Protecting Society and the Economy; Citizen science; fundraising projects; electronic field data collection tools; data flow streamlining from field to Biotics; staff exchanges for cross training purposes; DCR’s Natural Heritage Data Explorer and more.

Presentations to Students at Old Dominion and Christopher Newport Universities – 2/27/15

DCR’s Southeast Region Natural Areas Steward gave presentations on “Natural Heritage Program Careers” for students at Old Dominion and Christopher Newport universities. Both talks introduced students majoring in Conservation Biology degree programs to the variety of career opportunities available in the conservation field, with a focus on the work of Natural Heritage Programs. Ten students in ODU’s chapter of The Botanical Society of America attended on February 10; forty students attend the presentation given as part of CNU’s “Wednesdays for Work” speaker series on February 18, 2015.

Presentation on Native Plants – 3/11/15

The DCR Natural Heritage Eastern Shore Region Steward presented lectures on native plants to groups on the Eastern Shore. A presentation was given on March 11, 2015, for the 2015 Master Gardener training class and focused on the native plants of Accomack and Northampton Counties. The trainees were given an overview of Eastern Shore natives, along with a discussion of the water quality, native pollinator, and bird habitat benefits derived from landscaping with native plants. Eighteen people attended.

Presentation on Plants of the Atlantic Barrier Islands – 03/13/15

The DCR Natural Heritage Eastern Shore Region Steward provided a presentation on March 13, 2015, for the Adult Lifetime Learning Program, which focuses on continuing adult education. The presentation focused on the plants of the Atlantic barrier islands that fringe the seaside of the Eastern Shore. An ecological and historical perspective was featured. Twenty students attended.

Natural Heritage Ecologist Addresses Prince William Wildflower Society and Virginia Master Naturalists Eastern Shore Chapter – 3/16/15

A DCR Natural Heritage Ecologist gave a presentation entitled “The Ecological Regions and Natural Communities of Virginia” to the Prince William Wildflower Society on March 16, 2015, in Manassas and again to the Eastern Shore Chapter of the Virginia Master Naturalists on March 18, 2015, in Melfa. The presentation emphasizes the great diversity of landforms and biological habitats across Virginia, while highlighting the natural communities and special natural areas that need protection.

Stafford Middle School Science Class Visit – 3/20/15

On March 20, 2015, the DCR Natural Heritage Northern Region Steward and Operations Steward, along with Joe Fiorello, an environmental planner with the Stafford County Department of Planning and Zoning, visited Stafford County Middle School to participate in a laboratory exercise with four 6th grade science classes. The purpose of the exercise was to explore how different water quality parameters (e.g., dissolved oxygen, pH, nutrient levels, and alkalinity) influence the health of a water body and its diversity of macroinvertebrates. To facilitate the exercise, staff collected water from Accokeek Creek and several smaller tributaries within Crow’s Nest Natural Area Preserve that contained a diversity of macroinvertebrates, including crayfish, mayfly, caddisfly, damselfly, and dragonfly larvae. After helping their teacher complete water quality tests, students were divided into groups and given a water sample to process and count the types of different organisms that they found. The class was taught by Ms. Rebecca Musso.



Stafford County Middle School Students

Natural Heritage Director Addresses Virginia Outdoor Writers Association – 3/21/15

The DCR Natural Heritage Director spoke to 50 members of the VA Outdoor Writers Association at their annual meeting in Charlottesville. The presentation included an overview of the Natural Heritage Program’s biodiversity conservation efforts including comments on invasive species, climate change and fire restoration.

Crow’s Nest Birding Walk – 3/28/15

The DCR Natural Heritage Northern Region Steward led a birding walk at the Crow’s Nest Natural Area Preserve and the nearby Aquia Landing Park. Seven participants braved the chilly, windy weather and were rewarded with nice views of a few remaining tundra swans and large numbers of green-winged teal. Additional highlights included large numbers of Wilson’s snipe and a sharp-shinned hawk chasing a flock of red-winged black birds in an unsuccessful attempt to catch a meal. In all, 34 species were observed during the outing.



Land Conservation

Natural Heritage Data Management Totals for FY2014:

Activity 10-01-14 – 03-31-15

New Mapped Locations (EOs) – 16
Updated Mapped Locations (EOs) - 72
New Conservation Sites – 3
Updated Conservation Sites - 32

Total Number in Database 03-31-15:

Animal Mapped Locations (EOs) – 603
Plant Mapped Locations (EOs) – 1197
Community Mapped Locations – 528
Conservation Sites – 559

Managed Areas: (Acres added 10/1/14 – 3/31/15): 4, 323.50 acres
Mapped Tracts: (total in coastal zone): 3506 acres
Mapped Managed Areas: (total in coastal zone): 2713 acres

DCR – Healthy Waters

Oct 2014-March 2015

For the grant reporting period, the Environmental Scientist/Analyst with the Virginia Commonwealth University, Center for Environmental Studies in the Department of Life Sciences continued to serve as the Program Manager of the Virginia Healthy Waters Program at the Virginia Department of Conservation and Recreation, Division of Natural Heritage.

The Healthy Waters Program is supported through funding from several grant sources including the VA CZM Section 306, US EPA 319 Nonpoint Source Program, and the Chesapeake Bay Implementation Grant. These sources fund various aspects of the Program including the administration and oversight, Program growth and expansion, improvement in capacity, acquisition and analysis of new data and data integration.

Programmatically, the assessment of program resources and needs has continued to determine gaps and areas of improvement. Data integration, geographic expansion and data re-sampling were the top focal areas of the

analysis with immediate attention addressed to integrate existing INSTAR data into the NHD data explorer and the creation of new Ecological Occurrences (EOs) and Stream Conservation Units (SCUs). Challenges to administering the Program are the resource and staffing needs to conduct field assessments. The DNH supported the Healthy Waters Program by contributing two field biologists for the purpose of being trained in the INSTAR data collection and field identification process. This increased capacity in the program is a critical advancement in the program within the Division of Natural Heritage and is planned to continue for the 2015 sampling season. This increased capacity permits the collection of data by additional field personnel aside from specific grant related activities. The collection of data will be in the raw form still requiring the development of models to interpret such information to make relevant to the Program as a whole. The development of an INSTAR model is typically done on a basin scale to provide for comparable results within a defined area. The collection of raw data will permit an additional cataloging of resources to further inform the development of an INSTAR model when resources are present for the specific region or basin.

During the reporting period, the Program Manager participated in the Chesapeake Bay Management Strategy development process to coordinate the involvement of VA Departments of Conservation and Recreation, Environmental Quality and Forestry. The Chesapeake Bay Program identified three management measure outcomes for the Healthy Waters Goal Implementation Team Four (GIT4) that included: Healthy Waters, Land Use Metrics and Land Use Options Evaluation for public comment. Additionally, the Bay Program identified a subgroup of the Habitat Goal Team, Stream Health. The means for identification of those characteristics for classifying stream health were in conflict with the methods the Commonwealth uses to identify Healthy Waters. Through direct coordination with the VCU and the Chair of the Stream Health Workgroup and Chair Healthy Streams GIT, this issue was raised in an attempt to address the conflict.

The Healthy Waters Program Manager submitted the final report on the Chowan Basin study. While outside the Coastal Zone and funded through EPA 319 Region 3, this project has created a draft A-I Criteria for watershed protection based on an aquatic community analysis as opposed to a water quality based approach. Typically, the A-I Criteria is used as part of a watershed restoration strategy identifying the following points:

- A. Identify and quantify causes and sources of impairments
- B. Estimate expected load reductions
- C. ID BMPs and critical areas to achieve load reductions
- D. Estimate needed technical and financial resources
- E. Provide info, education and public participation component
- F. Include schedule for implementing NPS management measures
- G. ID interim measurable milestones for implementation
- I. Establish criteria to determine if load reductions are achieved
- H. Provide a monitoring component to evaluate effectiveness

The Criteria for watershed protection, being referred to as, the *Criteria for Ecologically Healthy Watershed Conservation* is under review with the US EPA and the VA DEQ Waters Division. This iterative approach resulted in the following A-I Elements that were applied in developing the watershed based plans in the Chowan Basin, referred to as the *A-I Criteria for Ecologically Healthy Watershed Conservation*:

- A. Quantify and verify the empirical basis for aquatic communities identified with high ecological integrity
- B. Identify conditions needed to maintain existing ecological integrity (e.g., sediment loadings)
- C. Identify best management practices and other preventative actions to achieve and maintain the system with high ecological integrity
- D. Estimate needed technical and financial resources
- E. Provide information, education and public participation component
- F. Include schedule for implementing Non Point Source (NPS) management measures
- G. Identify interim measurable milestones for implementation

- H. Establish criteria to determine high ecological integrity is maintained (eg. land cover as related to sediment)
- I. Provide a monitoring component to evaluate effectiveness

Through funding from EPA 319, the Program Manager continued to oversee the initiation of the process by which watersheds and waterbodies are identified as Healthy and how the Program communicates outward. The Watershed Integrity Model, used and developed by the Natural Heritage Division and VCU, has been identified to be updated and streamlined to improve the utility. Additionally, the development of a statewide Healthy Watersheds discussion and process was initiated, through EPA 319 funding, to provide an analysis of those data mined from the VDGIF and VDEQ Prob-Mon to create rankings where INSTAR data is lacking. Additionally, language to revise the identification of Healthy Catchments was initiated. Healthy Catchments are those subwatersheds that drain to a Healthy Waters INSTAR site. Only where the Healthy Waters Program has an identified INSTAR site will this designation be utilized.

c) DCR – Division of Outdoor Recreation

The Department of Conservation and Recreation, Division of Outdoor Recreation has nothing to report during this period that was not funded by or otherwise reported to the VCZMP.

5) Department of Game and Inland Fisheries (DGIF)

Recreational Fishing:

1. Stream Monitoring, Adult Anadromous Fishes

Weekly boat electrofishing for adult anadromous fish was begun in early March on the James and Rappahannock rivers in tidal and fall zone reaches, and upstream and downstream of the Harvell Dam removal project on the Appomattox River. Similar to 2014, prolonged cold weather has slowed the migratory run so far this year. Hickory Shad numbers were increasing by early April on the James and Rappahannock rivers. American Shad have been found on the James in tidal and fall zone reaches but not yet on the Rappahannock. Alewife numbers have been very low on the James and increasing, as expected, in the Rappahannock tidal reaches. Hickory Shad and Alewife were documented upstream of the Harvell Dam removal site in late March indicating initial success of the removal that took place in the summer of 2014. Occasional monitoring is being conducted downstream and upstream of Walkers Dam (recently replaced; new fishway). We are also sampling (backpack electrofishing) for river herring on three tidal tributaries of the Rappahannock in Fredericksburg. Adult sampling will continue through early June. Adult monitoring is conducted to determine the extent of migration into restored habitat and to analyze inter-annual trends of abundance of the herring and shad populations. Striped bass run strength in the fall zone areas is also monitored and length/weight data is collected.

2. Boshers Dam Fishway (James River)

The estimate for American Shad passage in 2011 was 696 and the hourly passage rate of just over one per hour was the highest on record for the fishway's 15-year history. The estimate for 2012 was 184 and the estimate for 2013 was 196. Shad passage numbers in 2014 were very low at only 24 estimated from the season's subsample count. The long-term average is approximately 200 American shad passed annually. A total of approximately 80,000 fish passed through the fishway in 2014 with Gizzard Shad comprising about 90% of the total.

3. Stream Monitoring, Juvenile Alosines

2013 Update: Of the 106 juvenile American Shad collected in the upper tidal James River, 46.2% were wild and 53.8% were of hatchery origin. While no juvenile shad were found upstream of Boshers Dam in 2013, finding a high percentage of hatchery fish in the tidal reaches at least confirmed the survival of some proportion

of stocked fish to this stage of their outmigration. A total of 209 juvenile shad were collected in the tidal Rappahannock. Wild fish comprised 88.5% of the sample and 11.5% were of hatchery origin.

In 2014, juvenile alosine collection (boat push net or boat electrofishing) was conducted on the tidal Rappahannock River between Fredericksburg and Port Royal. A total of 259 juvenile American Shad were collected and the otoliths were examined for the hatchery oxytetracycline mark. Hatchery fish comprised 20.8% and 79.2% of the catch was wild. From 2003 to 2014, 56% of the total number of fish checked was wild and 44% of the total was hatchery. There is a clear trend toward a higher percentage of wild juvenile American Shad in the upper tidal Rappahannock sample reach. The Rappahannock will not be stocked in 2015 so juvenile collection this year will be for CPUE purposes only.

The Boshers pool and the tidal James River from Richmond downstream for 10 miles were sampled in 2014. Only one American Shad juvenile was collected in the Boshers pool and it was of hatchery origin (zero collected in 2013, which was the first time since stocking was begun in 1994 that no American Shad juveniles were collected in the Boshers pool). Flows were average to low in 2014, which was the opposite of 2013. In past years, juvenile shad were collected into October and even November. Due to the lack of results in 2014, sampling the Boshers Pool was ended in September. Tidal James sampling was much more productive resulting in the collection of 141 juvenile American shad of which 51.8% were of hatchery origin and 48.2% were wild (very similar ratio in 2013).

4. Fish Passage Projects

Harvell Dam is the first dam encountered by migratory fish on the Appomattox River. After a successful bid process last spring the lowest qualified bidder was selected to complete the removal. Actual in-stream work started on July 1, 2014 when the spring time of year restriction protective of anadromous fish and freshwater mussels ended. A pre-removal architectural study of the dam was conducted in spring 2014 as part of the historical mitigation plan. Dam removal and shoreline restoration was completed by September 2014. A sign describing the history of the Harvell Dam will be erected sometime this spring along the shoreline near the removal site.

The nature-like fishway at a raised culvert on Claiborne Run (tributary to the tidal Rappahannock at Fredericksburg) was completed over the winter. The fish passage facility is part of Stafford County's mitigation plan for the construction of Rocky Pen Run Reservoir that is now complete and being filled. The Fish Passage Crew is working with the consulting firm to monitor the site for all fish species to document colonization of the stream restoration structure and passage of migratory species.

The DGIF continues to pursue the removal of Monumental Mills Dam on the Hazel River. Permits for the project have been received, but the project is on hold while an additional major effort on the title search was recently completed and is being evaluated. This study is being conducted to determine if certain claims to partial river bottom ownership are valid or not. These adjacent landowner issues still need to be resolved before this project is implemented.

At Walkers Dam on the Chickahominy River work on the new boat lock and the final stages of dam replacement appears to be complete. Now that construction activities at the dam are complete, the Fish Passage Coordinator will work with Newport News to establish fishway operation protocols. The new fishway is in operation and we have collected target fish (Alewife) upstream of the dam so far this spring.

5. Stream Fish Community and Recreational Fisheries Stream/River Sampling Summary

During this reporting period, using boat electrofishing techniques primarily, VDGIF conducted survey work, on sections of a multitude of streams which drain into the geographic area covered by the CZMP. Extensive sampling of stream fish communities occurred in the James, Rappahannock, Shenandoah, and York drainages. Relative abundance indices were generally obtained for all species surveyed, for recreationally important

species additional parameters were examined, including analyses of age structure and growth rates based on examination of otoliths.

Reports detailing results will be prepared under Sportfish Restoration Grant F-111-R.

6. River Herring Sampling in Tidal Tributaries

Beginning in March 2015, VDGIF conducted surveys targeting river herring, specifically blueback herring and alewife at Herring and Ward's creeks, which are both tributaries to the James River. Sampling consisted of boat electrofishing in middle to lower sections of each creek, and upper sections required use of backpack electrofishing units. These species are targeted during spawning run to characterize timing of run and relative abundance patterns. The results of this work will be used determine best methods for long-term monitoring of river herring populations in tidal tributaries.

Reports detailing results will be prepared under Sportfish Restoration Grant F-111-R.

7. Tidal River Blue Catfish Diet and Modeling Research Project

Given the variability observed in blue catfish food habits in Virginia tidal rivers, DGIF has contracted with researchers at Virginia Tech to conduct a multi-year, multi-river, multi-habitat, multi-seasonal assessment of blue catfish food habits. At the conclusion of the multiyear fieldwork component of the study the researchers have been asked to assess blue catfish diet, and model impacts on other species at the population level.

The goal of this project is to develop the data required to inform discussions and assessments of potential impacts of blue catfish on other species in the Chesapeake Bay watershed. Data which are currently lacking – we lack the understanding to make informed statements of impact in most cases.

Reports detailing results will be prepared under Sportfish Restoration Grant F-111-R.

8. Assessment of Critical Habitats for Recovering the Chesapeake Bay Atlantic Sturgeon Distinct Population Segment

In 2014–2015, VDGIF biologists conducted periodic maintenance of the James River Atlantic sturgeon receiver array, conducting receiver maintenance and data download and maintenance for 26–28 receiver stations distributed in the tidal river from Richmond (Henrico County/Chesterfield County) downstream to Newport News (Newport News/Isle of Wight Count). Receiver deployment is intended to be part of an ongoing effort to track Atlantic sturgeon movements within the tidal James River system. VDGIF conducts this maintenance in cooperation with NOAA, U.S. Fish and Wildlife Service, Virginia Commonwealth University, and Virginia Institute of Marine Science.

Reports detailing results of this work are being prepared under Section 6 grant from NOAA.

9. Assessment of American Eel in York, James, and Rappahannock Watersheds

In 2014–2015, VDGIF biologists have been collecting American eel specimens within Rappahannock, James, and York watersheds during normal fish community monitoring activities. This project is in close cooperation with Virginia Institute of Marine Science to assess age and growth, parasite loads, and general population characteristics. This broad scale assessment of American eel is the largest ever conducted in Virginia.

Reports detailing results will be prepared under Sportfish Restoration Grant F-111-R.

Geographic Information Systems/Data Management:

VDGIF continued to maintain spatial datasets of wildlife locations and resources in the coastal zone. VDGIF continues to focus on improving the both the range and quality of our species occurrence data as well as information on VDGIF properties.

Wetlands:

1. Mitigation Banking

VDGIF continues to participate on the Inter-Agency Review Team that oversees stream and wetland mitigation banking and provide input on new banks all over Virginia, including the coastal zone. Numerous proposals have been made for new banks and/or additions to existing banks within the coastal region of Virginia during this reporting cycle.

2. Wetland Restoration

VDGIF continues to have an active voluntary wetland restoration program. The program assists private, state, local, and federal government landowners to restore wetlands on their property. Landowners receive assistance with site selection, cost-share programs, restoration design, and permit issues. The Virginia Department of Game and Inland Fisheries is actively restoring wetland habitats in Virginia. Partnerships with organizations such as The U.S. Fish and Wildlife Service's Partners for Fish and Wildlife Program, The U.S. Department of Agriculture's farm bill programs, Ducks Unlimited, The Chesapeake Bay Foundation, and many others have resulted in additional wetland acres restored. We also administer and utilize funds from the Virginia Migratory Waterfowl Stamp to provide assistance to non-profit organizations for wetland restoration and enhancement activities. These funds are provided from a mandatory stamp required of waterfowl hunters

Waterfowl:

1. Mid-Winter Waterfowl Surveys

Annual monitoring and evaluation of continental waterfowl populations is necessary to make informed management decisions and to evaluate management actions such as hunting seasons and habitat manipulations. Migratory waterfowl cross state and international borders and are therefore managed on a flyway and even continental basis. Virginia cooperates with other state and federal agencies in conducting coordinated surveys and monitoring programs to evaluate the overall status of waterfowl populations. This information is used to develop harvest regulations and habitat management strategies.

The mid-winter surveys are designed to estimate populations of waterfowl when they are concentrated on their wintering grounds. Surveys are conducted by Virginia Department of Game and Inland Fisheries (VDGIF) staff during the middle of January with fixed wing airplanes throughout the Chesapeake Bay and its major tributaries. The table below shows the primary groups of waterfowl counted in the mid-winter survey in January 2015, the total number of the waterfowl counted and the percent changes from the five year average for that waterfowl group.

Table 1. The primary guilds of waterfowl counted in the 2015 Virginia Mid-Winter Survey, the total estimate and percent change from the five-year average.

Waterfowl Groups Counted	Total	% Change From 5-year Average
Dabbling Ducks	83,158	+42%
Diving Ducks	95,159	+29%
Sea Ducks	5,650	+112%
Mergansers	1,429	-11%
Geese	187,323	+18%
Swans	9,245	+8%

2. Migration Timing Study

In 2015, VDGIF staff continued the second year of a weekly aerial waterfowl survey to research the timing of the waterfowl migration in late fall and early winter. Waterfowl migration during this time period may be more influenced by photoperiod (day length) than decreases in temperature, which typically drives the migration later in the winter. A replicated study over several years will provide more data on this migration.

Surveys began the first week of November and ended in the third week of December. Data was collected via aerial surveys in watersheds of the Coastal Zone historically containing high populations of waterfowl. Surveys were conducted on Back Bay, the James, Pamunkey, Rappahannock and York rivers. Data from this survey is used when setting waterfowl seasons.

3. Winter American Black Duck Banding

American Black Duck populations have declined by as much as 60% on the wintering grounds and continue to be a species of management concern (Steiner 1984, Whitman and Meredith 1987). Possessing annual estimates of black duck population characteristics, including abundance, sex and age structure, and vital rates (i.e., survival and recruitment) is critical to achieving the goals of the North American Waterfowl Management Plan (NAWMP). These estimates form the basis of black duck adaptive management and allow researchers and managers to assess model predictions, evaluate responses of black ducks to management, and track progress towards NAWMP goals. Black duck population monitoring consists of three complementary programs: seasonal banding, the Mid-Winter Inventory, and the Eastern Breeding Waterfowl Survey.

2015 was the sixth year of a pilot study designed to assess differences in vital rates between black ducks banded during the pre and post hunting seasons. VDGIF is a cooperator on this project along with the BDJV, the Atlantic Flyway Council and the United States Fish and Wildlife Service. In 2015, 299 black ducks were captured and banded. During the five years of VDGIF participation in this pilot study, VDGIF staff have captured and banded 727 black ducks in the coastal region of Virginia. Band return and recapture data will help provide critical life history information for black ducks wintering in this area.

4. Tundra Swan Productivity Surveys

Productivity surveys are conducted annually throughout North America to monitor goose, swan and brant populations. Scan surveys are a common method used to assess productivity and to determine juvenile percentage and family size within a flock of selected waterfowl. These surveys provide an indication of the previous year's breeding and nest success. In the Atlantic Flyway, productivity surveys are conducted annually for Atlantic Brant and Tundra Swans.

In January of 2015, the VDGIF conducted productivity surveys for Tundra Swans at two locations within the coastal zone. These surveys counted 156 Tundra Swans, 13% of the swans counted were juvenile swans.

5. Submerged Aquatic Vegetation Survey in Back Bay, Virginia.

A survey to evaluate the abundance and species composition of Submerged Aquatic Vegetation (SAV) has been conducted periodically in Back Bay since the late 1950's. The survey was conducted occasionally during the 1990's, but only once (2004) from 2000 through 2008. The survey was reinitiated in 2009 and has been conducted for the past 6 years (2009 – 2014).

In 2014, the SAV survey was conducted in mid-October, using the same methods that have been used in the past. Three two-square-foot bottom samples were taken using modified oyster tongs at 500-meter intervals along eight transect lines in the Virginia portion of Back Bay. A total of 264 samples were taken. For each sample, the species of SAV was recorded along with a visual estimate of percent cover or density (low, medium, high). Water depth and GPS coordinates were recorded at each sampling location.

SAV was found in 79 of the 279 samples (27%). In general, SAV was more abundant on those transects located in sheltered areas, or in areas of shallower water. Wild celery was the most common SAV and was detected in 18% of the samples. Other SAV species found (and percent occurrence) included Eurasian milfoil (6%), southern naiad (11%), redhead grass (2%), sago pondweed (1%), *Nitella* spp. (1%) and *Chara* spp. (5%). SAV abundance in 2014 was slightly below that found from 2009-2013. The species of SAV found were similar to those reported in previous years, but were present in slightly different percentages.

Submerged Aquatic Vegetation is an important component of the Back Bay ecosystem. SAV helps improve water quality and provides an important food and habitat source for many fish and wildlife species. Waterfowl numbers in Back Bay are generally correlated with SAV abundance. In years with good SAV growth waterfowl numbers are generally high, while in poor SAV years waterfowl numbers are usually much lower. Mid-winter waterfowl counts were plotted with SAV abundance to show this relationship (Figure 1).

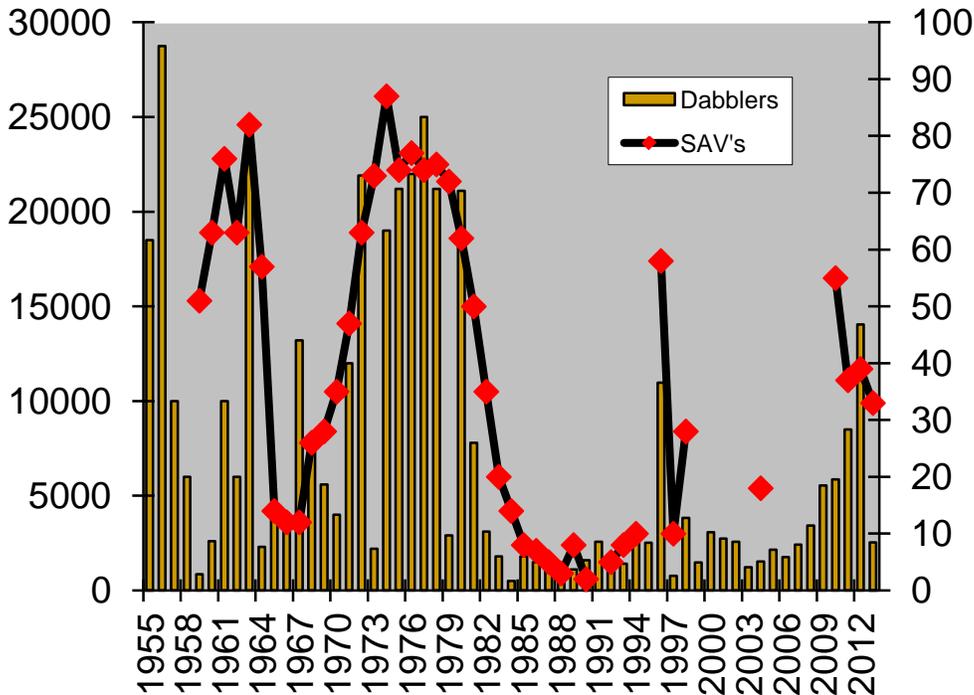


Figure 1. Dabbling duck numbers (in thousands, left axis) and the frequency of Submerged Aquatic Vegetation (SAV) (percent, right axis) from 1955–2013 in Back Bay, Virginia.

NonGame Species Monitoring and Research:

1. American Oystercatcher Winter Surveys

DGIF, The Nature Conservancy’s – Virginia Coast Reserve (VCR) and USFWS continued to conduct an annual winter American Oystercatcher survey in late fall/winter. Since 1999, the winter population estimates ranged between 1600 – 2,903 oystercatchers, which represent approximately 15% - 26% of the estimated Atlantic/Gulf coast population. Our 2015 winter survey yielded a record of 2,903 individuals, which represents a 17% increase from last year’s total of 2,471. The majority of birds were concentrated in the middle marshes of the seaside lagoon system that extend from the backside of Hog Island south to the backside of Wreck Island.

2. Piping Plover Migration Surveys

In the fall of 2014, DGIF conducted a pilot study to assess the abundance and distribution of piping plovers on Virginia’s barrier islands. We conducted 32 surveys from July 31 – October 1, 2014 across 10 barrier islands. We surveyed 60 km. by foot and encountered 77 piping plovers (47 hatch year birds and 30 adults). This pilot effort helped plan and select survey sites for a 2-year regional spring and fall piping plover migration survey effort designed to identify and quantify high use migration stopovers and assess disturbance impacts to help protect these critical habitats for piping plovers and other shorebirds in the mid-Atlantic. Surveys began in March 2015 and will continue through the fall of 2016 (results from the 2015 spring surveys were not available in time for this report). This project is being funded by a Disney Conservation Grant awarded to Conserve

Wildlife Foundation of New Jersey Inc. The grant is providing one temporary technician to assist with spring and fall surveys on 5 selected barrier islands in Virginia.

3. *Virginia/Maryland Sea Turtle Conservation Plan*

In 2011, DGIF contracted with the VA Aquarium and Marine Science Center to oversee and complete a three-year project entitled *Virginia/Maryland Sea Turtle Conservation Initiative*. One component of this multi-faceted endeavor that is being funded by the National Marine Fisheries Service is to update and combine Virginia's and Maryland's sea turtle management plans. The end product will be a sea turtle conservation plan that is tailored to Virginia's and Maryland's in-water habitats and adjacent shorelines. The plan will focus on local threats to sea turtles and describe conservation actions considered necessary to reduce impacts from these threats. During this reporting period, a first draft of the conservation plan was completed sent to key stakeholders for comment, including all the attendees of the 3-day sea turtle conservation planning workshop that was held in June 2014. We are still awaiting comments from several stakeholders. Once all comments have been received and incorporated into the final draft, the plan will be added to the 2015 WAP as an appendix. The final draft will be completed in May 2015.

4. *Atlantic Slope Freshwater Mussel Propagation*

The VA Department of Game & Inland Fisheries continues its cooperative Atlantic Slope freshwater mussel propagation facility with the U.S. Fish & Wildlife Services' Harrison Lake National Fish Hatchery in Charles City, marking the 8th year of production and 9th year of operation at the VA Fisheries and Aquatic Wildlife Center (VFAWC). Propagation for the 2015 season started in early March with the infestation of four batches of notched rainbow (*Villosa constricta*). Additional infestations with other species are planned, starting in April. Due to the harsh winter, the start of the propagation has been delayed by about a month. Collection of gravid females began in early February and continued thru mid-March with the collection of 129 females of eight species from the lower Nottoway, Meherrin, Pamunkey and Appomattox Rivers, and Johns Creek. Collections will continue thru the spring as additional rivers (Nottoway, Meherrin, Mattaponi and Tye River; Mill Creek) and species will be targeted. Target propagation goal for 2015 is approximately 550,000 juvenile mussels with grow out and release of approximately 30K mussels. Thru November, over 49K subadult mussels were released in 2014 so 30K should be a reachable goal. Most of the species targeted for propagation in 2015 are not listed as threatened or endangered, but all are either listed as a species of greatest conservation need in Virginia's Wildlife Action Plan or as a species of concern by the USFWS. However, the federally endangered James spinymussel (*Pleurobema collina*) is being added to VFAWC's propagation list and we are increasing efforts with the state-threatened green floater (*Lasmigona subviridis*). In addition to propagation during 2015, numerous subadult mussels propagated in 2014 are being held for release in 2015. Numerous released individuals were recaptured in March 2015 during collection of females from the Nottoway River, with many reproducing in the wild. Facility wise, VFAWC remains relatively unchanged from our expansion in 2012, including recent system additions. New systems for James spinymussel propagation and grow out will be constructed.

SECTION B.3 FEDERAL CONSISTENCY

During the second half of FY 2014 the Office of Environmental Impact Review/Federal Consistency (OEIR) reviewed 77 development projects and management plans for consistency with the Virginia Coastal Zone Management Program (VCP). This represents 86.5% of the total amount of projects reviewed (89) during this period. Major state projects accounted for 9 projects, 50 were federal actions, and 18 were federally funded projects. The 50 federal projects included 16 federal agency activities, 18 federal licenses and approvals, 1 outer continental shelf project, and 15 projects submitted under the residual category pursuant to the federal consistency regulation (15 CFR 930.31(c)) which consisted of 11 U. S. Department of Housing and Urban Development (HUD) mortgage insurance projects, 1 financial assistance from Health Resources & Services

Administration, 1 U.S. General Services Administration lease proposal and 2 financial assistance from U.S. Department of Agriculture to private entities. All federal consistency determinations and federal consistency certifications were completed within the established legal deadlines.

Representatives from the Office of Environmental Impact Review (OEIR) attended a public meeting held on March 31, 2015 in Norfolk, Virginia hosted by the Bureau of Ocean Energy Management (BOEM) on the Geological and Geophysical (G&G) activities. Eight companies have submitted ten Geological and Geophysical permits in the Atlantic. BOEM is currently in the process of reviewing those permits.

The OEIR continues to provide informal training on federal consistency requirements to consultants who prepare consistency documents for federal agencies and applicants for federal permits and maintains a website for Federal Consistency Reviews which can be accessed through DEQ's main webpage or found at <http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview.aspx> The OEIR webpage is updated weekly.

Table 1 depicts federal projects in Tidewater Virginia reviewed from 10-1-14 to 3-31-15.

TYPE OF FEDERAL PROJECTS REVIEWED*	NUMBER OF PROJECTS COMPLETED	REVIEW PERIOD
*Direct Federal Actions	31	30-60 Days
** Federal Activities (approvals & permits)	18	90 Days
***Federally Funded Projects	0	30 Days
Outer Continental Shelf	1	45-60 Days
TOTAL	50	30-90 DAYS

*Includes 15 FCDs reviewed under the residual category of Subpart C of the Regulations. (eg. HUD Mortgage Insurances and USDA assistance projects).

**These are projects reviewed under Subpart D of the Regulations. These projects include individual permits issued pursuant to Section 404 of the Clean Water Act administered by the U.S. Army Corps of Engineers. Nationwide and regional general permits are certified every five years or as requested by the Norfolk District U.S. Army Corps of Engineers.

*** These include federal assistance to state and local government reviewed under Subpart F.

FEDERAL PROJECTS REVIEWED FOR CONSISTENCY WITH THE VCP from 10/1/14 to 3/31/15

I. Federal Agency Projects

The following projects are examples of federal agency projects subject to Subpart C of 15 CFR 930.33(a)

Cape Charles City Harbor Federal Navigation Project - Norfolk District submitted a draft Supplemental EA (SEA) for maintenance dredging of the Cape Charles City Harbor Federal Navigation Channel in Northampton County. The draft SEA supplements the 1975 and 1987 Eas for restoring the navigation channel. Two key changes have occurred since the maintenance dredging was last performed in October 1987. In 2012, the Atlantic sturgeon (*Acipense oxyrinchus oxyrinchus*) was listed as a federally endangered species under the

Endangered Species Act and its listing generates a need for an updated evaluation of potential impacts. Secondly, the historical beach placement site, Beach Site B, is unavailable for dredged material placement this cycle due to multiple natural resources being located in the area. Alternative overboard placement of dredged material at Wolftrap Alternate Placement Site (WTAPS) and Norfolk Ocean Disposal Site (NODS), beneficial use of dredged material for beach re-nourishment at Tangier or the Western shore of Virginia, and the beneficial use of dredged material for construction purposes at Craney Island Dredged Material Management Area (CIDMMA) and the Craney Island Eastward Expansion (CIEE) project have been evaluated for the placement of dredged material in the immediate maintenance dredging cycle and for future maintenance dredging cycles. The SEA primarily assesses the issues noted since these represent the only changes in the affected environment since the 1975 and 1987 Eas. In addition, the SEA includes a Federal Consistency Determination, which finds the proposed action consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Framework Adjustment 2006 Atlantic Migratory Species Fisheries Management Plan - National Marine Fisheries Service proposed rule will ensure U.S. compliance with recommendations by the International Commission for the Conservation of Atlantic Tunas (ICCAT) that facilitate international monitoring, control, and surveillance measures for Atlantic highly migratory species. In particular, the action would implement the following recommendations (letter, pages 1-2; see also the citations below). Recommendation 12-06, relative to transfer at sea and transshipment would: eliminate a broad exemption for vessels under 24 meters, expand coverage to all ICCAT species, whether transshipped within or outside the Convention Area, increase observer access to documents onboard both transshipping and carrier vehicles; and require data to be provided on ICCAT-managed species being transshipped if those species were caught in association with ICCAT species. Recommendation 12-07, relative to port inspection, would establish a scheme for minimum standards for inspection in port that revises and strengthens the previous port inspection program (Notice, page 54248, center and right columns). Recommendation 13-13, relative to unique vessel identifiers, would require vessels 20 meters or greater to obtain an IMO/LR number by January 1, 2016, as a condition for obtaining a highly migratory species permit and being included on the ICCAT list of authorized large-scale fishing vessels (Notice, pages 54248, right column to 54249, left column). Based on review by MRC, DEQ concurred that the proposed action is consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Short-term Projects and Real Property Master Plan Update - The Army submitted a draft EIS that examines the environmental impacts related to an update of Fort Belvoir's Real Property Master Plan (RPMP) and the implementation of the short-term projects by 2017 and long-term projects by 2030 as outlined in the plan. The draft EIS covered Fort Belvoir's 7,682 acre Main post and the 807 acre Fort Belvoir North Area (formerly known as the Engineer Proving Ground). The purpose of the plan is to provide Fort Belvoir with an updated RPMP that reflects the current missions, needs, and conditions of the site, as well as to address the near-term infrastructure and facility requirements. Fort Belvoir has a growing workforce that is expected to reach 5,000 personnel by 2017 and an additional 12,000 personnel will be added by 2030. The projects identified within the RPMP enabled Fort Belvoir to plan for and manage this projected growth. EIS discussed environmental impacts, cumulative effects, mitigation measures, and alternatives for 56 short-term projects and 19 long-term projects. These projects involved new construction, demolition, and renovation of existing buildings. The plan recommends the type and location of future development but does not go into prescriptive detail of each project, allowing the RPMP to serve as a guiding framework as projects are implemented through 2030. The plan places future projects in areas that were previously developed and have utility connections to minimize impacts wherever possible. Old facilities are reconditioned & in-fill development which recycles existing facilities is promoted. DEQ conditionally concurred with the FCD. The conditional concurrence applied to the following short-term projects outlined in the RPMP only: ST 7, ST14, ST22, ST29, ST30, ST 32, ST 35, ST 36, ST 37, ST 39, ST 40, ST 42, ST 44, ST 45, and ST47-52.

James River National Wildlife Refuge - U.S. Fish and Wildlife Service prepared a draft proposal for managing the James River National Wildlife Refuge (NWR) for the next 15 years, pursuant to federal laws governing National Wildlife Refuges and requiring plan reviews and updates. The James River NWR covers 4,324 acres along the southern bank of the lower James River. The draft Comprehensive Conservation Plan and EA considered three management alternatives, each of which addresses habitat protection and management, cultural resources, and public use and access: Alternative A (“current management,” or no action); Alternative B (“manage forest health with pine-dominated component; new, enhanced, and focused public-use opportunities” (preferred alternative). Alternative C (“Manage forest health with hardwood conversion component; new and expanded public use opportunities”). The U.S. Fish and Wildlife Service stated that the proposed plan is consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments by reviewing agencies, DEQ concurred.

Tyler Beach Federal Navigation Project - The U.S. Army Corps of Engineers proposed to conduct maintenance dredging of the Tylers Beach Federal Navigation Project from Burwell Bay to the James River in Isle of Wight County. The Tylers Beach Federal Navigation Project consists of a 150-foot wide and 300-foot long harbor of refuge and entrance channel with two 370-foot long stone revetment/jetties at the entrance. The entrance channel is 50 feet wide extending into the James River approximately 2,660 feet from the harbor entrance. The harbor and channel will be hydraulically dredged to -9 feet mean lower low water (MLLW), including two feet of paid allowable overdepth and one-foot of nonpaid overdepth. The project depth will require the removal of approximately 25,000 cubic yards of dredged material. Originally, the dredged material was to be placed in an upland confined placement facility located approximately two miles from the planned dredging activities. However, the upland placement facility has not been constructed. For the interim cycle, dredge material will be placed at the Tribell Shoals overboard placement area. Future dredging cycles will maintain the entire channel and harbor of refuge removing an estimated 25,000 cubic yards of dredged material on an approximate 7 year interval.

York River Pump House Demolition - The Department of Homeland Security (DHS), U.S. Coast Guard (USCG) proposed to demolish the York River fire pump house located on the York River main pier at the USCG Training Center Yorktown (TRACEN Yorktown) in York County. The proposed demolition consists of removing the abandoned structure, support pilings, and all mechanical equipment and connections. The intent of the project is to demolish the pump house before additional upkeep and repairs are required. If the demolition is not completed in a reasonable timeframe, the condition of the unused pump house will continue to deteriorate and will soon require a repair project to keep the adjacent pier area safe.

Fort Lee 2014 Range Complex Master Plan - The U.S. Department of the Army has submitted a Supplemental Environmental Assessment (SEA) for the Fort Lee 2014 Range Complex Master Plan (RCMP). Fort Lee is located in Prince George County, Virginia. The proposed 2014 RCMP provides Fort Lee’s decision makers with a single reference document to aid in the planning, programming, and management of all range and training assets. The purpose of the proposed action is to continue to meet the training mission of Fort Lee through the implementation of the 2014 RCMP. The 2014 RCMP strives to balance Fort Lee’s training support mission with infrastructure and environmental considerations. The proposed action is a planning document for the facility that maintains the status quo in terms of how the facility is utilized for training. No new construction is proposed. The SEA includes a Federal Consistency Determination. Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

The Army School System (TASS) Training Center- Fort Lee - The U.S. Department of the Army has submitted a draft Environmental Assessment (EA) for the construction of The Army School System (TASS) Training Center at Fort Lee. Fort Lee is located in Prince George County, Virginia. The proposed facility is a two-story building including classrooms, maintenance facilities, and unheated storage. The building is designed to be 41,368 square feet in size. Associated infrastructure to be built includes a parking lot and a road located to the

south of the proposed building, military equipment parking areas, fencing, security gates and general site improvements and landscaping. The proposed TASS Training Center will accommodate two Army Reserve units that will train over 5,600 students a year in various Military Occupational Specialties. The new building is to be collocated with the existing Gerow Army Reserve Center. The project will result in up to 12 acres of land disturbance. The draft EA includes a Federal Consistency Determination. Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

Standardized Bycatch Reporting Methodology Omnibus Amendment - The Mid-Atlantic and New England Fishery Management Councils have submitted an Omnibus Amendment to the Fishery Management Plans of the Northeastern U.S. to establish a Standardized Bycatch Reporting Methodology (SBRM), incorporating a draft Environmental Assessment and preliminary Regulatory Impact Review, for review and approval by the Secretary of Commerce. The Standardized Bycatch Reporting Methodology Omnibus Amendment would establish a standardized bycatch reporting methodology for all 13 Fishery Management Plans in the region, as required under the Magnuson-Stevens Fishery Conservation and Management Act. The proposed measures include: bycatch reporting and monitoring mechanisms; analytical techniques and allocation of at-sea fisheries observers; a standardized bycatch reporting methodology performance standard; a review and reporting process; framework adjustment and annual specifications provisions; a prioritization process; and provisions for industry-funded observers and observer set-aside programs. The National Marine Fisheries Service (NOAA Fisheries) has submitted a negative determination under the federal consistency regulations of the Coastal Zone Management Act. The basis of the negative determination is that the action is entirely administrative in nature and would not affect the activities of any fishing vessel or port.

Belmont Ferry Farm Trail, Chatham Manor - The Department of the Interior (DOI) National Park Service (NPS) at the Fredericksburg and Spotsylvania National Military Park has submitted an Environmental Assessment (EA) for the construction of the Belmont Ferry Farm Trail at Chatham Manor in Spotsylvania County. The trail segment (Phase IV) of the Belmont Ferry Farm Trail system would be constructed by Stafford County (applicant). The NPS must approve the use of its property for the trail. The trail would be part of the Belmont Ferry Farm Trail, of which several phases have already been constructed and additional phases are planned for the future. The proposed asphalt multi-use trail section is approximately 3,300 linear feet long and 10 feet wide located along River Road in Fredericksburg. Approximately 2,000 linear feet of the trail would cross NPS property at Chatham Manor, part of the Fredericksburg-Spotsylvania National Military Park. The trail would connect the sidewalk at the State Route 3 Bridge over the Rappahannock River with an established trail at John Lee Pratt Memorial Park. The Environmental Assessment includes a Federal Consistency Determination.

Defense Supply Center Richmond- Building 10, 11, and 67 Demolition - The Defense Logistics Agency (DLA) has submitted a Federal Consistency Determination for the proposed demolition of Buildings 10, 11 and 67 at the Defense Supply Center Richmond in Chesterfield County, Virginia. Demolition activities would include complete removal of the structures to grade, capping of utilities below grade, removal of surrounding pavement, and establishment of grass cover and landscaping. Buildings 10 and 11 are 237,600 square-foot warehouses. Building 67 is 330 square-foot former heat plant that provided steam to the adjacent Building 61, which was demolished in 2010. The demolition will help DLA achieve the goals to modernize the facility as identified in the Defense Supply Center Master Plan. A key component of the plan is mission evolution to include administrative, logistical, and operational services over the existing warehouse facilities. Currently, an excess of warehouse space exists on the installation. The demolitions would reduce the excess warehouse capacity and building operation, maintenance, utility, and fire protection costs. The demolitions would result in an increase in permeable surface on the installation, creating a long-term benefit for storm water control and runoff. This consistency determination is submitted for a federal agency activity pursuant to the federal consistency regulation 15 CFR 930.31. Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

Amendment 6 to 2006 Consolidated Atlantic Highly Migratory Species Fishery Mgt. Plan (sharks) - The National Marine Fisheries Service is preparing a proposed rule for Amendment 6 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan, which considers implementing certain management measures in commercial shark fisheries to respond to problems facing these species. The problems include: Commercial landings that exceed the quotas; Declining numbers of fishing permits since limited access was implemented; Complex regulations; Derby fishing conditions due to small quotas and short seasons; Increasing numbers of regulatory discards; and declining market prices. The proposed actions consist of: Adjusting the large coastal sharks (LCS) retention limit; Creating sub-regional quotas in the Atlantic and Gulf of Mexico regions for LCS and small coastal sharks (SCS); Modifying the LCS and SCS quota linkages; Adjusting the non-blacknose SCS quotas in the Atlantic and Gulf of Mexico regions; Removing the upgrading restrictions for shark limited access permits; Modifying upgrading restrictions for shark permit holders. The EA describes a number of alternatives and variations thereof, including the above-listed proposed actions.

Revisions to Guidelines, National Standards 1, 3, and 7 - NOAA submitted a federal consistency determination on its proposed revisions to the guidelines for advisory national standards to assist in the development of fishery management plans. The FCD and proposed revisions to the National Standard guidelines address National Standards 1, 3, and 7 of the Magnuson-Stevens Fishery Conservation and Management Act, which state: National Standard 1: “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.” National Standard 3: “To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated [sic] stocks of fish shall be managed as a unit or in close coordination.” National Standard 7: “Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.” The National Marine Fisheries Service (NMFS) determined that the proposed action is consistent with the enforceable policies of the Virginia Coastal Zone Management Program. On behalf of the Commonwealth, and following review by the Marine Resources Commission, DEQ concurred with the determination. The revisions to the guidelines facilitate compliance with the Magnuson-Stevens Fishery Conservation and Management Act to prevent overfishing, re-build overfished stocks, and achieve optimum yield. The proposed revisions provide guidance to address issues that have emerged as Councils adopted annual catch limits and accountability measures for federal fishery management plans. The proposed revisions also provide guidance on adding flexibility to the application of National Standard guidelines.

Arlington Cemetery, Real Property Master Plan - The U.S. Army prepared a Real Property Master Plan (RPMP) which includes a number of projects and outlines how the Cemetery will address future development and operational needs. The Revised Programmatic Environmental Assessment (Revised PEA) submitted for review is a broad-scale analysis of the RPMP recommendations, which include phased projects and projects in the conceptual stage. (The Commonwealth reviewed a federal consistency determination for this project in 2013, and concurred. The Army committed, in the Revised PEA, to preparing project-specific NEPA documentation before implementing these specific projects.

Fisheries Research Conducted and Funded by the National Marine Fisheries Service’s Northeast Fisheries Science Center - The Northeast Fisheries Science Center is the research arm of the National Marine Fisheries Service in the Northeast Region (which includes ocean waters off Virginia’s coast). The NEFSC conducts research and provides scientific advice to manage fisheries and conserve protected species in the Atlantic Ocean from the U.S.-Canada border to Florida. Research is aimed at monitoring fish stock recruitment, survival and biological rates, abundance and geographic distribution of species and stocks, and other scientific information needed to improve our understanding of complex marine ecological processes. NEFSC has prepared an Environmental Assessment to evaluate potential direct, indirect, and cumulative impacts of conducting and funding fisheries and ecosystem research along the U.S. East Coast, including the Large Marine Ecosystems associated with the Northeast Continental Shelf and the Southeast Continental Shelf.

Approval of Omnibus Amendment to Simplify Vessel Baselines – The National Marine Fisheries Service (NMFS) submitted a negative determination regarding a proposed regulatory change to provide some relief for permit holders whose vessel specifications include original vessel size and horsepower that qualifies for a limited access fishing permit. According to the negative determination, the change would eliminate the one-time limit on vessel upgrades and gross and net tonnages from baseline specifications in order to reduce the administrative burden to permit holders, and to NMFS, from implementing these measures that have little impact on fleet capacity.

NMFS determined that the proposed change will not affect any of the enforceable policies of the Virginia Coastal Zone Management Program and provided a negative determination for that reason. On behalf of the Commonwealth and based on MRC comments, DEQ concurred. MRC indicated that the current list of options contained in Amendment 6 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan (sharks) includes NOAA's preferred option, which is to eliminate the requirement regarding vessel permit transfers to vessels of a similar size and horsepower. MRC staff supported the vessel baseline amendment because permit holders are limited to 36 large coastal sharks per trip, and this limit effectively controls fishing power. MRC also discussed hypothetical situations briefly.

II. Residual Category

The following consistency determinations were submitted as a residual category of Subpart C pursuant to the federal consistency regulation 15 CFR 930.31(c).

Spence Crossing - HUD proposes to provide mortgage insurance under HUD §234(c) of the National Housing Act to Dragas Management Corporation for proposed Spence Crossing in the City of Virginia Beach. The Section 234(c) program insures mortgagees against losses on mortgage loans used for buying a condominium or to refinance individual units in eligible condominium projects. The 84-acre site at 1600 Salem Road is divided into northern and southern sections. The northern section consists of Fernhill at Spence Crossing, Crofton at Spence Crossing, and Malory at Spence Crossing. The southern section consists of Hallstead at Spence Crossing. The development will include the construction of 600 units consisting of single-family townhouses and attached quad style condominiums. The applicant has submitted a Federal Consistency Determination on HUD's behalf which finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments from reviewing agencies, DEQ concurred.

Spring Arbor Cottage of Salisbury - Dominion Due Diligence submitted a FCD for a construction project, called the Spring Arbor Cottage of Salisbury – Memory Care Facility. HUD is processing an application for mortgage insurance under its LEAN 232 NC Program from HHHunt Corporation. The proposed project will involve the construction of a single-story building for a 48-unit memory care facility. The project area includes approximately 5.6 acres of undeveloped grassland and woods. The FCD indicates that there may be wetland impacts. The FCD states that the proposed project will be consistent with the enforceable policies of Virginia Coastal Zone Management Program (VCP). Based on the review of the FCD and the comments submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that the proposed project is consistent with the VCP provided all applicable permits and approvals are obtained

Metro Center II - U.S. General Services Administration has issued a Request for Lease Proposal for the Transportation Safety Administration (TSA). In response, Springfield Parcel C, LLC (applicant) is planning to develop the Metro Center II at the southeast intersection of Springfield Center Drive and Joseph Alexander Road. The site is currently an undeveloped parcel and is predominantly managed turf with sparse trees. The development would consist of two, nine story offices buildings and an above-ground parking garage. The applicant has submitted a Federal Consistency Determination on TSA's behalf, which finds the proposed

project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Eagle Harbor West Apartment - U.S. Department of Housing and Urban Development proposes to provide a loan under HUD §221(d)(4) to Berkadia Commercial Mortgage LLC to finance the construction of the Eagle Harbor West Apartments. The Section 221(d)(4) program assists private industry in the construction or rehabilitation of multifamily rental and cooperative housing for moderate-income and displaced families. Berkadia submitted a FCD for the proposed construction of 8 apartment buildings, a clubhouse with a pool, a maintenance shop, a large pond, and parking areas. The proposed site is a wooded and undeveloped 15.79-acre parcel of land in the Carrollton area. The apartment building will consist of 208 units with 10 internal garages per building. Access to the site will be via Smiths Neck Road or Northgate Drive and a connector road will be constructed on the southern section of the property. This consistency determination is submitted as a residual category pursuant to the federal consistency regulation 15 CFR 930 (c). Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

Charleston Ridge Residential Development - Berkeley Point Capital LLC, (applicant) has applied to the U.S. Department of Housing and Urban Development (HUD) for mortgage insurance covering the construction of a four-building apartment complex of 136 units on a 10.1-acre area on Atlee Station Road and King's Acres Road in Ashland, Hanover County ((parcel ID #7787-95-1158). The project area is undeveloped and forested, and is the site of a single-story abandoned house with a basement and an in-ground swimming pool, which was constructed in 1957. The project would also include construction of a new in-ground swimming pool and a maintenance building. The applicant provided a federal consistency certification that the project would be consistent with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments of reviewing agencies, DEQ concurred, provided that all applicable requirements are met.

Renovation of 5208 Johnson Avenue - The U.S. Department of Housing and Urban Development (HUD) proposes to provide funding under the Neighborhood Stabilization Program (NSP) to Habitat for Humanity (applicant) for the renovation of 5208 Johnson Avenue in the City of Portsmouth. The U.S. Congress established the NSP for the purpose of stabilizing communities that have suffered from foreclosures and abandonment. The applicant proposes to renovate a residential property at 5208 Johnson Avenue that has been determined to be in need of renovation to bring it up to code for human habitation. The scope of work includes internal and external renovations to the existing structure. No land disturbing activities are proposed. The applicant has submitted a Federal Consistency Determination on HUD's behalf that finds the proposal consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Southern Pines Apartment - Department of Housing and Urban Development proposed to provide mortgage insurance under HUD § 221(d)(4) to AGM Financial Services, Inc., (applicant) to finance the construction of the Southern Pines Apartments. §221(d)(4) program provides mortgage insurance for multifamily rental housing for moderate-income families. The project site consists of about 15.682 acres of wooded land located at 2673 Princess Anne Road. Development would include the construction of a 140-unit apartment complex consisting of 9 three-story multi-family residential structures, a one-story clubhouse structure, 24 one-story detached garage structures, an in-ground swimming pool, parking areas, landscaped areas, a patio/covered porch, a grill cabana, and a bowling alley. The applicant has submitted a Federal Consistency Determination on HUD's behalf which finds the proposed project consistent, to the maximum extent practicable, with the enforceable policies of the Virginia Coastal Zone Management Program.

Franktown Community Health Center Renovation - Department of Health & Human Services (DHHS) Health Resources & Services Administration (HRSA) proposed to provide funding under the Patient Centered Medical Home-Facility Improvement grant program to the Eastern Shore Rural Health System, Inc. (applicant) for the

renovation of the Franktown Community Health Center in Northampton County. Renovations to the existing health center building include a new education room, a new dental waiting room, a new dental office “bullpen” for dental providers, and the transformation of four existing exam rooms into dual pediatric medical-dental exam rooms. In addition, new energy efficient light fixtures will replace light fixtures on existing light poles. No land disturbing activities are proposed. The applicant submitted a Negative Determination on DHHS-HRSA’s behalf that finds the proposal will have no impacts on the enforceable policies of the Virginia Coastal Zone Management Program.

Brookland Park Plaza Apartments - The U.S. Department of Housing and Urban Development (HUD) proposed to provide a loan under HUD Section 221(d)(4) to Community Preservation and Development Corporation to finance the construction of the Brookland Park Plaza Apartments. The Section 221(d)(4) program assists private industry in the construction or rehabilitation of multifamily rental and cooperative housing for moderate-income and displaced families. Community Preservation and Development Corporation have submitted a Federal Consistency Determination for the proposed renovation and redevelopment of the former Brookland Park Apartments located at 1221 East Brookland Park Boulevard in Richmond, Virginia. The site consists of a vacant 127,630 square foot apartment building on a 2.614- acre residential parcel. This project proposes to renovate the existing building to be used for a senior living facility. No new structures are proposed for construction on the site. However, parking lots and garden and courtyard areas will be located throughout the site. This consistency determination is submitted as a residual category pursuant to the federal consistency regulation 15 CFR 930.31(c). Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

The Residences at the Government Center - The U.S. Department of Housing and Urban Development (HUD) proposes to provide mortgage insurance under HUD Section 221(d)(4) to Wells Fargo Multifamily Capital (applicant) to finance the construction of The Residences at the Government Center in Fairfax County. The Section 221(d)(4) program provides mortgage insurance for multifamily rental housing for moderate-income families. The project site is approximately 8.12 acres and is comprised of undeveloped wooded land. The property is bounded by Monument Drive, undeveloped wooded land, two small ponds, Difficult Run, and the Fairfax County Government Center. The project includes the construction of a four-to-five story building, two hundred and seventy (270) unit multi-family apartment complex. The site plan includes driveways, surface parking lots, sidewalks, swimming pool, courtyard, stormwater best management practices (BMPs), and two water quality management areas.

Chesterfield Avenue Mixed Use Development - Chesterfield County proposes to provide U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDGB) funding to the Virginia State University (VSU) Trojan Development Company, LLC (applicant) for the construction of the Chesterfield Avenue Mixed Use Development located at Ettrick Village in Chesterfield County. The project site is currently open green space with sparse tree cover and is bordered by open green space, former commercial businesses, and single family residences to the north, the VSU Multipurpose Center (currently under construction) and Second Avenue to the east, commercial properties and open green space with VSU beyond to the south, and Chesterfield Avenue to the west. The approximately 3.14-acre project site will include the construction of a four-story mixed residential over commercial structure with a total area of 111,500 square feet (sf) on a footprint of 30,838 sf. The structure will have a maximum height of 63 feet 8 inches. Approximately 24,086 sf of the site will be improved as impervious surfaces including driveways and parking lots. A parking lot comprised of 108 parking spaces will be located north of the building. The submission of the FCD for this proposal triggered telephone and email discussions between the DEQ Office of Environmental Impact Review (OEIR) and the project consultant, Timmons Group, on whether the Environmental Impact Report Law (Virginia Code §10.1-1188) would apply to the project (emails attached). As described, VSU Trojan Company, LLC, would construct and own the entire development, land and facility. VSU does not intend to occupy the facility and no state funds are involved in its construction. Accordingly, based on the information provided, it was determined that the project did not fall under the state EIR Law. However, the

Department of General Services provided OEIR with a August 29, 2014 lease agreement between VSU and the VSU Trojan Development Company, LLC committing VSU to leasing at minimum of 4,500 square feet of office space at the development.

Baker II Apartments - The U.S. Department of Housing and Urban Development (HUD) proposes to provide HUD Section 8 rental assistance under the Housing Choice Vouchers program to the City of Virginia Beach to support the development and subsequent rental of the Baker II Apartments by The Lawson Companies (developer). The program allows very low-income families to choose and lease safe, decent, and affordable privately-owned rental housing. The HUD funds will come from funds allocated to the City of Virginia Beach Housing Choice Voucher Program as part of the Public and Indian Housing section of HUD. The City of Virginia Beach has submitted a Federal Consistency Determination for the proposed development of the Baker II apartments located at 800 Baker Road in Virginia Beach, Virginia. The project site currently consists of an empty strip mall formerly known as the Weblin Square Shopping Center. Five three-story buildings, containing one, two and three bedroom units (57 units in total), along with associated parking and green space are planned. The project will provide affordable rental apartment units to families earning 80% or less of the area median family income. The total area of land disturbance is 3.2 acres. This consistency determination is submitted as a residual category pursuant to the federal consistency regulation 15 CFR 930.31(c). Based on the review of the FCD and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCD.

The Choices at Holland Windsor, Virginia Beach - The U.S. Department of Housing and Urban Development (HUD) is currently processing an application for mortgage insurance, under its 221(d)(4) program, from Greystone Funding Corporation, which will finance construction of the proposed The Choices at Holland Windsor in the City of Virginia Beach. The project is intended to provide for the establishment of four four-story multi-family apartment structures, twelve two-story townhouse structures, and a single-story clubhouse structure for a total of 252 residential units. Greystone Funding Corporation's consultant submitted a federal consistency determination (FCD) pursuant to the Coastal Zone Management Act. The proposed project site consists of approximately 14.347 acres of undeveloped grassland and wooded land. In addition, several former farm ditches are located on the property and drain to a stormwater retention pond. The FCD states that jurisdictional wetlands will not be affected. According to the FCD, the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP). Based on the review of the FCD and the comments submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that the proposed project is consistent with the VCP provided all applicable permits and approvals are obtained.

Shore Livestock, Construction of Three Poultry Houses - The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is processing an application for a loan submitted by Shore Livestock, LLC (applicant) for the construction of three poultry houses at the Shore Livestock farm at 26678 Berry Road, Bloxom, in Accomack County. The project includes the construction of three 60-foot by 560-foot poultry houses in an area that currently has three existing poultry houses. The three new houses will be built on the front portion of the property.

Chickahominy Tribal Center Addition and Renovation - The U.S. Department of Agriculture (USDA) Rural Development (RD) is processing an application for a loan submitted by the Caroline Care Group (applicant) under its Community Facilities Direct and Guaranteed Loans program for the construction of an addition and the renovation of the Chickahominy Tribal Center. The Chickahominy Tribal Center is located at 8200 Lott Cary Road in the Providence Forge community in Charles City County. The facility is located on a largely undeveloped lot with grassed and wooded areas. The two additions will add approximately 1,348 square feet to the existing structure.

III. Federal Activities (Permits, Licenses and Approval)

These projects were reviewed pursuant to Subpart D of the Consistency Regulations (15 CFR §930.53)

Police Range and Training Facility – The Metropolitan Washington Airports Authority (MWAA) proposed to construct a Police Range and Training Facility at the Washington Dulles International Airport in Fairfax and Loudoun Counties. The proposed project is located in Fairfax County, approximately 0.5 mile west of the end of Runway 1R, immediately south of the Automated People Mover (APM) Maintenance Facility and Flight Line Road, the site of the existing Airports Authority firing range. The training facility would consist of: one 300-yard range oriented in a north/south direction, with firing positions at 50, 100, 200, and 300 yard distances; two 50-yard ranges oriented in an east/west direction; one approximately 98-foot by 60-foot modular, single story training building to include classrooms, offices, restrooms/lockers, kitchen, and other rooms such as an armory, repair shop, defensive tactics room, and cleaning area; a climate-controlled Ammunition Storage Building designed for separate, secured storage for small arms ammunition; and a small paved parking lot for the training building, gravel access roads, a gravel parking lot for the ranges, and associated site-work and utility installation. The ranges will include earthen berms, concrete framed sand traps, and ballistic roofs as appropriate. MWAA submitted a Federal Consistency Certification, for the proposal, which finds the project consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Virginia Regional Commerce Park Phase II - The Norfolk District of the Corps is reviewing a Joint Permit Application submitted by Virginia Regional 1, LLC for the issuance/modification of an individual permit (NAO 2008-3101/09-V0753) pursuant to Sections 401 and 404 of the Clean Water Act (CWA) (Public Law 95-217) for impacts to jurisdictional waters of the United States from the proposed Virginia Regional Commerce Park Phase II in the City of Suffolk. The project located at 2872 Pruden Boulevard will include the construction of three warehouse structures totaling 695,550 square feet of building space, two wet retention stormwater management ponds, access roads, ingress/egress stubs, parking, and trailer parking/storage space. In addition, the southern portion of the property fronting Pruden Boulevard will be developed with commercial, office and retail facilities, associated access roads and parking. The proposed project will also entail the widening of Pruden Boulevard. The project as proposed will result in unavoidable permanent impacts to 1.12 acres of forested wetlands, 0.09 acres of open-water, and 1,556 linear feet of stream. The applicant has agreed to offset any unavoidable wetland impacts through the purchase of stream credits and wetland credits from an approved Mitigation Bank. The applicant proposes to purchase 1,925 streams credits to offset stream impacts, and 2.33 wetland credits to compensate at a 2:1 ratio for forested wetland impacts and a 1:1 ratio for open-water impacts. The applicant has submitted a Federal Consistency Certification which finds the proposed project consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Runway Object Free Area Improvements, Emporia-Greenville Regional Airport - The Emporia-Greenville Regional Airport (Airport or applicant) proposed to establish a new Runway Object Free Area (ROFA) at the facility located in Greenville and Southampton Counties. Runway 16-34 did not meet Federal Aviation Administration (FAA) design standards as U.S. Route 58 on the southern boundary of airport property falls within the ROFA. The approved Airport Layout Plan (ALP) called for the airport's ROFA to be brought into compliance with FAA design standards. The ALP determined that in order to meet the ROFA standards, the Runway 34 threshold would need to be "shifted" 400 feet towards the northwest in order to avoid U.S. Route 58 and to ensure a clear 34:1 slope, non-precision approach surface. Also, the localizer antenna is situated 300 feet from the threshold of Runway 16 which also did not meet the FAA standards. The proposed action included the following elements: acquisition of 32.1 acres of land in fee-simple to accommodate the proposed runway threshold relocation, Runway Protection Zone, and Route 623 realignment; clearing approximately 13.7 acres of trees which will be obstructions to the new Runway 16 end and to accommodate the relocated Runway Protection Zone for Runway 16; relocating Route 623 to accommodate the runway shift and construct two 75 foot long culverts for this roadway; relocating the localizer antenna 600 feet from the relocated end of Runway 16; constructing 187 linear feet of new asphalt runway (100 feet wide) and installing runway edge and threshold lights on the north end of Runway 16-34; constructing a 230-foot by 50-foot new connector taxiway to the new

Runway 34 threshold and removing the old connector taxiway pavement; relocating Runway 16 and 34 threshold lights, Precision Approach Path Indicator (PAPI) lights, and taxiway fillet lights; removing 36 feet of the existing asphalt runway pavement behind the new Runway 34 threshold; and converting the remaining 150 feet to a runway blast pad (150 feet long by 120 feet wide). The applicant submitted a Short Environmental Assessment Form for the proposed action, which included a Federal Consistency Certification.

Taxiway Rehabilitation Suffolk Executive Airport - The Suffolk Executive Airport (applicant) has submitted a Categorical Exclusion Form for the proposed rehabilitation of a taxiway at the facility. The taxiway is located between the terminal apron area and the end of Runway 7 and also includes two taxiway sections between three existing hangars. A 2008 Virginia Department of Aviation Pavement Condition Index Study determined that this pavement was in fair to very poor condition and needs to be rehabilitated to allow for the safe movement of aircraft. The rehabilitation involves milling approximately 50% of the taxiway (6,845 square yards) and repaving with asphalt. An overlay of new asphalt will be applied to taxiway sections which do not require milling. Asphalt material generated from the milling will be reused for repaving the taxiway depending on the condition of the material. The taxiway rehabilitation area totals approximately 13,690 square yards and will require approximately 60 calendar days to complete. All work will be performed on existing paved taxiway areas and entirely on Suffolk Executive Airport property. No additional impervious area will be created. In addition, the Airport has submitted a Federal Consistency Certification, for the proposal which finds the project consistent with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments from reviewing agencies, DEQ concurred.

Richneck Regional Water Quality Retrofit and Flood Control Project Addendum – Newport News (applicant) proposes to construct a regional, dual-purpose water quality and flood control best management practices (BMP) facility in the Stoney Run watershed, a tributary to the Warwick River in the City of Newport News. On July 30, 2013, DEQ reviewed and concurred with a FCC submitted by the applicant for the BMP facility (DEQ 13-107F). In addition to the Stoney Run BMP, the project includes the restoration of 1,500 linear feet of a degraded stream channel that will serve as mitigation to offset impacts associated with work at the BMP. The stream, Baptist Run, is a tributary of the Warwick River that feeds the Lee Hall Reservoir, and is located in York County. Corps notified the applicant that the work to restore Baptist Run was not originally included in the July 30, 2013 DEQ federal consistency review. Accordingly, the applicant has submitted a FCC for the Baptist Run stream restoration proposal. Restoration will involve raising the elevation of the streambed (priority 1/priority 2 restoration) to improve connectivity with the floodplain, and creating a channel form (pattern, dimension, and profile) that is balanced with watershed inputs and capable of maintaining itself over time. The restoration will result in a stabilized stream with no eroding banks (thus improving water quality to downstream aquatic habitats to include the Lee Hall Reservoir), and a new sand/gravel streambed with strategically placed structures (root wads, stone, etc.) that provide hydraulic diversity and benthic and aquatic habitat that is absent in the existing stream system.

Southside Regional Medical Center Parking Lot Expansion - U.S. Army Corps of Engineers is reviewing a JPA submitted by Petersburg Hospital Company, LLC (applicant) for the issuance of an individual permit pursuant to §§ 401 and 404 of the CWA (Public Law 95-217) for impacts to jurisdictional waters of the U.S. from the proposed parking lot expansion project at Southside Regional Medical Center. The expansion will result in the addition of 60 spaces to serve an existing medical office building. The expansion will cause the permanent impact of 0.11 acres of palustrine forested (PFO) and emergent wetlands and 225 linear feet of intermittent stream. The wetland and stream area are non-tidal and derive their hydrology from onsite runoff from the hospital property. The drainage area is less than 100 acres.

Richmond International Airport East Side Roadway/ Utility Expansion - Richmond International Airport (RIC or applicant) proposes to construct the East Side Roadway and Utility Extension at the airport. The project consists of the construction of a new 4-lane undivided roadway and the installation of water & sewer facilities in preparation for future development of the surrounding area. The proposed corridor runs northwest from

Beulah road to Williamsburg Road (State Route 60). The project area is approximately 32.09 acres, and is owned by the Capital Region Airport Commission & consists of an abandoned National Guard site, abandoned buildings, parking lots, roads, and undeveloped forested areas. The applicant provided a certification that the project would be consistent with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments of reviewing agencies, DEQ concurred, provided that all applicable requirements are met.

St. Charles Transportation Project, Dominion Cove Point, Pleasant Valley, Federal Consistency Certification, Dominion - Dominion Cove Point (Dominion) submitted a FCC for the construction of the St. Charles Transportation Project at the Pleasant Valley Compressor Station in Fairfax County. Construction would also occur in Charles County, Maryland. Dominion is seeking authorization from FERC to construct new and modify existing natural gas facilities. At the Pleasant Valley Compressor Station, Dominion proposes to install one 7,000 horsepower electric compressor in the existing compressor building, extend the compressor building, replace the existing filter-separator, add a gas cooler, and install miscellaneous piping and measurement upgrades, meter runs, piping, fittings and valves. Approximately 1.1 acre of land will be permanently developed if the project is implemented. The FCC indicates that wetlands may be affected. According to the FCC, the project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP). Based on the review of the FCC and the comments submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that the proposed project is consistent with the VCP provided all applicable permits and approvals are obtained.

Keys Energy Project, Pleasant Valley Compressor Station, Fairfax County, Federal Consistency Certification, Dominion Virginia Power - Dominion Cove Point (Dominion) submitted a federal consistency certification (FCC) for the construction of the Keys Energy Project at the Pleasant Valley Compressor Station in Fairfax County. Construction would also occur in Charles County, Maryland. Dominion is seeking authorization from the Federal Energy Regulatory Commission (FERC) to construct new and modify existing natural gas facilities. At the Pleasant Valley Compressor Station, Dominion proposes to install one 6,000 horsepower electric compressor and add interconnecting pipes to and from the supply/discharge headers. Approximately 0.9 acre of land will be permanently developed if the project is implemented. According to the FCC, the project will be consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP). Based on the review of the FCC and the comments submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that the proposed project is consistent with the VCP provided all applicable permits and approvals are obtained.

Ashby's Bridge - U.S. Army Corps of Engineers is reviewing a JPA submitted by Oceanside Partners, LLC (applicant) for the issuance of an individual permit pursuant to Sections 401 and 404 of the Clean Water Act (CWA) (Public Law 95-217) for impacts to jurisdictional waters of the United States from the proposed Ashby's Bridge single-family residential development in the City of Virginia Beach. The project is being built on a 16-acre site located at the northwest corner of Sandbridge Road and Atwoodtown Road, in the community of Sandbridge. The site was previously farmed and then converted to pasture. Majority of the site is maintained grassland with the exception of two small woodlots and several ditch lines. The project will include development lots, streets, water systems, sewer systems, drainage and stormwater management systems, utilities and appurtenances necessary for 24 single-family homes. The project will impact 2.657 acres of non-tidal emergent wetlands, 0.394 acres of non-tidal forested wetlands, 0.030 acres of non-tidal forested open water and waters of the US, and 0.291 acres of non-tidal emergent isolated wetlands. As compensation, the applicant proposes to purchase 3.475 credits from The Great Dismal Swamp Restoration Bank, LLC. The applicant has submitted a Federal Consistency Certification which finds the proposed project consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Western Branch Dam Improvements - The City of Norfolk proposes to make improvements to the existing Western Branch Dam, which is located in Suffolk. New construction activities would take place in three phases: 1. The City would construct a new emergency spillway (with an overflow height approximately 2 feet

above normal water surface elevation currently maintained in the reservoir), located north of the existing dam structure; the City would improve the existing parapet wall structure, located on the southern end of the existing spillway. Improvements to the existing spillway must be completed during cooler weather to ensure proper curing of the concrete. Because of its potential impact on tidal wetlands, placement of the downstream stabilizing berm would be carefully considered. The City would make improvements to the existing dam spillway structure. The City states that the proposed project is consistent with the enforceable policies of the Virginia Coastal Zone Management Program. Based on comments by reviewing agencies, DEQ concurred, provided that all applicable requirements are met.

Dominion Terminal Associate LLC Berth and Approach Deepening - The U.S. Army Corps of Engineers is reviewing a JPA from Dominion Terminal Associates, LLC-(applicant) for the issuance of an individual permit pursuant to § 10 of the Rivers & Harbors Act of 1899 (33 U.S.C. 403) for impacts to jurisdictional waters of the United States from the proposed dredging of the berth and approach to the Dominion Terminal Associates facility at 600 Harbor Road. The permitted depth at the facility is currently -52.6 ft mean low water (MLW) and the applicant proposes to increase the depth in the berthing and approach to -57 ft MLW (an increase of 4.4 ft). This would provide berthing and access for larger coal and bulk material handling vessels in order to remain competitive in the market. The dredging footprint consists of approximately 26.5 acres of subaqueous, unconsolidated bottom. The deepening would result in a new work volume of 166,750 cubic yards (cy). Dredging will be completed either hydraulically and pumped directly into the Craney Island Dredged Material Management Area (CIDMMA) or dredged mechanically and barged to the Craney Island Rehandling Basin (CIRB). The project is anticipated to pass a Tier I Sediment Evaluation, which would allow disposal at Craney Island. The applicant has submitted a Federal Consistency Certification that finds the proposed action consistent with the enforceable policies of the Virginia Coastal Zone Management Program.

Leidy Southwest Expansion Project Transcontinental Gas Pipeline Company – The Federal Energy Regulatory Commission is considering a request by the Transcontinental Gas Pipe Line Co (Transco) to issue a Certificate of Public Convenience and Necessity authorizing construction and operation of for proposed activities in Prince William and Fairfax counties. Transco’s purpose is to provide an additional natural gas transportation capacity to delivery points that would be accessible by customers in the mid-Atlantic and southeast. According to the FCC, project activities include modifications of ten existing above- ground facilities in these counties. Construction areas will be located within existing right-of-ways. The majority of impacts would be temporary according to the FCC. The temporary work space required for construction would be approximately 5.47 acres in Fairfax County with 0.02 acres of new easement required. Approximately 1.12 acres, including temporary work space and existing access roads, will be affected in Prince William County. The FCC states that wetlands will not be affected. According to the FCC, the project will be consistent with the enforceable policies of the Virginia Coastal Zone Management Program (VCP). Based on the review of the FCC and the comments submitted by agencies administering the enforceable policies of the VCP, DEQ concurs that the proposed project is consistent with the VCP provided all applicable permits and approvals are obtained.

Virginia Capital Trails Park - George Nice & Sons, Inc. (applicant), in cooperation with the Virginia Department of Transportation (VDOT), has submitted a Joint Permit Application to the U.S. Army Corps of Engineers (Corps) for the issuance of an individual permit pursuant to Section 404 of the Clean Water Act to construct the Park Phase of the Capital Trail Project in Henrico County. The applicant proposes to construct a 10-foot wide scenic paved trail loop extending 3.5 miles, connecting Dorey Park with Four Mile Creek Park. The project will expand recreational opportunities in the area, while increasing tourism and enhancing safety for pedestrians, cyclists, and motorists. The project is contained in a 92.5-acre linear study corridor located approximately 8.5 miles southeast of Richmond. Based on the review of the FCC and the comments submitted by the agencies administering the enforceable policies of the VCP, DEQ concurred with the FCC.

Alicia Drive Project - The Norfolk District of the U.S. Army Corps of Engineers (Corps) is reviewing a Joint Permit Application submitted by Alicia Drive Associates, LLC (applicant) for the issuance of an individual

permit pursuant to Section 404 of the Clean Water Act (Public Law 95-217) for impacts to jurisdictional waters of the United States (WOUS) from the construction of the Alicia Drive apartments in the City of Virginia Beach. The project site is approximately 9.58 acres located southeast of the Virginia Beach Expressway (I-264) and South Independence Boulevard (State Route 225) intersection. The complex will include two apartment buildings with a total of 264 residential units. The apartment buildings will include ground floor parking garages that will provide 190 parking spaces for residents. Additional amenities within the development will include a club house, swimming pool, playground, dog park, grill/picnic areas, and additional surface lot parking. Development of the complex will include utility infrastructure improvements, appropriate stormwater management, and roadway upgrades to Alicia Drive that will provide for traffic ingress and egress.

Route 337 Widening Project - The Norfolk District of the U.S. Army Corps of Engineers (Corps) is reviewing a Joint Permit Application submitted by the Cities of Chesapeake and Suffolk (applicants) for the issuance of an individual permit pursuant to Section 404 of the Clean Water Act (Public Law 95-217) for impacts to jurisdictional waters of the United States (WOUS) from the widening of Route 337 in the Cities of Chesapeake and Suffolk. The Route 337 (Portsmouth Boulevard in Chesapeake and Nansemond Parkway in Suffolk) project consists of roadway improvements for approximately 1.9 miles between the I-664 interchange in Chesapeake and Helen Street in Suffolk. Improvements will consist of widening the existing two-lane roadway to a four-lane divided roadway; adding a variable width median ranging from 16 feet to 40 feet, turn lanes at median breaks, signaling intersections, street lighting, a 5-foot wide sidewalk on the south side and a 10-ft wide multi-use path on the north side; extension of a deceleration lane from I-664 to Jolliff Road along eastbound Portsmouth Boulevard, and construction of roadway drainage improvements (curb and gutter) and stormwater management facilities. A median to accommodate an east-bound left turn lane will be constructed just west of the intersection of Helen Street and Nansemond Parkway in Suffolk to tie the adjacent intersection improvements (Shoulders Hill Road and Nansemond Parkway) into the proposed project. The right-of-way width for these improvements will range from approximately 110 feet to 126 feet with additional areas for stormwater management facilities. It is anticipated that utility corridor easements up to 30-foot wide will be provided along the north and/or south of the proposed right-of-way with isolated exceptions to accommodate drainage features, utility tie-ins and other utility needs.

Newbys Bridge Road Phase II - The Norfolk District of the U.S. Army Corps of Engineers (Corps) is reviewing a Joint Permit Application submitted by Chesterfield County (applicant) for the issuance of an individual permit pursuant to Sections 401 and 404 of the Clean Water Act (CWA) (Public Law 95-217) and Title 62.1 of the Code of Virginia for impacts to jurisdictional waters of the United States from the proposed Newbys Bridge road improvement project in Chesterfield County. The applicant proposes to improve approximately 3,500 linear feet of Newbys Bridge Road between Hagood Lane and Belmont Road. Improvements will consist of widening the pavement and adding an 8-foot shoulder on each side of the road. The horizontal and vertical alignment will also be improved by removing approximately 2,000 linear feet of horizontal and vertical curves. Four culverts will need to be replaced and upgraded to accommodate the new road width. The project purpose is to improve safety along the corridor by improving vertical and horizontal alignment and providing wider lanes and shoulders. As proposed, the project will permanent impact 0.85 acre of forested wetlands, 0.25 acre of nontidal forested wetlands converted to nontidal emergent wetlands, 0.42 acre of nontidal emergent wetlands, 58 square feet of an open-water feature (ditch), and 221 linear feet of stream. To mitigate for the proposed impacts, the applicant proposes to purchase 2.39 wetland credits and 217 stream credits.

Marketplace at Tech Center (formerly Oyster Point Village), Compass Way Road Extension- Marketplace at Tech Center, LLC (formerly Oyster Point Village, LLC) (applicant) is requesting the modification of an existing permit (NAO: 2007-4170) issued by the U.S. Army Corps of Engineers (Corps) to include the construction of the Compass Way road extension at the proposed Marketplace at Tech Center (formerly the proposed Oyster Point Village) in the City of Newport News. DEQ previously coordinated the review of a FCC submitted for the Oyster Point Village project (DEQ 13-195F) and responded with the state's concurrence on January 16, 2014. The original permit and FCC did not include the roadway extension due to a dispute over

the easement, the alignment of the roadway, and wetland impacts. However, due to the need for an additional safe ingress and egress from the site and for the safety of pedestrians, the roadway has since been determined to be necessary for the development. The proposed Compass Way extension will parallel Oyster Point Road, act as a connector road between the development site and the Compass Way traffic signal, and provide a second signalized access point to and from Oyster Point Road. The proposed extension will have a single westbound left turn lane within the existing median on Oyster Point Road at Criston Drive. In addition, the existing westbound left turn lane on Oyster Point Road at Village Green Parkway/Compass Way would be utilized.

IV. Outer Continental Shelf Activities

Installation and Operation of Three Stand-Alone Buoy- or Seabed-Mounted Metocean Measurement Systems - Dominion Resources, Inc. (Dominion or applicant) proposes to install and operate three stand-alone buoy- and seabed-mounted metocean measurement systems as part of the research activities for the Virginia Offshore Wind Technology Advancement Project (VOWTAP) within federal waters off the coast of Virginia. Dominion proposes to deploy a floating Light Detection and Ranging (LiDAR) buoy, a seabed-mounted acoustic wave and current (AWAC) sensor, and a wave measurement buoy (collectively “Met Facilities”) that will be deployed within the Research Lease Area to collect and analyze meteorological data, inclusive of wind speed and direction at multiple heights, and information about other meteorological conditions and the marine environment. The Research Lease Area is located in federal waters approximately 28 miles (mi) (24 nautical miles [nm]) east of Virginia Beach, within Outer Continental Shelf (OCS) Block 6111, Aliquots H and L.

V. Federal Funds

DEQ completed the review of 18 projects from October 1, 2014 to March 31, 2015 that were submitted under 15 CFR, Part 930, Subpart F for federal financial assistance to state and local governments. The projects break out as follows:

- 2 New single-/multi-family construction
- 10 home rehabilitations/weatherizations
- 2 demolition of blighted property
- 1 trail modification project
- 1 rail line abandonment project
- 1 city facility construction project
- 1 residential relocation project

Examples of Federally –funded projects which were reviewed:

Renovation of a Single Family Home, 1107 Kay Avenue - The scope of work for the project includes 14 items (enclosures, file page 4), the following of which affect the exterior of the house: paint whole house, put new locks and screens on windows needing them, remove and replace wooden railing at front door, replace siding in two places where there are holes, remove shed in the back yard and replace it, install covering for front door, Repair/replace 2 joists under the house, repair flashing at the B-vent and nail heads at the pipe penetrations on the roof, and treat termite and powder post beetle damage, and treat for rats.

Home Construction, 12 and 13 Dogwood Street - The Hampton Redevelopment and Housing Authority (HRHA) proposes to construct two single-family houses for low-income residents in the City of Hampton. The two houses will be built on vacant lots at 12 and 13 Dogwood Street in Hampton (zip code 23669). Both houses would be constructed by Peninsula Habitat for Humanity, operating as a CHDO (Community Housing Development Organization, in accordance with HUD rules) and using as much as \$35,000 in matching HOME

grant funds for each house. Both houses would be sold to low- to moderate-income home buyers. Both would be constructed as 3-bedroom, 2-bathroom ranch style houses; the plan name for 12 Dogwood Street is “Southern Cottage,” while the plan name for 13 Dogwood Street is “Janet Model.”

Norfolk Southern Rail Line Abandonment (Docket #AB-290) - Norfolk Southern has applied to the STB for an exemption from the prior approval requirements of 49 U.S.C. section 10903 to abandon approximately 0.46 mile of rail line on its City Point Branch in Hopewell. The rail line travels through industrial and residential land uses from milepost CP 9.40 to milepost CP 9.86, in a north-south direction, closely parallel to the James River. The right-of-way width ranges from 50 to 100 feet, within zip code 23860. If abandonment authority is granted, Norfolk Southern intends to convey the rail line right-of-way to Regional Enterprises for private use. No shippers would be harmed by the proposed abandonment.

Dodd Park Trail Modification (Recreational Trail Grant) - Chesterfield County’s Department of Parks and Recreation proposes a revision to a trail project at R. Garland Dodd Park at Point of Rocks, which is located at 201 Enon Church Road in Chester, Virginia 23836. The County submitted an earlier federal consistency review in 2012, and DEQ reviewed it under DEQ #1651, responding on November 20, 2012. The County proposes to construct a loop trail, 1.7 miles in length (originally 1.32 miles in length) at the above-referenced Park. The County proposes to use funding assistance from the Federal Highway Administration, administered through the Virginia Department of Conservation and Recreation. The trail would have a stone dust surface, and would be eight (8) feet wide, within a 12-foot width clearing. Some 60% of the trail would be aligned with existing trails, which require widening and surface improvements; the remaining 40% would be new construction. New trails would be routed to minimize impacts to vegetation and keep grading needs to a minimum. New trail routes would include handicapped access to the park’s trail system, replacing existing trail segments that are located on unsustainable cross/longitudinal slopes. In addition, the revised project would implement the County’s new trail nomenclature, signage, and trail map standards.

SECTION B.4 PROGRAM CHANGES

In light of procurement requirements of contracting with non-governmental organizations, Virginia CZM staff met with the director of William and Mary’s Coastal Policy Clinic to discuss preparation of future 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.

There is a need to update enforceable policies, including provisions of the Chesapeake Bay Preservation Act, the Erosion and Sediment Control Law, and the Department of Game and Inland Fisheries Administration of Game, Inland Fisheries and Boating Laws. It is expected, however, that the first two laws may be amended during the 2016 session of the Virginia General Assembly in order to address recommendations of two current stakeholder advisory groups. In each case, Virginia will need to identify the enforceable policies from within the list of code sections submitted in the routine program change package.

During the reporting period, Virginia CZM Program staff worked to advance the briefing paper on state-listed threatened and endangered species. Because this issue could not be fully resolved by the CPT, it was previously determined that the provisions of the Virginia CZM Program’s Executive Order regarding resolution of consistency issues should be applied and that the briefing paper should be sent to the Director of DEQ. As reported to the CPT at its February 3, 2015 meeting, however, the intent in adding T&E species to VA CZM’s enforceable policies was not only to include animals but also endangered plants and insects. But 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. VDACS staff have expressed support, but no formal support has been received. CZM staff has requested 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 have offered to provide letters of support for adding T&E species.