

2013

# MIDDLE PENINSULA PLANNING DISTRICT COMMISSION TECHNICAL ASSISTANCE PROGRAM



This project was funded in whole by the Virginia Coastal Zone Management Program at the Department of Environmental Quality through Grant # NA13NOS4190135 Task 44 of the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, under the Coastal Zone Management Act of 1972, as amended. The information provided herein are those of the author(s) and do not necessarily reflect the views of the Department of Environmental Quality, NOAA, or any of its sub agencies.

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## EXECUTIVE SUMMARY

The Technical Assistance (TA) Program, funded through the Virginia Coastal Zone Management Program, provides Middle Peninsula Planning District Commission (MPPDC) staff the opportunity to create and implement adaptive management techniques, enhance communication between local, regional and state stakeholders, as well as inform planning decisions by local, regional, and state coastal managers. The TA Program has been the backbone of coastal zone management in the Middle Peninsula by providing a resource that allows local governments to address coastal zone issues that may otherwise go unanswered. Specifically, the TA Program provides the MPPDC with the necessary administrative framework to assist rural Middle Peninsula coastal localities (i.e. staff, elected officials, and community level groups) in the enhancement of coastal zone management tools and techniques that balance land use, transportation and economic development while protecting coastal resources.

Middle Peninsula localities rely annually on MPPDC staff to provide professional and technical coastal zone management planning assistance on national, regional and local coastal issues and policy and legislative changes that impact how the issues are addressed. Over the past year, the MPPDC has made significant strides in providing education and assistance on issues such as the National Flood Insurance Program, hydro fracturing, coastal resiliency and vitality, public access management, storm water and groundwater management. For the Federal FY13 grant, there were three task outlined and completed under the work program:

1. MPPDC staff provided coastal management support to local government elected officials, chief administrative officers for local governments, local planning staff, local planning commissions and wetlands board's staff. For example, MPPDC staff provided GIS analysis of development proposals, land conversion, land use plans, and local land use ordinance implementation. MPPDC staff also provided research services for new, ongoing and/or emerging coastal issues.
2. MPPDC staff convened monthly-quarterly meetings with local government level planners, government administrators, and other appropriate government and non-governmental (NGO) committees to assist with improved coastal planning.
3. MPPDC staff provided direct research and facilitation support for the implementation of the 2013-2014 Middle Peninsula Chesapeake Bay Public Access Authority (PAA) annual work plan. Specifically, MPPDC staff will assist the PAA with the management of a recent private donation of 97 acres of waterfront land on the Severn River in Gloucester, Virginia. The site is assessed at \$1.6 million and offers many possible new multiple uses and potential waterfront and also water use conflicts. The PAA is seeking funding for the development of a framework for a site management plan. It is envisioned that assistance provided under the Coastal TA grant will compliment the management plan development process undertaken by the PAA. MPPDC staff will work in partnership with the PAA to

determine what uses offer the highest benefit to citizens of the Commonwealth, the host locality and the PAA as the owner of the site. Additionally, MPPDC staff proposes to provide general technical assistance to the PAA with research service to help determine appropriate funding mechanisms for various waterfront improvements such as the establishment and financing of a dredging district, redirecting marine fuel tax for commercial wharf maintenance and improvements and the connection of public waterfront infrastructure which could be used in conjunction with new and existing water trails.

## **I. Introduction**

Funding provided through the Virginia Coastal Zone Management Program (CZM) has enabled the MPPDC to provide coastal management support and coordination to local governments and their elected officials, local planning staff and planning district commission staff as well as other planning district commissions on a broad range of coastal zone issues. This corroboration with other agencies helped MPPDC to build stronger partnerships and working relationships when managing coastal issues. This report will provide insight into how the three objectives of this project, including (1) Coastal Management Support, (2) Local Planning Coordination, and (3) PAA Work Plan & Public Waterfront Management.

## **II. Coastal Management Support**

MPPDC continued to provide coastal management support and specialized training and workshop opportunities to local government elected officials, local planning staff, and planning district commission staff. Topics of interest included shoreline protection and restoration, hydro fracturing, storm water and groundwater management, floodplain management and working waterfront use management.

### **Examples of Coastal Management Support**

Hydraulic Fracturing continues to be an issue causing significant concern affecting several Middle Peninsula localities. MPPDC staff receives inquiries from local officials and the public related to gas and oil exploration across the Middle Peninsula and local land use concerns. Researched lease ownership examples and provided example lease for review by MPPDC Commissioners. MPPDC continues to be a source of information on hydraulic fracturing, commonly known as “fracking”, by researching the topic and associated policy and land use impacts that may affect Middle Peninsula communities. MPPDC staff attended seminars, provided education and outreach materials, as well as coordinated presentations by speakers knowledgeable on the subject matter for localities. The MPPDC has also been instrumental in coordinating speakers from other localities in and outside of the Commonwealth to provide more insight on the topic.

MPPDC staff attended the VACO Local Government Fracking Workshop in Hanover County on May 1, 2014. The workshop focused on the potential impacts on the leasing of mineral rights in

the Taylorsville Basin, the regulatory process required for fracking wells, and the experiences of other localities in Virginia with the process. DEQ and DMME spoke about the regulatory process and stated that no permits to drill have been submitted to date within Tidewater. MPPDC staff attended several similar workshops on the issue of fracking this fiscal year.

As National Flood Insurance reform continues to change with Homeowner Flood Insurance Affordability Act of 2013, MPPDC staff continued to serve as a source of information to local governments on what the changes meant for residents and measures each local government could take to mitigate those impacts. MPPDC continued to educate local officials on the benefits of the Community Rating System and programs available to develop and implement local and regional hazard mitigation plans.

Emergency services response to severe weather and flooding is also a concern of Middle Peninsula localities. MPPDC has met with officials on the state and local level to help identify ways of mitigating the impacts of severe weather on our coastal communities. One effort, introduced to MPPDC by the United States Geological Survey (USGS) is the opportunity to place tide gauges in coastal waters along the Middle Peninsula. The USGS is looking for localities to suggest locations where the USGS would pre-position infrastructure designed to accept the gauges. There is no cost to the localities, but the decision to deploy the gauges would be controlled by the USGS. MPPDC staff is working with the localities to explore this option and has consulted with Mark Slauter, Branch Chief VA Department of Emergency Management, concerning potential tide gauge station locations to help emergency managers plan for flood events within the Middle Peninsula in real time.

Under the FY13 Coastal TA, MPPDC staff was able to attend a Hampton Roads Sea Level Rise/Flooding Adaptation Forum on October 2nd at Old Dominion University that discussed rural flooding issues such as those impacting the Middle Peninsula. The workshop provided information that MPPDC staff used to help local officials and property owners in Mathews County better understand the economic impacts of flooding on the locality.

MPPDC has served as a catalyst for finding solutions to ditching problems and water runoff. With this funding through CZM Program, MPPDC staff was able to look at issues with outfall ditches in various counties in the Middle Peninsula and maintenance responsibilities of those ditches by bringing all stakeholders together to discuss the issues and collaborate on possible solutions. MPPDC staff facilitated several meetings to discuss the findings of the study and how state and local government and property owners could move forward to find a cooperative solution to ditch maintenance. MPPDC staff attended a meeting at the request of MPPDC Commissioner OJ Cole of Mathews to tour and review the magnitude of the Mathews county ditching system. Long range concerns such as devaluation of real estate and tax base, agricultural fields and residential homes with standing water that does not recede and dying silvaculture stands were noted.

MPPDC coordinated with Delegate Keith Hodges and Jennifer Debruike, VDOT Revenue Sharing Program Manager on VDOT's revenue sharing program to find a means of financing drainage ditch system repair. As a result of the meeting, Ms. Debruike expressed willingness for

VDOT to issue a letter of clarification indicating that the VDOT revenue sharing will consider drainage issues impacting the transportation system as Tier 1 projects.

MPPDC staff also applied for and received grant funding through the National Fish and Wildlife Foundation for to research targeted flooding areas in Mathews County. The project includes a contract with Draper Aden and Associates to look at ditches in four key areas that experience recurrent flooding and identify the causes and possible solutions to maintaining the ditches. Ditch maintenance and sea level rise are found to be key factors. MPPDC staff plans to continue to leverage funding to address issue outlined in the final report provided by Draper Aden.

### **III. Local Planning Coordination**

MPPDC Staff continued to convene meetings with local government planners and administration as well as bi-monthly meetings of the Middle Peninsula Chesapeake Bay Public Access Authority (PAA) to discuss ongoing and new issues related to coastal zone management.

#### **Examples of Local Planning Coordination**

This fiscal year, with funding from the CZM Program, MPPDC staff was able to continue to attend training and workshops, and convene stakeholder meetings keeping local officials updated on changes on major issues. This fiscal year came with changes to Virginia Stormwater management regulations for non MS4 localities such as those in the MPPDC staff researched. MPPDC staff researched, compiled information, and drafted a program manual consisting of an ordinance, a staffing and budget plan, and an administrative guidance manual which consists of the policies and procedures of the VSMP. MPPDC staff also provided regular updates at local government administrators meetings regarding program and regulatory changes at the state level.

MPPDC staff convened monthly Local Government Administrators meeting to discuss local issues including local budgets, local/regional storm water management programs, Hazard Mitigation Plan Update match reduction, and regional bio solids monitoring.

Craig Nicol, DEQ Groundwater Program Manager attended the Local Government Administrators meeting to discuss permitting steps for Middle Peninsula water suppliers who now find themselves being regulated. Mr. Nicol's discussed how Middle Peninsula businesses need to apply for permits by the end of June or lose the grandfathering provision being offered by DEQ. MPPDC staff also arranged for Davis Spears, Regulatory Coordinator for the Virginia Department of Mines, Minerals and Energy, to serve as the guest speaker for the May MPPDC Commission meeting. Mr. Spears will be speaking on the permitting process for Oil and Gas operations within the Tidewater region.

MPPDC also convened bimonthly local planners meeting to discuss environmental, transportation and land use issues in the region. Nancy Miller of Department of Environmental Quality attended a local planners meeting to provide information and guidance on Chesapeake bay Act local ordinance update required for localities. Other topics discussed during this year's meetings including boosting the local and regional economy through redevelopment of local

Brownfield sites and potential funding through the Environmental Protection agencies Brownfield Program.

#### **IV. MP CBPAA Work Plan & Public Waterfront Management**

MPPDC Coastal Technical Assistance staff convened monthly and quarterly meetings of the Middle Peninsula Chesapeake Bay Public Access Authority (PAA) with local planners and government administrators to discuss coastal issues in the Middle Peninsula. MPPDC staff assisted the PAA with project facilitation and data collection to support implementation its annual work plan. MPPDC staff provided technical assistance with the management of the public access sites by Middle Peninsula localities.

MPPDC staff convened meetings and met with stakeholders to discuss management approaches for Perrin Wharf, as this facility will serve as a model to the PAA for managing publicly owned waterfront property and infrastructure.

MPPDC staff research information to provide information and guidance on public access right of way issues. MPPDC staff research public interest in Auburn Wharf Road to determine public ingress and egress rights in the public easement after a property owner constructed barriers in the easement inhibiting the flow of traffic. At the request of Matt Walker, Middlesex County Administrator, MPPDC staff also researched the history and public interest in Fairfield Public Landing after a request for abandonment of the right of way was presented to the Middlesex Board of Commissioners by an adjacent property owner.

The Public Access Authority continues to receive requests to donate private land for public use through altruistic giving. MPPDC staff has conducted research local and state regulations to determine any guidelines, restraints or affects on taxation as it pertains to altruistic giving. This fiscal year, the PAA has received several requests to donate sizeable tracts of private waterfront land for new coastal public access.

MPPDC staff initiated software design concepts with Virginia Interactive, LLC to develop online reservation system that will allow users to go reserve and pay for use of PAA land tracts for hunting, building space for public meetings, boat slips, and other uses. The online reservation service will improve efficiency, increase productivity, reduce confirmation/approval times, ability to quickly implement change and manage inventory, and most importantly, a reduction of agency resources needed to process paper work. Beta testing for the program is scheduled to launch October 2014.

MPPDC staff work with Virginia Sea Grant and Virginia Central University to help develop a management plan for Captain Sinclair Recreation area. The plan includes a living shoreline project and building a pier. MPPDC applied for funding that will assist with implementation of the management plan.

**Appendix A**

**Virginia Coastal Zone Management Program Staff Activities  
(October 2013-September 2014)**

*The Coastal Resources Technical Assistance Program provides ongoing support to member localities of the Planning District Commission and other stakeholders committed to improving community development and coastal management within the coastal zone.*

## **October 2013**

Met with Bill Nachman, *Gloucester-Mathews Gazette Journal*, and spoke with Matt Sabo, *Daily Press*, about the Perrin Wharf Construction Project in Gloucester County. Each paper published an article in September discussing the project in a positive light.

Submitted semiannual financial report and reimbursement request to April Bahen, CZM/DEQ.

Researched right-of-way ownership for Paradise Lane and rights state has in use of right-of-way.

Researched ownership and use information for properties along the Aberdeen Creek Master Plan study area.

Consulted with Rod Gordon, Essex County Department of Social Services, related to a disabled client living in substandard housing with snakes and lizards being routinely removed from the home. Mr. Gordon was inquiring about various programs which may be brought to the situation to improve the quality of life of the Essex County citizen.

Met with Chris Ingram, Middlesex County Economic Development Director, concerning various issues impacting economic growth within Middlesex County and the region as large. Discussed tourism, working waterfronts preservation, and wage and labor issues.

Consulted with Pete Mansfield, Middlesex County Board of Supervisor, concerning the drafting and submittal of a regional resolution to bring awareness of water quality challenges of the Potomac aquifer.

Convened the October Local Government Administrators Meeting. Agenda items included:

- o VDOT 6 Year Plan and General Transportation Planning Update
  - o VDOT Ditch Study Results
  - o DEQ Water Supply Plan Compliance Findings
  - o DEQ Stormwater Update
1. Mayors and Chairs meeting on Oct 16th - Stormwater Local Program Development/Education Discussion
  2. Strategy agreement on program structure and cost share commitment

Attended a Hampton Roads Sea Level Rise/Flooding Adaptation Forum on October 2nd at ODU University. Discussed rural flooding issues impacting the Middle Peninsula.

## **November 2013**

Participated in the third Social Coast Forum conference planning team meeting held in February in Charleston, South Carolina. The focus of the national forum was *Understanding people—*

*where they live, what they do, what they value—is an important part of successful coastal management.* The Forum is being discussed and promoted as important because of the following.....

Attended a meeting held at the Virginia Department of Housing and Community Development in Richmond with Essex County representatives to review the proposal submitted for an Enterprise Zone designation. Discussed improvement to the application for the next funding cycle as well as other strategies to make Essex County more economically competitive.

Consulted with Pete Mansfield, Middlesex County Board of Supervisors, concerning salt water intrusion and overall water consumption from the Potomac Aquifer as well as various strategies for discussing the need for promoting water reuse across the region. Discussed the need to promote awareness of Middle Peninsula drinking water and water reuse challenges as well as a resolution encouraging localities to engage in a discussion about the importance of water reuse and water preservation.

Provided Middlesex County Administrator Matt Walker with information concerning pet waste disposal stations for a potential dog and cat park in Deltaville. Advised that the York and Small coastal Basins Roundtable has funding to assist localities with purchasing pet waste disposal stations for water quality improvements.

Discussed Chesapeake Bay Septic Pump Out requirements with a reporter from Smithfield. The reporter was interested in knowing if Middle Peninsula localities send out notices reminding community members of the requirements to pump out septic systems

### **December 2013**

Essex County IDA received notification that the re-scoped AFID project proposal was strong and has recommended it for funding provided that prior to implementation the following occur: (1) The Essex County Board of Supervisors passes a resolution supporting the effort and stating it will consider for adoption the comprehensive strategic plan that is to be the product of this effort, (2) Representatives from the Essex County Board of Supervisors and/or Essex County Staff participate in the Advisory board overseeing and implementing this grant, and (3) The advisory board and/or Essex County IDA consult with the relevant persons from James City County and the Region 2000 PDC to benefit from their experience in undertaking similar AFID Planning Grants. Drafted a resolution to present at the December Board of Supervisors meeting to begin to address these tasks.

Consulted with Sean Trapani, VDOT Saluda Resident Engineer, concerning how York County inventories ditches as a possible model for use across the Middle Peninsula.

Consulted with Sean Trapani, VDOT Saluda Resident Engineer, concerning Carmine Island road ending in Gloucester County as to whether the road has a public interest to the water's edge. Mr. Trapani will provide a copy of the VDOT file for review.

Discussed biosolids application and enforcement issues related to a biosolids overspray on a public road in King William County with Delegate Keith Hodges.

Reviewed and discussed the submittal process requesting financial assistance from the Department of the Interior/ National fish and Wildlife Foundation under the Hurricane Sandy Coastal Resilience RFP. Began drafting a proposal to submit an application to inventory and redesign failing ditches across the Middle Peninsula as well as a proposal to fund a revolving loan and grant program for living shorelines as an adaptation strategy to improve water quality and for adaptation to reoccurring flooding.

Received notification of abstract acceptance to speak at the 2014 National Social Coast forum to be held in Charleston South Carolina in February 2014. Submitted a talk to promote the Middle Peninsula Chesapeake Bay Pubic Access Authority in obtaining private land for public use.

Attended the winter meeting of the Coastal PDC Committee held at Richmond Regional PDC office. Met with representatives from DEQ and discussed upcoming TMDLs and Chesapeake Bay clean up expectations for local government.

Met with John Accordino, Director Center for Urban and Regional Development at VCU, and Thomas Jacoberson, Adjunct Professor at the VCU Urban and Regional Planning program, concerning ways in which VCU can assist with the collection of local demographic data and help with new analysis to determine trends and barriers for community development across the Middle Peninsula and beyond.

#### **January 2014**

Submitted quarterly financials and final reimbursement request to DEQ.

Consulted with Matt Walker, Middlesex County Administrator concerning “Kings Grants” and land ownership rights to land within the Dragon Run Watershed. Provided legal and technical resources to explain how English Crown law rights intersect with American property rights law.

Received a request from Craig Nicol, DEQ Groundwater Program Manager to attend the January Local Government Administrators meeting to discuss permitting steps for Middle Peninsula water suppliers who now find themselves being regulated. Any user requiring in excess of 300,000 gallons a month must apply for a permit. Mr. Nicol’s discussed how Middle Peninsula businesses need to apply for permits by the end of June or lose the grandfathering provision being offered by DEQ.

Received a call from a Middlesex County resident looking for technical assistance on matters related to private donations for public benefit through a 501c3 tax exempt organization. The citizen has a private donor looking to make cash donations in exchange for tax credits.

Consulted with Delegate Keith Hodges and Peggy Sanner, Legal Counsel for the Chesapeake Bay Foundation, concerning strategies to move forward with the mandated local stormwater program requirements. Discussed a three pronged strategy, MS4 localities continue forward with implementation; local option for those localities who desire to administer local programs now as required or lastly shift program oversight back to DEQ to oversee.

Requested a legal review of alleged errors and factual inaccuracies promoted by several constituents related to a Middle Peninsula Ditch Ownership study recently completed by John Morris of Beal, Etherington and Morris. Legal staff has reviewed the claims and has found no basis or reason to modify the findings of the study.

Received an inquiry from an MPPDC Commissioner related to gas and oil exploration across the Middle Peninsula and local land use concerns. Researched lease ownership examples and provided example lease for review by MPPDC Commissioners.

Discussed VDOT revenue sharing program components with Delegate Keith Hodges and Jennifer Debrulle, VDOT Revenue Sharing Program Manager. Ms. Debrulle indicates willingness for VDOT to issue a letter of clarification indicating that the VDOT revenue sharing will consider drainage issues impacting the transpirations system as Tier 1 projects. If the letter of clarification is satisfactory, Delegate Hodges will strike HB 528 Drainage ditch maintenance, etc.; use of revenue sharing highway funds.

Attended a Department of Defense seminar in Hampton, Virginia on the impacts of DOD procurement contracts on regional and local economies in Virginia. The seminar unveiled software that allows localities to see how gaining and losing major DOD contracts will economically affect its jurisdiction both directly and indirectly.

## **February 2014**

Consulted with Delegate Keith Hodges concerning *HB 1173* intended to allow Virginia local governments the choice to administer a local stormwater program or return the administration to the state for oversight.

Consulted with Tim Schrader, Department of Conservation and Recreation State Park Manager, concerning proposed budget amendment to fund capital and maintenance needs for the Middle Peninsula State Park acquired in 2005 located in Gloucester County, near Roswell Plantation. Without capital and maintenance funds, the state park remains closed to the public. Discussed public access issues and dredging issues on Aberdeen creek which abuts part of the state park.

Consulted with Dwayne Roadcap, Acting Division Director for the Virginia Department of Health Office of Environmental Health Services Division of Onsite Sewage, concerning waiver of permit issuance fees and requirements for the issuance of a second permit fee when the AOSE (Authorized On-site Soil Evaluator) makes a lateral change in system technology when a change is necessitated by reasons unrelated to public health. Agreed to host a meeting between Three Rivers Health District, Virginia Department of Health Central Office staff and local AOSE's to discuss the issue.

Drafted final Summary Report and Final Report for FY13 Technical Coastal Zone Management Program.

## **March 2014**

Received information from Tola Adeyemo of The Baldwin Group, regarding a Working Waterfronts panel presentation by the Middle Peninsula staff for the 2014 National Planning Association Conference to be held in Atlanta, GA, April 26-30.

Received a request for information and possible assistance with applying for the Agriculture and Forestry Industries Development Fund (AFID) from Sarah Richards and Bret Schardein of King William County Planning Department.

Received a request and correspondence from Jimmy Syndor, Tappahannock Assistant Town Manager, regarding the National Parks Service Gateways grants for assistance with the Prince Street Road Ending improvements.

Conducted deed research on two properties in Mathews County and one property in Middlesex County donated to the Middle Peninsula Land Trust.

Met with Garrey Curry, Scott Varner, Creig Moore and Bill Lindsey of Gloucester County, Debbie Messmer of the Virginia Department of Emergency Management, and Mr. Wickle and Mr. Lotspeich of the United States Geological Survey (USGS) to discuss three opportunities for placing tide gauges in the Middle Peninsula. The first opportunity is a grant from VDEM to Gloucester County that will fund the purchase and placement of up to 5 tide gauges and warning signs at road sites in the County that may flood during storm events. This grant does not include site maintenance for the gauges. The second opportunity is from the USGS. They have funding for several tide gauges for storm events, but need a commitment of \$5,000.00 per year for 5 years for site maintenance. The equipment would be free, the localities would have input on the tide gauge locations, and the cost could be split among localities who are interested. Some locations suggested at the meeting included the Lower York River, Mobjack Bay, and West Point. This opportunity ends September 30, 2014 (the grant money must be spent by then, so a decision must be made sooner). The third opportunity is from the USGS. They have funding for approximately 20 to 25 portable tide gauges to be deployed at pre-determined sites during storm events. The USGS is looking for localities to suggest locations where the USGS would pre-position infrastructure designed to accept the gauges. There is no cost to the localities, but the decision to deploy the gauges would be controlled by the USGS.

Consulted with Mark Slauter, CFM IFLOWS Branch Chief VA Department of Emergency Management, concerning potential tide gauge station locations to help emergency managers plan for flood events within the Middle Peninsula in real time.

Consulted with Delegate Keith Hodges and Tom Swartzwelder, King and Queen County Administrator, concerning aquaculture and bio solids application. Some concern was raised over a bio solid field application up stream of the largest aquaculture operation on the western shore of the Chesapeake Bay located in King and Queen County. Collaborated to determine land use and water quality issues associated with land and water based farming and what facilitation activities would be needed between private industry groups and the Virginia Department of Environmental Quality to address water quality concerns and permit issuance standards.

Consulted with Tom Swartzwelder, King and Queen County Administrator, concerning public access sites within the county and grant programs available to help improve public access and public fishing.

Consulted with Neal Barber, President of Middle Peninsula Land Trust, concerning a possible public private partnership for a key hub working waterfront facility in Mathews County. Explored various federal and state funding programs which could be utilized to help preserve the site for Commercial fishing.

Consulted with Robert Crockett, President Advantus Strategies, an industry representative for the Bio-solids industry concerning ways to facilitate helpful discussion on matters related to bio solids and water quality concerns. Discussed establishing a bio solids monitoring program at the MPPDC. Reviewed potential revenue overseen by DEQ that could be utilized to fund a staff position at MPPDC. Consulted with the Middle Peninsula Local Government Administrators about the need/desire for a regional bio solids monitor.

#### **April 2014**

Convened Middle Peninsula LGA meeting. Agenda topics included local budgets, Grimm-Waters Federal Flood Insurance Reform, local/regional stormwater management programs, Hazard Mitigation Plan Update match reduction, and regional bio solids monitoring position.

Scheduled meeting with Walter Gills, DEQ Clean Water Financing and Assistance Program, to discuss funding for living shoreline incentive program. Provided Mr. Gills a synopsis of the Living Shoreline Incentive Program Study for discussion at meeting.

Consulted with the Missouri Department of Conservation related to the development of a marketing program for the gifting of private lands for public recreational benefit. Missouri has a successful program in place encouraging the donation of private lands for public benefit.

Discussed an easement right of way logging issue with Anne Ducey-Ortiz, Gloucester County Planning Director.

Discussed the draft findings of the *Sense of the Virginia Working Waterfronts Workshop* report with Rick Lydecker, retired Vice President and Editor of Boat U.S. Mr. Lydecker is helping to prepare the final report.

Received a request from Brian Berkey, First Vice President for Thalhimer Commercial Real Estate in Richmond. Mr. Berkey has a client needing 150,000 – 200,000 SF for a call center along the I-64 corridor from Richmond West to Warsaw.

Received a request to give a lecture at Rappahannock Community College on federal and state environmental regulations.

Consulted with Neil Zahradka, Manager - Office of Land Application Programs Virginia Department of Environmental Quality, concerning the establishment of a regional bio-solids

program to assist with education, outreach and compliance on matters related to bio-solids application within the Middle Peninsula.

Consulted with representatives from the Essex County Countryside Alliance concerning grants to cover legal costs associated with private land donations for public benefit. The Countryside Alliance does not make grants to assist with land closing.

Consulted with Kent Ware, Director for Community Business and Cooperative Programs USDA Rural Development, concerning the submittal of an application requesting funding to study the feasibility of establishing a freezing operation at the Middle Peninsula Regional Jail facility.

Consulted with Susan Fox of The Baldwin Group NOAA OCRM Coastal Services Center in Charleston South Carolina, concerning ways in which coastal economic development data can be used to assist with local and regional decision-making.

Consulted with Jack White, Mathews County Board of Supervisors, concerning flooding within the historic courthouse area and possible adaptation strategies to protect the public area.

Consulted with Tom Swartzwelder, King and Queen County Administrator about various approaches for funding public water access improvements within the county.

Received a call from Cherith Marshall, Washington County, Virginia, concerning fracking operations and land use planning tools within the Middle Peninsula. Provided Ms. Marshall with copies of draft comprehensive plan language.

Updated Jimmy Sydnor, Tappahannock Zoning Administrator/Planning Director on the current approach being offered by VDOT to transfer Prince Street road ending.

Received a question pertaining to Section 15.2-2288 of the Code of Virginia: What constitutes an agricultural “classification” Many zoning ordinance permits agriculture in multiple residential zoning districts which could include waterfront residential district, with a one acre minimum lot size requirement and other off-water district, with various minimum lot size requirement as small as 35,000 square feet. The issue revolves around more intensive aquaculture operation that could include sorting, grading, refrigeration, truck traffic, etc. that would be permitted “by-right” in certain districts, if no special use permit requirement could be applied. However, there may be instances where this type of use could be incompatible with surrounding residential uses. PDC staff will research action by the General Assembly and request legal assistance from the Coastal Policy Law Clinic.

Met via teleconference with Tola Adeyemo, Jeffrey Adkins, and Danielle Molnar of National Oceanic Atmospheric Administration regarding presentation and materials for the Session being hosted at the National Planning Conference in Atlanta on April 27th.

Drafted a presentation for the “Ocean Economic Data for Redeveloping Local Working Waterfronts” session at the American Planning Association Conference in Atlanta on April 27th.

The session will introduce the audience to the Ocean Economy, the ENOW data, and then show case studies of how planners have used the data for planning in regional and local economies or working waterfronts. The Presentation gives insight into the MPPDC's use of ENOW in development of the Comprehensive Economic Development Strategy (CEDS).

Prepared and submitted semiannual reimbursement request to April Bahen, Coastal Zone Management (CZM).

Explored the concept of establishing a maritime business park within Middlesex County with Matt Walker, Middlesex County Administrator.

## **May 2014**

Consulted with Beth Polak, Coastal Zone Management (CZM), regarding Working Waterfronts grant proposal.

Attended a specially called meeting at the request of MPPDC Commissioner OJ Cole from Mathews to tour and review the magnitude of the Mathews county ditching system that has catastrophically failed. Noted the following long range concerns: devaluation of real estate and tax base; standing water and expanding wetlands into private yards; agricultural fields converting to wetlands; residential homes with standing water (around and under) that does not recede; dying Silviculture stands; rewiring of the historic ditch drainage network that does not direct water out of the community, but only circulates the water or causes the water to stand. The problems are beyond what VDOT can singularly address. A possible solution is the formation of a Drainage Authority with the single focus of making the water flow so that land can dry.

Met with Robert Crockett, President of Advantus Strategies and Bio-solids industry representative to discuss the formation of a Middle Peninsula Bio-solids Regional Monitoring position. Discussed how the program could be established and what has worked well in other parts of Virginia.

Arranged for Davis Spears, Regulatory Coordinator for the Virginia Department of Mines, Minerals and Energy, to serve as the guest speaker for the May MPPDC Commission meeting. Mr. Spears will be speaking on the permitting process for Oil and Gas operations within the Tidewater region.

Discussed various FEMA flood insurance and Community Rating System issues with Shannon Hulst of Wetland Watch. Discussed reasons why the program could be beneficial to local governments as well as reasons not to participate.

Discussed a sediment management and shoreline stabilization project concept for under the southwest side of the Urbanna Creek Bridge with Joe Hayman, Urbana Town Council. Agreed to help facilitate funding and coordinate project proposal submission.

Consulted with a local realtor who has a client looking to donate private land to the Middle Peninsula Chesapeake Bay Public Access Authority as part of a conservation tax credit donation.

Attended the VACO Local Government Fracking Workshop in Hanover County on May 1, 2014. The workshop was specifically geared towards discussing the potential impacts on the leasing of over 84,000 acres of mineral rights in the Taylorsville Basin (which underlies the western part of the Middle Peninsula), the regulatory process required for a well, and the experiences of other localities in Virginia with the process. DEQ and DMME spoke about the regulatory process and stated that no permits to drill have been submitted to date within Tidewater. King George County and Rockingham County (Virginia) spoke about the need for: researching what is involved with oil and gas drilling; developing ordinances to address oil and gas development; and developing a relationship with DEQ and DMME to keep abreast of any permit applications. The Southern Environmental Law Center spoke about the tools local governments have regarding this issue. They recommend that localities do four things: 1. Endorse the launch of a state study on gas and oil drilling (such as Essex did with Resolution #14-017 dated March 11, 2014); 2. Update their comprehensive land use plan with guidelines to avoid or minimize the impacts of gas and oil drilling, 3. Update their zoning ordinance to implement the guidelines from the comprehensive plan; and 4. Measure local economic impacts. Finally, a Community meeting on this issue will be held on June 12, 2014 at 7 p.m. at the King George County High School Auditorium for all those interested in learning more.

## **June 2014**

MPPDC planners brainstormed project ideas for the Coastal Zone Management Competitive and Re-programmed funds.

Attended the Virginia Oyster Team meeting on May 21, 2014 which consisted of representatives from the Virginia Tourism Corporation, Virginia Seafood Council, Shellfish Growers of Virginia, Virginia Department of Housing and Community Development, Virginia Department of Agriculture and Consumer Services, and the Artisan Center of Virginia, among others. The team discussed thoughts and ideas to develop a tidewater-wide trail to connect tourists with the seven oyster regions of Virginia. The Team created subcommittees to develop this idea further. No representatives from local government were in attendance.

Consulted with Beth Polak, Virginia Coastal Zone Management Program (CZM), regarding Native Coastal Landscape project proposal for Capt. Sinclair Landing site located in Gloucester County.

Attended a tour of the Flora of Virginia exhibit at the Library of Virginia with CZM staff at their invitation.

Consulted with Mike Jackson, Middlesex County Real estate Agent, concerning a potential gift of land to the Middle Peninsula Chesapeake Bay Public Access Authority in Gloucester County. Provided material on the Virginia Conservation Tax Credit program and suggested contact with the Middle Peninsula Land Trust for additional information.

Discussed a working waterfront real estate development issue on Davis Creek in Mathews County with Tim Hill, Real Estate Agent, Mathews County.

Consulted with Laura McKay, Virginia Coastal Zone Management Program Manager, concerning pending state government shutdown and relations to open and pending NOAA CZMA grants. Requested guidance on billing time to grants without a state budget.

Discussed oil and gas exploration within the Taylorsville Basin with Leslie Middleton, reporter for the Bay Journal.

Researched leased fracking areas within King William County for Bret Schardein, Director of Community Development in King William County as part of King Williams update to the Comprehensive Plan.

Discussed Chesapeake Bay Preservation Act and water dependent uses with Wynn Davis, Wetlands Board Staff for Essex County. Mr. Davis inquired if a port-a-potty could be located within the RPA. Advised that legal counsel should be contacted and that uses within the RPA are limited to water dependant uses and that a port-a-potty would not likely be considered a water dependant use.

Issued permission for Tom Robinson, Mathews County citizen, to access the Mathews Heritage Park by water only to inventory and stabilize the house from storm and rain damage and to maintain trails and pier as necessary, but all permits must be in hand prior to engaging in any activities requiring the same.

Received a letter of inquiry related to the right of way to Auburn Landing. Landscaping posts have been installed to add symmetry to the gravel top road. However, the posts appear to have reduced the public right of way from 40 ft to 15ft. Staff will research the issue further.

Convened the June Local Government Administrators meeting, discussed issues related to state budget; FEMA Federal Flood Insurance Program; Middle Peninsula Juvenile Detention Commission; Industrial Sludge; and, need to engagement by more citizens in the governmental participatory process.

Attended the Virginia Coastal PDC spring meeting held at Leesylvania State Park Prince William County, Virginia. Discussed emerging issues facing local governments across the Coastal Zone as well as upcoming funding opportunities to address TMDL, storm water, failing septic, public access, and FEMA Flood Insurance CRS program.

Consulted with Mark Luckenbach, Associate Dean for Research and Advisory Services at VIMS, to explore the idea of engaging the scientific community and local elected officials about the most pressing science related issues impacting local governments. Discussed how best to approach discussions and what issues are challenging coastal local governments and how can the scientific community further build trust, respect and engage in meaningful dialog over pressing policy concerns.

Submitted an application request to the Dominion Foundation for funding to assist with the Urbanna Creek Living Shoreline Project. The project is an environmental restoration project that proposes collaboration between VDOT, MPPDC, VIMS Shoreline Studies Program, the Urbanna

Oyster Festival Foundation and Christchurch School to create a shoreline protection system and mitigate the impacts of the storm water and groundwater runoff from the right-of-way into the creek.

Attended and presented at the West Point Rotary Club Meeting on Thursday, June 12, 2014 to provide an overview of upcoming storm water management regulations and the implications to local governments.

## **July 2014**

Prepared a draft PowerPoint presentation for the Aberdeen Creek Master Plan Report to be presented at the August 5, 2014, Gloucester County BOS meeting. Sent the draft presentation to Anne Ducey-Ortiz, Gloucester County Planning Director, for review.

Submitted CZM grant proposal to fund a native coastal landscape design and installation of a native bird habitat and pier at the MPCBPAA's Captain Sinclair Landing Recreation Area in Gloucester County. Funding of \$40,000 would be matched by the Gloucester Rowing Association's contribution of materials valued at \$14,400 and \$172,800 in new pending land donations to MPCBPAA.

Reviewed comments and research material submitted by an Essex County citizen concerned about the land use policies of Essex County and the potential of and for oil and gas exploration using hydro fracturing technology.

Consulted with Richard Moncure, Friends of the Rappahannock, concerning a fall meeting to be held in Essex County with elected officials from Pennsylvania. Middle Peninsula elected officials can attend and discuss questions related to fracking and local governance.

Consulted with Matt Walker, Middlesex County Administrator, concerning the submittal of a Department of Game and Inland Fisheries Boating Access proposal. Coordinated a meeting with James Adams, Facilities Manager for DGIF, to discuss more about the Middle Peninsula Chesapeake Bay Public Access Authority and its relationship to Middle Peninsula local governments.

Received notification from the Gloucester Rowing Association of a donation of \$500 to help assist with road maintenance at the Captain Sinclair's Landing.

Submitted application to the Virginia Coastal Program to develop a gifting program for the altruistic giving of land to support the work of the Public Access Authority.

Drafted a grant proposal to the Virginia Coastal Zone Management Program (for 309 funds) to develop a local or regional Drainage and Roadside Ditching Authority to assist localities in resolving drainage and maintenance issues associated with roadside ditches.

Continued to research the deeds and titles to properties adjacent to the beach at the end of Rt. 633 in response to a complaint from a citizen concerning potential infringement on the assumed

public beach at the end of Rt. 633 on Gwynn's Island in Mathews County, VA. To further clarify the issue of public right of way to the beach, met with John Shaw, Director of Planning and Zoning for Mathews County, and local VDOT representatives to discuss and review their files and their history with the property. Findings continue to indicate that a public interest exists, though there is more research that needs to be done to clarify the actual boundaries of the public road and the adjacent properties. Further, VDOT is expected to make a determination on where their interest is on the right of way.

Consulted with Mindy Moran, Mathews County Administrator, and several Mathews County citizens concerning the Mathews Heritage Park and confusion over the permission granted to a citizen interested in preserving the house, trimming the trees, and cutting the grass. The citizen was given water access only permission to conduct maintenance on the house and grounds. Discussed limitation granted with the letter of access. Ultimately, access permission was suspended due to confusion over the issuance of water access permission. Encouraged the citizen to develop and present a plan for consideration for the future use of the property.

Discussed a Gwynn's Island right-of-way issue at the terminus of Tin Can Alley, Rt. 633 in Mathews County with Mindy Moran, Mathews County Administrator, and Sean Trapani, VDOT Saluda Resident Engineer. VDOT will need to do further research as to the correct alignment of the right-of-way.

Consulted with Ann-Ducey Ortiz, Gloucester County Planning Director, and Sean Trapani, VDOT Saluda Resident Engineer, concerning a right-of-way question at the end of Bonneville Lane just off of Jenkins Neck Road in Gloucester County. VDOT has researched and determined state ownership does extend to the water edge on this road.

Discussed Williams Wharf public access issue with a Mr. and Mrs. Wilson of Mathews County who were inquiring about the terms of the public access easement held by the Middle Peninsula Chesapeake Bay Public Access Authority.

Researched Public Access Authority interest in VDOT right-of-way along Bonnaville Road in Gloucester County at the request of VDOT Residency Engineer, Sean Trapani, who received a request for acquisition of the right of way from a neighboring property owner. The right-of-way provides access to a public landing managed by the Public Access Authority.

Researched information and drafted a memo to Mathews County regarding Auburn Wharf Road public ingress and egress easement. The purpose of the memo was to make Mathews County aware of the property owner's placement of posts in an established public easement and ask the Board to examine whether any legal or safety issues exist as result and to proceed accordingly.

Convened the July local government administrators meeting held at MPPDC. Agenda items included discussion about FEMA Federal Flood Insurance Program-Community Rating System; Middle Peninsula Broadband

## August 2014

Received a call from Shannon Hulst of Wetlands Watch requesting assistance with creating a statewide data source on funding opportunities that could be used to assist localities with taking steps to meet the criteria required for Community Rating System certification through the National Flood Insurance Program.

Attended the Climate Adaptation Workshop July 29-31 in Newport News, VA presented by NOAA, Coastal Management, and Hampton Roads Planning District Commission. The workshop provided detailed training on the issues surrounding climate change, performing vulnerability assessments, adaptation planning, communicating with local residents on the issues of flooding and sea level rise, and provided various tools for researching and addressing the issues on the local level. The workshop provided collaboration and interaction with Virginia coastal localities on the issues and how they are addressing repetitive flooding in their communities.

Consulted with Sean Trapani, VDOT Saluda Resident Engineer, concerning the administrative process used to record ditch maintenance calls from constituents which result in VDOT Work Order numbers. Developed a flow chart of how Work Order requests are received by VDOT staff, decisions on work actions, and the closing of Work Orders.

Researched technical and financial assistance available to assist the Town of West Point with phragmites eradication. Provided background material on invasive species control and permit special conditions information. Provided contact information for Lisa Moss, Virginia Fisheries Coordinator Office U.S. Fish and Wildlife Service, who may have limited financial assistance for eradication efforts.

Contacted John Davy, Outdoor Recreation Planner with the National Park Services (NPS), about Federal review for local land use projects that could impact the view shed of the National Captain John Smith Water Trail. Any project requesting federal funding or a federal permit is subject to NPS review, however, the review and comments are advisory.

Discussed the September 19th Fracking meeting to be held at the Old Beal Memorial Church in Essex County with elected officials from Pennsylvania with Richard Moncure, Friends of the Rappahannock, who is coordinating the meeting. Distributed save-the-date cards to all Middle Peninsula elected officials, Planning Commission Chairs, and Planning Directors.

Consulted with U.S. Department of Agriculture Virginia Rural Development Specialist BJ Fulcher concerning a proposal to explore establishing a flash freeze operation at the Middle Peninsula Regional Security Center. Discussed application and project components.

Discussed Mathews County ditching and drainage issues with Mindy Moran, Mathews County Administrator, and G.C. Marrow, Mathews County citizen member serving on the Mathews Ditching Committee. Discussed outstanding VDOT work orders and how VDOT processes work order requests.

Contacted Bay Aging Inc. concerning a citizen in King and Queen County needing financial assistance for a failed well on behalf of Tom Swartzwelder, King and Queen County Administrator. Pat Frere Director of Single Family Housing at Bay Aging Inc. will contact the county to obtain client information and need.

Received a conceptual draft plan for the future use of the Mathews Heritage Park from a citizen in Mathews County for review and comment.

Discussed improvements to real property and how local assessors value engineered septic systems across the Middle Peninsula. Estimates range from \$50,000,000 to \$100,000,000 of improvement to real property across the Middle Peninsula that are not being valued by the assessors and or the Commissioner of Revenue

Discussed Federal Flood Insurance premium notification changes with Dave Bollinger of FEMA who will be the guest speaker at the MPPDC September meeting.

### **September 2014**

At the request of Virginia Department of Conservation and Recreation (DCR), worked with Janit Llewellyn to schedule a meeting to review the Virginia Outdoors Plan. The meeting will be held at the Middle Peninsula Planning District Commission on November 18th to discuss the revisions made to the Virginia Outdoors Plan under the state five year Comprehensive Plan update with local planners

Researched phragmites removal and financial assistance programs for the Town of West Point.

Consulted with a Gloucester County citizen interested in donating 100 acres of waterfront land to the Middle Peninsula Chesapeake Bay Public Access Authority.

Consulted with Beth Polak, Coastal Planner with the Virginia Coastal Zone Management Program, concerning Endangered Species Act and State Historic Preservation Clearance for construction activities associated with the proposed canoe and kayak launch/pier at Captain Sinclair's Recreation area.

Discussed land donation and tax abatement possibilities with Tara Thomas, Treasurer for Gloucester County. Received an inquiry of donation in exchange for abatement of tax due. Researched tax code and determined legislation would be needed to forgive tax due in exchange for public donation for public benefit.

Developed a draft public access Memorandum of Understanding between the Middle Peninsula Chesapeake Bay Public Access Authority and Middlesex County for review by the Middlesex County Administrator. The MOU explains options available, approaches and costs for the Access Authority to actively manage public access sites within Middlesex County.

Consulted with Michelle Jones, Department of Housing and Community Development (DHCD) Building Collaborative Communities Coordinator, concerning Delegate Keith Hodges Economic

Development Summit held at Fulcrum Concepts at the Middle Peninsula Regional Airport. Utilized the Middle Peninsula Comprehensive Economic Development Strategy (CEDS) plan as a foundation to discuss issues impacting growth within the Middle Peninsula.

Discussed flood plain management, flood insurance, community rating system and free board construction standards with Jack White, Mathews County Board of Supervisor. Provided contact information for Roy Hoagland, Director for the William and Mary Coastal Law Policy Clinic, for follow up discussions.

Issued a reminder to Middle Peninsula local government officials of the upcoming visit with elected officials from Washington County, Pennsylvania. Pennsylvania elected officials will be visiting Virginia's Middle Peninsula on Friday, September 19th at 1:00 pm --Old Beale Memorial Church 202 S. Church Lane, Tappahannock, VA 22560 to discuss their observations and the impacts of hydraulic fracturing in their mostly rural county.

Provided background information to Scott Van Der Hyde, Virginia Coastal Program Law Fellow, who has been assigned to help Coastal PDC's with emerging or ongoing legal issues. Scott is researching the process of handling vessels left unattended and "squatting" at public wharfs.

Received an update from Nancy Miller, Virginia Department of Environmental Quality Chesapeake Bay Act Liaison, assigned to the Middle Peninsula. Ms. Miller reports that Chesapeake Bay Act compliance reviews will resume. Additionally, information was provided that funding for septic pumpout will soon be available under a DEQ RFP.

Met with Pete Mansfield, Middlesex County Board of Supervisor, to discuss water reuse and other issues impacting the Potomac aquifer.

Convened the September meeting of the Local Government Administrators. Agenda items included Chesapeake Bay Act Compliances; FEMA Flood Insurance; Secure Commonwealth Panel report and other matters.

**APPENDIX B**

**Staff Activities for Middle Peninsula Chesapeake Bay  
Public Access Authority**

## **October 2013**

Completed and submitted a DGIF funding application for the Stampers Bay Landing site on the Piankatank River in Middlesex County. Proposal requested funds to install 9 boat parking spaces and 1 handicapped parking space as part of a 3 stage access improvement project. The project is designed to provide: more parking access in year 1, ramp renovation and widening in year 2, and an access dock in year 3.

Met with Andy Lacatall from the Nature Conservancy of Virginia and toured the Dragon Bridge Clay Tract in Essex and King and Queen Counties and the Haworth Tract in King and Queen County. Mr. Lacatall is responsible for monitoring The Nature Conservancy easements on each of these properties.

Contacted James Adams, Facilities Director, Infrastructure Division VA Department of Game and Inland Fisheries, concerning the Boating Access Grant program. Discussed the submittal of an application to assist the Gloucester Crew Team (GRT) with the need of a pier at the Captain Sinclair's Recreation Area in Gloucester County for the launching of 65 ft long shells as well as the public's need for a new launch site. Discussed GRT's donation of a floating pier to the Middle Peninsula Chesapeake Bay Public Access Authority as match and how best to value the floating pier. Drafted and submitted a proposal to DGIF for funding for this project.

Received a call from a Middlesex County citizen with questions about the Middle Peninsula Chesapeake Bay Public Access Authority. Citizen desired to discuss the history of Wake public beach and concerns of the neighbors about public use of the beach.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Transferred restricted funds to LGIP account.

Prepared financial analysis and presented flood insurance quotes and options with MPCBPAA Board.

The Middle Peninsula Chesapeake Bay Public Access Authority closed on two new private land donations for public water access. The 5.635 acre site and the 1.78 acre site are both located in lower Mathews County on the Mobjack Bay.

## **November 2013**

Consulted with Lee Stephens of Lee Stephens' Law concerning an issuance of a letter of no-trespass given to an adjoining land owner at the Williams Wharf facility in Mathews County. The Middle Peninsula Chesapeake Bay Public Access Authority holds the public access easement and has the duty to ensure that the public's right of access is not limited by the letter of no-trespass or does the letter of trespass have standing.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Provided checks for recordation of Stuart property acquisition to Attorneys Title.

### **December 2013**

Discussed the VDOT Recreational Road Access program with Bill Dandridge, Project Manager for VDOT. Scheduled a meeting at the Captain Sinclair's Landing in Gloucester County to discuss the possibility and eligibility of elevating the road to improve transportation access to the property during periods of moderate flooding.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Consulted with Carla Woods, DEQ, regarding final Perrin Wharf grant payment to MPCBPAA.

Consulted with Kelly Waters, Sands Anderson, regarding closing on Stuart and BRC Properties and payment of closing costs. Hand delivered check to Attorneys Title for recording of deeds.

Provided staff support for the MPCBPAA in areas such as: property maintenance, equipment maintenance, and public interaction. Met with Billy Bonnaville at the Perrin Wharf in Gloucester County to discuss the renting of slips to commercial watermen. Mr. Bonnaville offered to distribute the contracts and management plan documents to interested parties.

Consulted with Jim Smith, President of Mathews Land Conservancy, and adjoining property owners to the Williams Wharf facility in Mathews County concerning a letter of trespass issued by the Conservancy to the landowners. The question before the Middle Peninsula Chesapeake Bay Public Access Authority is - to what extent does the letter of trespass conflict with the public's right for ingress and egress covered under the public access easement held by the Authority.

### **January 2014**

Developed agenda and convened the December 2013 MPCBPAA Board Meeting on December 13, 2013. Agenda included an overview of properties in Essex County, King and Queen County, Mathews County, Middlesex County, and Gloucester County, including a visual overview of MPCBPAA properties via Google Maps. One specific item of interest includes an update on the progress in designing a web based purchase/reservation system for the public to use to sign up for and access the MPCBPAA properties. System is in the development stage with Virginia Interactive, the company that developed the web based system for buying hunting licenses from the Department of Game and Inland Fisheries, doing the design.

Spoke with Department of Game and Inland Fisheries Conservation Officer Morris about the Cpt. Sinclair Recreational Area property in Gloucester County. Mr. Morris offered to patrol the area for game violations.

Met with Rob Alexander, hunter registered with the MPCBPAA, at the Cpt. Sinclair Recreational Area in Gloucester County to discuss his views on hunting the property, what he thought would work and what he thought would not work. Mr. Alexander's main concern was over hunting/overcrowding of a property during a hunting day. He is in favor of limiting the number of hunters per day based on the zone system. He said that works well at the Browne Tract in Essex/King and Queen Counties and allows for a measure of comfort and safety while hunting.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Updated PAA registration information in SAM – System for Award Management – the federal registration portal required for federal grant reimbursements.

Received notification of denial of funding for the PAA request to the Department of Game and Inland Fisheries for a boat ramp expansion to Stampers Bay landing in Middlesex County as well as for the Captain Sinclair's Recreations area in Gloucester County. The DGIF reviewers were unable to consider the PAA as an applicant because the PAA has no revenue generating authority to cover maintenance. PAA staff has requested a meeting with the DGIF Division Director to discuss how to proceed with future applications.

Met with a Middlesex County resident to discuss road ending public access opportunities across Middlesex County. Discussed the history of the PAA and future direction of water access.

## **February 2014**

Discussed a draft design for a Middle Peninsula Chesapeake Bay Public Access Authority online reservation system with Kirk Whiting, Virginia Interactive, LLC (VI) Director of Operations and Marketing/Project Manager. VI is a wholly owned subsidiary of NIC and signed its original contract with the Commonwealth of Virginia in September 1997. NIC has been in business since 1992 and currently has engagements in 29 states. For nearly 16 years, it has been VI's "privilege to develop, build and operate in the Commonwealth and deliver award winning essential eGovernment information and services to the businesses and citizens".

Consulted with Lee Stephens, Lee Stephens Law, concerning the need to vacate property lines at the Williams Wharf Landing facility in Mathews County. The Middle Peninsula Chesapeake Bay Public Access Authority co-holds the public access easement on the Williams Wharf Facility. Vacating of the property lines does not impact or change the terms of the easement.

Developed agenda and convened the February 2014 MPCBPAA Board Meeting on February 14, 2014. Agenda topics included: election of officers; DGIF grant application discussion for Cpt. Sinclair Recreation area (Gloucester County) and Stampers Bay (Middlesex County); NFWF-Living Shoreline Proposal for Cpt. Sinclair Recreation area (Gloucester County) and potential NFWF proposal for technical help for the Haworth Tract (King and Queen County); General

Assembly Budget Amendment Update, etc. The new Chairman is Mindy Moran, Mathews County, and the new Vice-Chair is Margaret H. Davis, Essex County.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements. Invoiced Gloucester Rowing Association for utility bills at Lands End.

### **March 2014**

Reached out to several private foundations requesting funding to help advance forward the work of the Middle Peninsula Chesapeake Bay Public Access Authority. Received financial commitments from two private groups to cover pending real-estate closing costs associated with private land donations to the Authority.

Met with Jeremy Bonnaville of Crabs Express in Gloucester County to discuss the management of the Middle Peninsula Chesapeake Bay Public Access Authority's (MPCBPAA) Perrin River Wharf. Mr. Bonnaville is working with the MPCBPAA to help find a solution for maximizing the use, maintenance, and upkeep of the slips at the Perrin Wharf.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Processed claim for wind damage to buildings at Capt. Sinclair's Landing to VaCorp. A windstorm event damaged the roof to a barn and pier and pulled gutters from the main house and pool house. Total storm damage was estimated in excess of \$10,000. Claim resulted in payment of \$10,505 to MPCBPAA

### **April 2014**

Designed and printed access stickers for the Perrin Wharf. The applications, one for slip rental and one for wharf use (loading, unloading, temporary tie – up, commercial truck access), were distributed to watermen at the Perrin Wharf on March 31, 2014. The fee for the slips is \$100/mo and the fee for wharf usage is \$20/year. Upon receipt of payment, users will be issued the appropriate sticker.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Prepared draft FY15 budget and presented to MPCBPAA Board for adoption.

Consulted with Jeannie Bristow, C&F Bank, regarding signatory card for PAA checking account to include new officers.

### **May 2014**

Met with watermen at Perrin Wharf to encourage users to pay slip and user fees. Watermen at the Perrin Wharf agree it is a good idea as the revenue generated will be used to improve the wharf.

The fee for the slips is \$100/mo and the fee for wharf usage is \$20/year. Upon receipt of payments, users will be issued the appropriate sticker.

Answered a call from Jean Nelson concerning an alleged infringement on a purported public beach at the end of Rt. 633 on Gwynn's Island in Mathews County. Requested a copy of the road file from VDOT, researched the land and deed records at the Mathews County Courthouse, and spoke with Ms. Nelson about her concerns that the adjoining land owners (to the North) have installed pilings on the beach and have spray painted "No Trespassing" on the pilings and an existing wooden jetty. Research on the issue continues.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Consulted with Carlton Revere, Revere Gas, regarding propane tank at Sinclair Landing. Submitted credit application to Phillips Gas and ordered propane to be delivered so that apartment can be rented to tenant(s) to provide additional revenues for Authority.

Met with representatives from Virginia Interactive to review the first draft of an online reservation and payment portal for reserving PAA land tracts for hunting, building space for public meetings, boat slips, and other resources. The benefits of providing the online reservation service include improved efficiency, increased productivity, shorter confirmation/approval times, the ability to quickly implement change and manage inventory, and most importantly, a reduction of agency resources needed to process paper work.

## **June 2014**

Prepared vouchers, processed A/P, reconciled bank statements. Prepared financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Began preparation of Coastal Zone Management (CZM) grant proposal to fund a native coastal landscape design and installation of a native bird habitat and a pier at the MPCBPAA's Captain Sinclair Landing Recreation Area in Gloucester County. Funding of \$40,000 would be matched by the Gloucester Rowing Association's contribution of materials valued at \$14,400.

Developed and sent Tom Robinson of Mathews County an authorization letter for water access to the Mathews Heritage Park near Moon, VA allowing him to stabilize and repair existing structures on the property and to maintain the existing roads and paths. Mr. Robinson can only access the property by water, must obtain any and all necessary permits, must provide the MPCBPAA a list of volunteers before they visit the property, and must immediately stop any and all work at the request of the MPCBPAA.

Consulted with Delegate Keith Hodges and Brenda Garton, Gloucester County Administrator concerning nonpayment of slip and docking fees at Perrin Wharf. Discussed the need for a

community meeting with the watermen who rely on the wharf to advise on the requirement to remit payment.

In response to a complaint from Ms. Nelson, Mathews County citizen, concerning a potential infringement on a potential public beach at the end of Rt. 633 on Gwynn's Island in Mathews County, VA, went to the Mathews County Courthouse and researched deeds and titles to properties adjacent to the beach at the end of Rt. 633. Also, utilized the title research on Rt. 633 done in John S. Morris' 2013 "Roadside and Outfall Drainage Ditches" report -commissioned by the Middle Peninsula Planning District Commission. Findings indicate that a public interest exists. Contacted Mindy Moran, Mathews County Administrator and John Shaw, Director of Planning and Zoning, to find out how the County would like to proceed. The county stated they would like to protect the right of way.

Held a MPCBPAA board meeting on June 13, 2014. Items on the agenda were: Dan Kavanagh PAA Memorial Fund Established; Prince Street Landing Resolution (Tappahannock -passed); Legal Closing Cost Funding Update; Volunteer Recognition for Pete Shepherd and Perrin River trash collectors; CZMA draft proposal for land donation and marketing in Essex County; Capt. Sinclair Recreational Area update (Gloucester County); Perrin Wharf update (Gloucester County); and Hall Donation Site Update (Mathews County). Members in attendance represented: Essex County, Gloucester County; King and Queen County; King William County; Mathews County; Middlesex County; and the Town of Tappahannock. Also in attendance was Bill Nachman, Reporter from the *Gloucester – Mathews Gazette Journal*.

Discussed Williams Wharf public access issue with a Mr. and Mrs. Wilson of Mathews County who were inquiring about the terms of the public access easement held by the Middle Peninsula Chesapeake Bay Public Access Authority.

Researched Public Access Authority interest in VDOT right-of-way along Bonnaville Road in Gloucester County at the request of VDOT Residency Engineer, Sean Trapani, who received a request for acquisition of the right of way from a neighboring property owner. The right-of-way provides access to a public landing managed by the Public Access Authority.

## **July 2014**

Sent Tom Robinson of Mathews County a revocation of the authorization letter for water access to the Mathews Heritage Park near Moon, VA. The letter advised Mr. Robinson that he is no longer allowed access to the property but could provide a written plan to the MPCBPAA outlining a strategy for developing a community based park at the Mathews Heritage Park. The plan would need to include details of who, what, when, where, why and how and would be presented to the MPCBPAA Board for consideration.

Met with Bill Nachman, *Gloucester-Mathews Gazette Journal*, at the Perrin Wharf to discuss the progress of having users of the dock pay a fee for docking and offloading catch. Mr. Nachman interviewed two watermen who were offloading bushels of crabs and interviewed the driver of a Crabs Express truck who was picking up the crabs and delivering bait to the watermen.

Attended the Gloucester County Board of Supervisors (BOS) meeting on July 1, 2014 and answered questions about the Perrin Wharf and its need for a portable toilet. The Virginia Department of Health requires, by permit, a sanitary waste facility at the site, and the MPCBPAA currently does not have the funding to pay for this. The Gloucester County BOS indicated a strong desire to support the local watermen and passed a motion to fund the placement of a port-a-potty at the Perrin Wharf for one year.

Prepared a briefing on the Mathews Heritage Park for presentation at the July 22, 2014 Mathews County BOS meeting.

Submitted CZM grant proposal to fund a native coastal landscape design and installation of a native bird habitat and pier at the MPCBPAA's Captain Sinclair Landing Recreation Area in Gloucester County. Funding of \$40,000 would be matched by the Gloucester Rowing Association's contribution of materials valued at \$14,400 and \$172,800 in new pending land donations to MPCBPAA.

Continued to populate the PAA online registration website with information about the PAA lands and hunting zones.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared monthly and annual financial statements, input FY15 budget into accounting system.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Responded to a request made to the Middle Peninsula Chesapeake Bay Public Access Authority(PAA) by a Mathews County property owner with an interest in property on Northview Lane formerly known as "Auburn Wharf Road." The property owner contacted the PAA stating that newly constructed landscape posts have been erected along "Auburn Wharf Road" and the neighbor is concerned that the posts obstruct the free flow of traffic. Research conducted by PDC staff found deeds and land records on file with Mathews County dating back as far as 1937 depicting an "unobstructed 50 foot easement for public ingress and egress along "Auburn Wharf Road" establishing its existence. A site visit showed that the posts have been located within the 50 ft. easement and are aligned along both sides of the gravel drive, reducing the drive aisle to 15 ft. It is the recommendation of the Public Access Authority that Mathews County determine whether any issues or concerns, safety or legal, have come into existence as a result of the erection of the posts by the property owner in the easement designated for public ingress and egress.

## **August 2014**

Added the Clay Tract, Captain Sinclair's Recreational Area, and Perrin Wharf to the PAA online reservation website. Property descriptions, hunting zones, and slips were added to the site for reservation.

Tested the reservation site and provided Virginia Interaction with recommendations to improve the site to be more intuitive for the public.

Convened the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA) Board meeting on August 8, 2014 in the MPPDC Board Room in Saluda, Virginia. Attending were: Pru Davis and Reese Peck of Essex County; Chis Hutson and Louise Theberge of Gloucester County; Bret Schardein of King William County; Mindy Moran of Mathews County; Matt Walker of Middlesex County; Jimmy Sydnor of Town of Tappahannock; Holly McGowan of Town of West Point; and MPPDC Staff, Harrison Bresee, Lewie Lawrence, and Beth Johnson. Agenda items included: Update on the Virginia Interactive Reservation System web page; update on timbering contracts; Prince Street Landing resolution in the Town of Tappahannock; Capt. Sinclair and Perrin Wharf updates in Gloucester County; Mathews Heritage Park and Rt. 633 (Tin Can Alley) updates for Mathews County; and Stammers Bay grant application to Virginia Department of Game and Inland Fisheries (VDGIF) update for Middlesex County. The next meeting is scheduled for October 10, 2014.

Began drafting Memorandum of Understanding (MOU) between Middlesex County and the MPCBPAA to define the relationship between the two parties for managing the public access properties in Middlesex County. At a Board of Supervisors meeting earlier, the Middlesex County Board of Supervisors requested that the MPCBPAA develop a plan to manage Middlesex County's public access properties.

Prepared and presented a briefing on the Aberdeen Creek Harbor Master Plan at the July 23, 2014 MPPDC Board Meeting and at the August 5, 2014 Gloucester County Board of Supervisors meeting.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared monthly and annual financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

Received notice of funding from Coastal Zone Management Program for 2 MPPDC projects that will provide services to the PAA. One project will provide for the construction of a dock and native landscaping at the Captain Sinclair's Landing Recreation Area. The other project will provide new public access policy and procedures necessary to encourage the private donation of waterfront land for public benefit.

Consulted with Michael Aukamp, Dunham, Aukamp and Rhodes, LLC, regarding FY14 audit and to request a quote for audit services.

## **September 2014**

Tested the reservation site and provided Virginia Interaction with recommendations to make the site more intuitive for the public.

Edited text for the Brown Tract, Perrin Wharf, and the Thurston Hayworth Tract property boundaries to add a reservation disclaimer.

Received notice of funding from National Fish and Wildlife Foundation (NFWF) for a grant that will install a demonstration living shoreline at the Captain Sinclair Landing site in Gloucester County and establish a Living Shoreline Education exhibit at the main house on the property. Project to also design a living shoreline incentive program; if approved by MPPDC board and capitalized by the state, will provide financial assistance to Middle Peninsula homeowners who opt to install living shorelines on waterfront properties in lieu of shoreline hardening.

Consulted with a Gloucester County citizen interested in donating 100 acres of waterfront land to the Middle Peninsula Chesapeake Bay Public Access Authority.

Drafted a Memorandum of Understanding (MOU) between Middlesex County and the MPCBPAA to define the relationship between the two parties for managing Public Access properties in Middlesex County. At a Board of Supervisors (BOS) meeting earlier, Middlesex County BOS requested that the MPCBPAA develop a plan to manage the public access properties in the County.

Prepared and distributed draft memo of understanding for Middlesex County to utilize PDC staff to explore VDOT road ending ownership issues and other land use concerns specific to landing of local concern.

Attended the September Essex County Rotary Club meeting to discuss the upcoming Essex County Altruistic Giving for public benefit program intended to increase public water access to the water of Essex County. The Middle Peninsula Chesapeake Bay Public Access Authority was awarded grant funds to design a media outreach campaign.

Developed and posted boundary signs for the new hunting areas on the bow hunting only Thurston Haworth property.

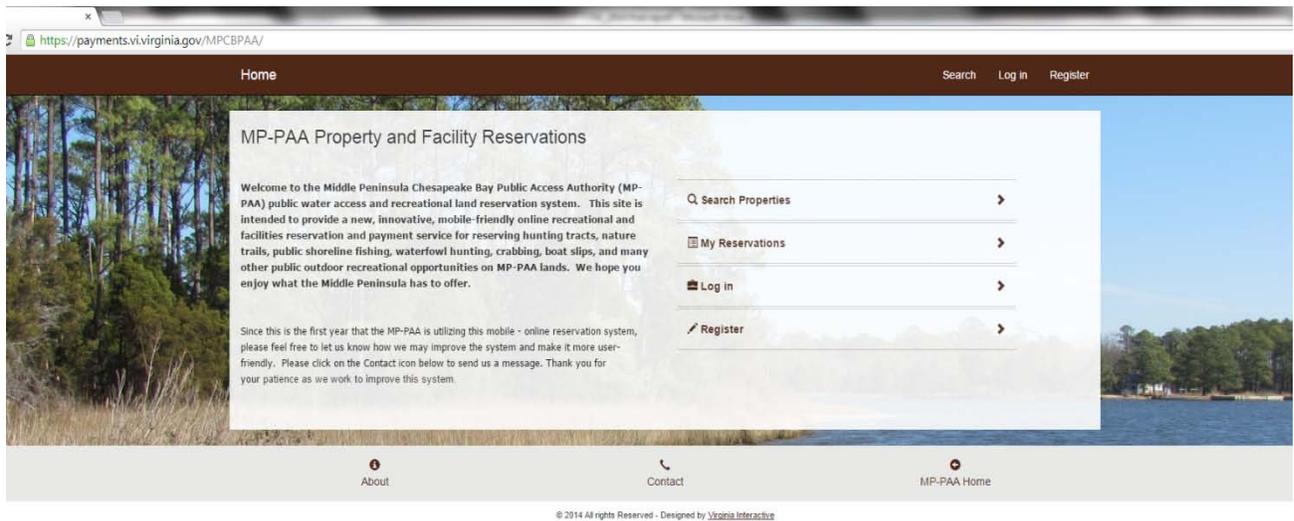
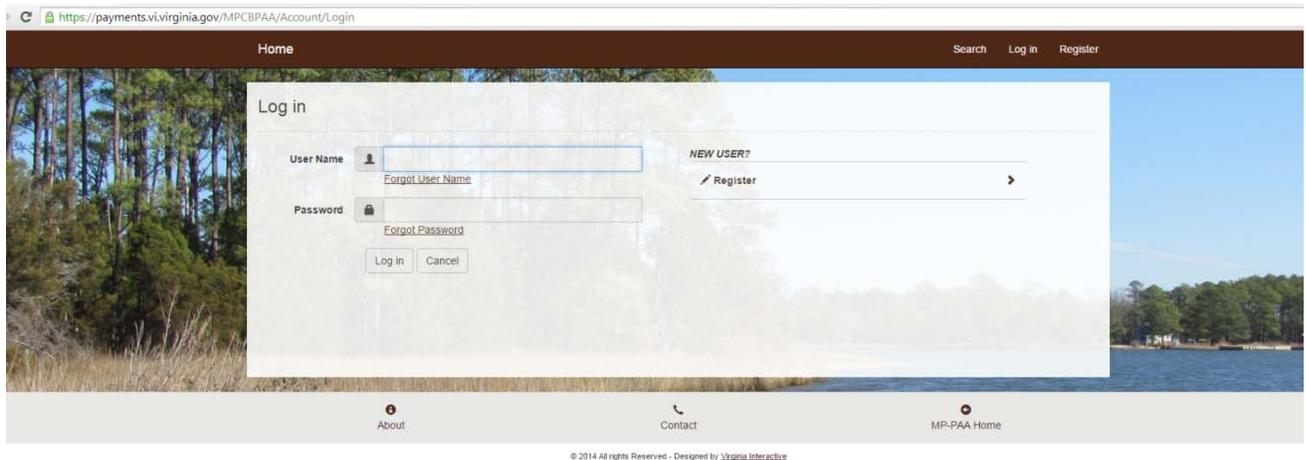
Consulted with Michael Aukamp, Dunham, Aukamp and Rhodes, LLC, regarding FY14 audit and to request a quote for audit services.

Consulted with Kirk Whiting and Ginger Johnson, Virginia Interactive, regarding banking information needed for PAA Registration Website Portal. Requested letter from C&F Bank as required for ACH payment processing.

Prepared vouchers, processed A/P, reconciled bank statements. Prepared monthly financial statements.

Invoiced Gloucester Rowing Association for utility bills at Lands End.

**Appendix C**  
**MP PAA Interactive Online Reservation System**





### Search

Property Name

Property Type

	<b>Browne Tract</b> The Browne Tract is publicly owned and jointly managed by the Middle Peninsula Chesapeake Bay Public Access Authority (MP-PAA) and the Virginia Department of Forestry (VDOF). For more information about hunting VDOF lands, please contact VDOF directly.	Cost <b>\$0.00</b>
	<b>Browne Tract - Hunting Zone 1</b> This is one of 9-hunting zones on the Browne Tract property.	Cost <b>\$10.00</b> (Adult 16+) <b>\$9.00</b> (Senior)
	<b>Browne Tract - Hunting Zone 2</b> This is one of 9-hunting zones on the Browne Tract property.	Cost <b>\$10.00</b> (Adult 16+) <b>\$9.00</b> (Senior)
	<b>Browne Tract - Hunting Zone 3</b> This is one of nine hunting zones on the Browne Tract property.	Cost <b>\$10.00</b> (Adult 16+) <b>\$9.00</b> (Senior)
	<b>Browne Tract - Hunting Zone 4</b>	Cost

