

VNEMO Program Management in the Coastal Zone
FY10 Task 97.03
Final Report, Grant Period October 1, 2010 to March 31, 2012
Grant# NA10NOS4190205
Compiled by Todd Janeski, VCU, Department of Life Sciences
Virginia Department of Conservation and Recreation,
Division of Stormwater Management

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Executive Summary

The VCU Environmental Analyst, as retained by the Virginia Department of Conservation and Recreation (DCR), continued to serve as the Coastal Nonpoint Source Pollution Control Program (CNPS) Manager to administer and implement the NOAA Section 6217 Virginia Coastal Nonpoint Source Pollution Program at the Virginia Department of Conservation and Recreation. The focus of the implementation of the Coastal NPS Program includes the oversight of programs, projects, grants and grant budgets, providing technical support to VDCR Division of Stormwater Management and the Virginia Coastal Zone Management Program, as it relates to coastal zone ecology, management, and restoration. The VCU Environmental Analyst serves other roles and provides additional support to the Virginia DCR in nonpoint source pollution issues, Chesapeake Bay TMDL, grant administration, program and project development and implementation and policy development.

Overview

The Environmental Analyst, at the Virginia Commonwealth University, continued to serve as the Coastal Nonpoint Source Pollution Control Program (CNPS) Manager for the Virginia Department of Conservation and Recreation. Due to the extremely limited funding to support the 56 Management Measures as outlined in the 6217 Guidance, the focus of the Coastal NPS Program is the administration and implementation of the Virginia Network for Education of Municipal Officials Program (VNEMO) and the administration and implementation of the Virginia Healthy Waters Initiative. The VCU Environmental Analyst/ Coastal NPS Program Manager is the lead of the VNEMO Program, and under this Task is focused to support of the regional Sustainable Shoreline and Green Infrastructure Projects in the areas of blue/green infrastructure planning, climate change adaptation planning, coastal community development and nature-resource based planning to achieve local policy changes that protect coastal resources.

The Coastal NPS Program Manager implemented these programs to support various coastal priorities such as the Sustainable Community Planning Focal Area Projects, the integration of the Chesapeake Bay TMDL Watershed Implementation Plan for local government process, and implement the National Fish and Wildlife Foundation Grant at the Science Museum of Virginia. During this reporting period, the Environmental Analyst accepted the role as manager of the Virginia Healthy Waters Initiative due to staff turnover and significant structural and managerial changes at the Department of Conservation and Recreation.

The VCU Environmental Analyst has continued a strong role with the implementation of the VNEMO project in coordinating specific roles and responsibilities within the program delivery and context of the Shoreline Project, under the guidance of the Northern Virginia Regional Commission (NVRC), the VNEMO client. The VNEMO Program Manager also began to outline

the process of conducting public listening sessions around Climate Change and Sea Level Rise in Northern Virginia. Recognizing the need for additional resources to meet the needs under this project, a contract was established with the University of VA Institute for Environmental Negotiation (UVA IEN) to lead the listening sessions in the same manner as those conducted in the VA Beach area. The contract for IEN was secured through the NVRC. The county of Prince William agreed to host the listening sessions, which were planned for the fall, 2011

The Coastal NPS Program Manager was requested by VDCR to implement a training program to improve the capacity of the field staff in implementing outcome based technical assistance for local governments, following the model of the VNEMO Program. This initiative was intended to continue to prepare the VDCR staff for increases in requests for technical assistance from local government for implementation of the CBTMDL, development of the CBTMDL Watershed Implementation Plans and roll-out of the VA SWM Regulations. The VNEMO Program Manager partnered with the NVRC and the UVA IEN to develop a training specifically to equip state personnel and local and regional staff to best engage public policy participants that choose to be obstructive as opposed to inclusive in the decision making process. This training was conducted in October, 2011 and included participants from the VDCR field staff from the Divisions of Stormwater Management and Natural Heritage; VDEQ; VIMS Coastal Resources Center, the Coastal Planning District Commissions and local government.

The Coastal NPS Program Manager continued the management of the +\$2M, NFWF funded, project at the Virginia Science Museum. The Manager continues to share the Project Management role with the Director of Science at the Museum. Project leadership outlined the overall project and identified teams to began the preparation of engineering designs, monitoring program design and educational and outreach materials. During the period, the CNP Manager over saw the advertisement and hiring of a contractor to conduct the installation of the practices at the museum and the construction of porous concrete and bioretention.

The VNEMO Program directly assisted the Division of Natural Heritage in the development of an outreach and engagement strategy around the Priority Conservation Areas data, later to be named the VA Ecological Value Assessment (VEVA). This database effectively integrates the INSTAR stream database at VCU.

The CNP Program Manager continued to partner with the VA DCR Public Communications Office in the development of the new Chesapeake Club campaign, "Plant More Plants" and participated in the Native Plant coordinating process initiated by the VCZM office. The VCU Analyst transitioned to the management of the VA Healthy Waters Initiative and began partnership development with the VA Nature Conservancy and the Albemarle-Pamlico National Estuary Program to expand the range of the program. A policy analysis was conducted under extended VCZM monies to integrate Healthy Waters language into VA Title 10.0 (See Policy Development pg. 9).

Trainings and Capacity Building

Through continued efforts to improve and expand the capacity of the VNEMO Program, this reporting period focus was to develop continued internal capabilities of State personnel to meet

the demands locally and future potential due to Virginia Stormwater Management Program implementation and the Chesapeake Bay TMDL Watershed Implementation Plan, Phase 2. The VNEMO Program Manager partnered with the NVRC and the UVA IEN to develop a training specifically to equip state personnel and local and regional staff to best engage public policy participants that choose to be obstructive as opposed to inclusive in the decision making process. This training was conducted in the 29 October, 2011 and held at the Virginia Science Museum. This training included more than 40 participants representing the VDCR field staff from the Divisions of Stormwater Management and Natural Heritage; VDEQ; VIMS Coastal Resources Center, the Coastal Planning District Commissions and local government.

Technical Assistance Delivery

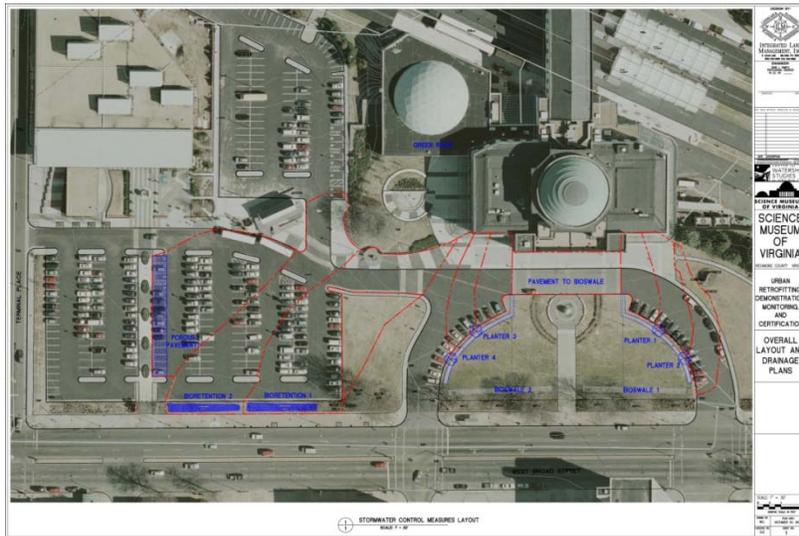
During the grant cycle, the CNP Program Manager continued to co-manage the National Fish and Wildlife Foundation funded project to develop a low impact development research, testing, certification and training facility at the Virginia Science Museum. This project purpose is to demonstrate, teach and monitor such practices as porous pavement, in a controlled environment. As part of the project installation of a 4800sf green roof, 12,000sf of porous pavement, one bioretention cell, two tree well filters and a rainwater harvesting system to serve the museum's community garden watering needs.

The project has included an analysis of the CSO system and development of a CSO management plan that focuses on source control as a means of managing CSO events. A cost benefit analysis communicating the economic benefits of using LID to solve the challenges of CSO issues has been included. The project evaluates the impacts associated with the hydrologic changes due to climate change and the adaptation components necessary that include and estimate the cost benefit of utilizing LID as an adaptation strategy to address CSOs. A VCU Climatologist, NOAA CSC, NOAA Weather and other project partners have assisted in modeling the hydrologic changes due to climate change for the region and modify the LID CSO Study to compare the potential changes in hydrology that may affect the Richmond region and demonstrate how a proactive approach can reduce the costs to the City in their CSO program.

The VCU Environmental Specialist/Analyst and Program Manager partnered with the Science Museum of Virginia and the Science Museum of Virginia Foundation to develop the proposal and included such partners as: Virginia Commonwealth University, Virginia Tech, University of New Hampshire, VA Dept of Conservation, Alliance for the Chesapeake Bay, NOAA Coastal Services Center and Chesapeake Bay Program Office, and the City of Richmond. Currently, the total budget is approximately in excess of \$2.5M and will be completed in 2012. The site will have served as a training facility for the VDCR SWM Program training component as well as other educational presentations on water quality, environmental management, the Chesapeake Bay TMDL and land planning. The CNP Program Manager/ VNEMO Program Manager will continue to implement trainings specifically for local officials to inform on the benefits of LID and climate change adaptation planning using LID. The museum staff and the CNP Program manager are developing educational programs tailored to meet the Virginia standards for learning and general public.



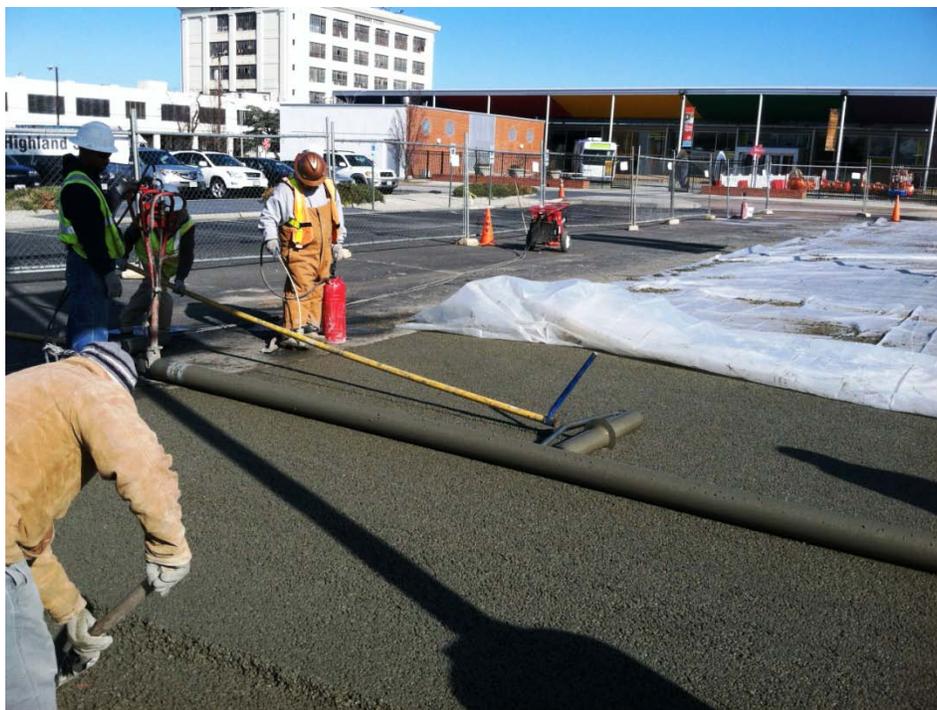
Science Museum of Virginia



Site plan for proposed LID Practices



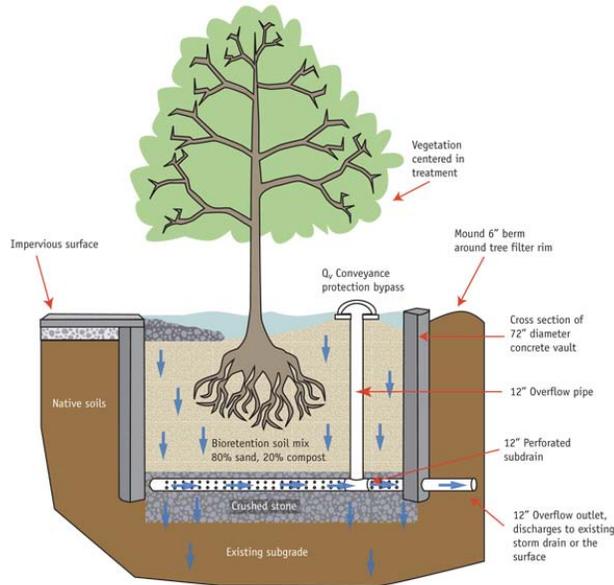
Bayscapes Raingarden installation with volunteer labor



Porous concrete installation



Porous concrete final product



Proposed, tree well filters



Bioretention construction

In addition, the CNP Program Manager worked closely with the regional planning commissions in support of the Sustainable Shoreline Focal Area projects. The VNEMO Program Manager worked with the NVRC to develop a series of public listening sessions around Climate Change and Sea Level Rise in Northern Virginia to obtain direct feedback from the community's potential challenges, modeling the efforts of the Sea Grant project in the Hampton Roads area. NVRC and VNEMO acquired the services of the University of Virginia's Institute for Environmental Negotiation (IEN) to provide planning and facilitation services in support of climate change listening sessions in Northern Virginia to be conducted outside of this reporting period. However, when the partners introduced the Hampton Roads approach with the Sustainable Shorelines and Community Management workgroup, responses were lukewarm as localities in Northern Virginia do not see sea level rise as an immediate issue, in the same way that Virginia Beach perceives this issue to be since Virginia Beach residents experience frequent periods of inundation. Prince William County expressed interest in pursuing listening sessions. When the concept was presented to the elected officials of Prince William County, the response was lackluster and the project planners retooled the concept into a regional workshop for the Shorelines working group to share the most recent data development, conclusions and sought input from the group for possible next steps in the process.

The VNEMO Program Manager continued to directly participate with the VDCR Division of Natural Heritage in the development of an outreach and engagement strategy around VA Ecological Value Assessment (VEVA) database. VEVA integrates the elements of the DCR Natural Heritage, Priority Conservation Areas dataset, INSTAR data, VA DGIF Priority Wildlife Diversity Conservation Areas, and VIMS Center for Coastal Resource Management estuarine priority conservation areas into one cohesive product that displays an overall summary and prioritization scheme indicating those areas with critical and unique natural features. This database effectively integrates the Interactive Stream Assessment Resource (INSTAR) stream

database at VCU and makes a user friendly format of identifying valuable coastal resources. The VEVA dataset combines scientific data and best professional judgment to rank terrestrial and aquatic areas on a 1-to-5 scale of ecological value, with 5 representing the highest conservation priority. These values can be used to prioritize areas for preservation, develop strategies for special area management actions, or to build awareness about Virginia's ecological integrity throughout the Coastal Zone. The Program Manager assisted the DCR NHD and project team to develop outreach materials for the VEVA including language to best communicate to local officials, PowerPoint materials, identify contacts in the field to coordinate meetings with local officials and identify potential venues or possible targeted locations for presentations to regional groups of potential users.

Through this grant period, VCU continued to manage and provide a more user-friendly, updated version of the INSTAR online stream assessment decision support tool to be used by state, regional, and local planners to identify healthy streams and associated living resources within their jurisdiction. INSTAR and the Healthy Waters Program is an Inter-agency partnership led by VDCR, VCU, and VDEQ to identify and maintain watersheds with high ecological integrity. INSTAR is a multi-metric, biological and physical assessment of aquatic resources where field collected data is analyzed and compared against the data density to create a modeled reference condition (Virtual Stream Score) by which all other data is compared. The results of such an analysis produces a result which categorizes such data into Poor, Restorative, and Healthy.

Policy Development

To continue to grow the Virginia Healthy Waters Initiative, a state code analysis was conducted to evaluate where to best integrate and/or modify language reflecting improved protection strategies for water resources, identification of healthy resources, ecologically based criteria or other improvement to advance the program development. The VCU Analyst partnered with the Virginia Chapter of the Nature Conservancy to conduct this analysis. The following identifies the areas in code with suggested modifications. These changes should be vetted by a larger committee such as the Coastal Policy Team and then onto the process of finding sponsors for changes.

Healthy Waters
Virginia State Code Suggested Modifications

TITLE 10.1. CONSERVATION

Chapter - 4 Scenic Rivers Act

§ 10.1-400. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Virginia Scenic River Board.

"Department" means the Department of Conservation and Recreation.

"Director" means the Director of the Department of Conservation and Recreation.

"River" means a flowing body of water, or a section or portion thereof.

"Scenic river" means a river or section or portion of a river that has been designated a "scenic river" by an act of the General Assembly and that possesses superior natural and scenic beauty, ecological health, fish and wildlife, and historic, recreational, geologic, cultural, and other assets.

"Virginia Scenic Rivers System" means those rivers or sections of rivers designated as a scenic river by an act of the General Assembly.

§ 10.1-401. Powers and duties of Director; acquisition of property.

A. The Director shall have the duty to:

1. Identify rivers or sections of rivers, including their shores and natural environs, which should be considered for designation because of their scenic, recreational, ecological and historic attributes and natural beauty.

2. Conduct studies of rivers or sections of rivers to be considered for designation as wild, scenic or recreational rivers in cooperation with appropriate agencies of the Commonwealth and the United States.

3. Recommend to the Governor and to the General Assembly rivers or sections thereof to be considered for designation as scenic rivers.

4. Appoint Scenic River Advisory Committees or other local or regional committees of not less than three members to consider and manage scenic river interests and issues. The committees shall assist and advise the Director and the local governing body with the protection or management of the scenic river segment in their jurisdiction. The committees may consider and comment to the Director on any federal, state, or local governmental plans to approve, license, fund, or construct facilities that would alter any of the assets that qualified the river for scenic designation.

B. The Director is authorized to acquire in the name of the Commonwealth, either by gift or purchase, any real property or interest therein which the Director considers necessary or desirable for the protection of any scenic river, and may retain title to or transfer the property to other state agencies. The Director may not exercise the right of eminent domain in acquiring any such property or interest.

Chapter 5 - Soil and Water Conservation

§ 10.1-541. Preventive and control measures.

Districts are authorized to carry out *measures to prevent degradation in water quality or ecological health of state waters*. Districts may also conduct works of improvement for flood prevention or agricultural and nonagricultural phases of the conservation, development, utilization, and disposal of water within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation and changes in use of land on lands owned or controlled by the Commonwealth or any of its agencies, with the consent and cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner and occupier of such lands or the necessary rights or interests in such lands.

§ 10.1-542. Financial aid to agencies and occupiers.

Districts are authorized to enter into agreements, within the limits of available appropriations, to give, lend or otherwise furnish financial or other aid to any governmental or other agency, or any occupier of lands within the district, to *protect the water quality and ecological health of state waters*, provide erosion-control and prevention operations and works of improvement for flood prevention or agricultural and nonagricultural phases of the conservation, development, utilization, and disposal of water within the district. Agreements shall be subject to such conditions as the directors may deem necessary to advance the purposes of this chapter.

§ 10.1-546. Development of programs and plans.

Districts are authorized to develop comprehensive programs and plans for the conservation of soil resources, for the control and prevention of soil erosion, *for the protection of water quality and ecological health of state waters*, for flood prevention or for agricultural and nonagricultural phases of the conservation, development, utilization, and disposal of water within the district. Such programs and plans shall specify the acts, procedures, performances, and avoidances which are necessary or desirable to effect such programs and plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of land. After such programs and plans have been approved by the Board, districts are authorized to publish such programs and plans, and information, and bring them to the attention of occupiers of lands within the district.

Chapter 6--Flood Protection and Dam Safety

§ 10.1-650. Definitions.

As used in this article, unless the context clearly requires a different meaning:

"Continual accelerated erosion" means a rapid increase in the erosion rate of stream banks caused by loss of vegetation, diversion of water by constrictions, undermining, and other resultant effects of severe floods.

"Natural streams" means nontidal waterways which are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Constructed channels such as drainage ditches or swales shall not be considered natural streams.

"Program" means the Stream *Protection and* Restoration Assistance Program.

"Stream Protection" means the preservation of land by a public body as provided in the Open Space Lands Act for the purpose of maintaining significant ecological function and form of an adjacent natural stream.

"Stream restoration" means any combination of structural and vegetative measures which may be taken to restore, stabilize, and protect a natural stream which has been damaged by severe flooding and is consequently subject to continual accelerated erosion or other detrimental effects. The term shall also include measures to return stream flow to its original channel in cases where the stream course has been changed as a result of flooding.

§ 10.1-651. Establishment and administration of Program.

The Stream *Protection and* Restoration Assistance Program is continued to protect the natural streams of the Commonwealth. The Program shall aid in the stabilization and protection of natural streams which have been severely damaged by naturally occurring flooding *events or are identified as possessing significant ecological conditions or character*. The Program shall be administered by the Virginia Soil and Water Conservation Board in cooperation with soil and water conservation districts and local governments throughout the Commonwealth. To assist in the development of the Program, the Board shall seek the advisory opinion of the State Water Control Board and the Department of Game and Inland Fisheries

§ 10.1-652. Program applicability.

The Stream *Protection and* Restoration Assistance Program shall apply only to natural nontidal streams which have been damaged as a result of naturally occurring flooding events. Streams which have *received some* damage *as a result of* land-disturbing activities, vehicular traffic, or other human causes may be eligible for assistance under the Program: *For the purposes of maintaining high ecological condition or integrity, assistance may be provided for stream protection activities.*

§ 10.1-653. Application for assistance.

Landowners who wish to receive assistance under the Program shall apply to the Virginia Soil and Water Conservation Board. The Board shall provide copies of the applications to the chairmen of the soil and water districts, where applicable, and the local governing bodies having jurisdiction in the area where the damage has occurred.

Chapter 17 - Open Space land Act

- Conservation interests are likely to be sensitive about any changes to this law, because of past legislative attempts to weaken it. Water quality is already recognized as a benefit of conserving land. The law could, however, be amended to make this more explicit as follows. The language being suggested is exactly the same as the language that currently appears in the Conservation Easement Act.

§ 10.1-1700. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Open-space easement" means a nonpossessory interest of a public body in real property, whether easement appurtenant or in gross, acquired through gift, purchase, devise, or bequest imposing limitations or affirmative obligations, the purposes of which include retaining or protecting natural or open-space values of real property, assuring its availability for agricultural, forestal, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural or archaeological aspects of real property.

"Open-space land" means any land which is provided or preserved for (i) park or recreational purposes, (ii) conservation of land or other natural resources, (iii) historic or scenic purposes, (iv) assisting in the shaping of the character, direction, and timing of community development, (v) wetlands as defined in § [28.2-1300](#), (vi) agricultural and forestal production, *or (vii) maintaining or enhancing air or water quality.*

"Public body" means any state agency having authority to acquire land for a public use, or any county or municipality, any park authority, any public recreational facilities authority, any soil and water conservation district, any community development authority formed pursuant to Article 6 (§ [15.2-5152](#) et seq.) of Chapter 51 of Title 15.2, or the Virginia Recreational Facilities Authority.

21 Chesapeake Bay Preservation Act

§ 10.1-2107. Board to develop criteria.

A. In order to implement the provisions of this chapter and to assist counties, cities and towns in regulating the use and development of land and in protecting the quality of state waters, the Board shall promulgate regulations which establish criteria for use by local governments to determine the ecological and geographic extent of Chesapeake Bay Preservation Areas. The Board shall also promulgate regulations which establish criteria for use by local governments in granting, denying, or modifying requests to rezone, subdivide, or to use and develop land in these areas.

B. In developing and amending the criteria, the Board shall consider all factors relevant to the protection of water quality from significant degradation as a result of the use and development of land. The criteria shall incorporate measures such as performance standards, best management practices, and various planning and zoning concepts to protect the quality of state waters while allowing use and development of land consistent with the provisions of this chapter. The criteria adopted by the Board, operating in conjunction with other state water quality programs, shall encourage and promote: (i) protection of existing high quality state waters and restoration of all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them; (ii) safeguarding the clean waters of the Commonwealth from pollution; (iii) prevention of any increase in pollution; (iv) reduction of existing pollution; and (v) promotion of water resource conservation in order to provide for the health, safety and welfare of the present and future citizens of the Commonwealth.

C. Prior to the development or amendment of criteria, the Board shall give due consideration to, among other things, the economic and social costs and benefits which can reasonably be expected to obtain as a result of the adoption or amendment of the criteria.

D. In developing such criteria the Board may consult with and obtain the comments of any federal, state, regional, or local agency that has jurisdiction by law or special expertise with respect to the use and development of land or the protection of water. The Board shall give due consideration to the comments submitted by such federal, state, regional, or local agencies.

E. Criteria shall be adopted by July 1, 1989.

§ 10.1-2109. Local governments to designate Chesapeake Bay Preservation Areas; incorporate into local plans and ordinances; impose civil penalties.

A. Counties, cities and towns in Tidewater Virginia shall use the criteria developed by the Board to determine the extent of the Chesapeake Bay Preservation Area within their jurisdictions. Designation of Chesapeake Bay Preservation Areas shall be accomplished by every county, city and town in Tidewater Virginia not later than twelve months after adoption of criteria by the Board.

B. Counties, cities, and towns in Tidewater Virginia shall incorporate protection of the quality of state waters into each locality's comprehensive plan consistent with the provisions of this chapter.

C. All counties, cities and towns in Tidewater Virginia shall have zoning ordinances which incorporate measures to protect the quality of state waters in the Chesapeake Bay Preservation Areas consistent with the provisions of this chapter. Zoning in Chesapeake Bay Preservation Areas shall comply with all criteria set forth in or established pursuant to [§ 10.1-2107](#).

D. Counties, cities and towns in Tidewater Virginia shall incorporate protection of the quality of state waters in Chesapeake Bay Preservation Areas into their subdivision ordinances consistent with the provisions of this chapter. Counties, cities and towns in Tidewater Virginia shall ensure

that all subdivisions developed pursuant to their subdivision ordinances comply with all criteria developed by the Board.

E. In addition to any other remedies which may be obtained under any local ordinance enacted to protect the quality of state waters in Chesapeake Bay Preservation Areas, counties, cities and towns in Tidewater Virginia may incorporate the following penalties into their zoning, subdivision or other ordinances:

1. Any person who: (i) violates any provision of any such ordinance or (ii) violates or fails, neglects, or refuses to obey any local governmental body's or official's final notice, order, rule, regulation, or variance or permit condition authorized under such ordinance shall, upon such finding by an appropriate circuit court, be assessed a civil penalty not to exceed \$5,000 for each day of violation. Such civil penalties may, at the discretion of the court assessing them, be directed to be paid into the treasury of the county, city or town in which the violation occurred for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas therein, in such a manner as the court may direct by order, except that where the violator is the county, city or town itself or its agent, the court shall direct the penalty to be paid into the state treasury.

2. With the consent of any person who: (i) violates any provision of any local ordinance related to the protection of water quality in Chesapeake Bay Preservation Areas or (ii) violates or fails, neglects, or refuses to obey any local governmental body's or official's notice, order, rule, regulation, or variance or permit condition authorized under such ordinance, the local government may provide for the issuance of an order against such person for the one-time payment of civil charges for each violation in specific sums, not to exceed \$10,000 for each violation. Such civil charges shall be paid into the treasury of the county, city or town in which the violation occurred for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas therein, except that where the violator is the county, city or town itself or its agent, the civil charges shall be paid into the state treasury. Civil charges shall be in lieu of any appropriate civil penalty that could be imposed under subdivision 1 of this subsection. Civil charges may be in addition to the cost of any restoration required or ordered by the local governmental body or official.

F. Localities that are subject to the provisions of this chapter may by ordinance adopt an appeal period for any person aggrieved by a decision of a board that has been established by the locality to hear cases regarding ordinances adopted pursuant to this chapter. The ordinance shall allow the aggrieved party a minimum of 30 days from the date of such decision to appeal the decision to the circuit court.

21.1 VA WQIA

10.1-2117 Definitions

10.1-2129 Agency Coordination; conditions of grants

Chapter 21.2 - Foundation for Virginia's Natural Resources

- Governor McDonnell's Commission on Reform and Restructuring has proposed that this Foundation and the statute establishing it be repealed. If that effort is unsuccessful in the 2012 session, then this may be an appropriate place in the Code to reference healthy waters concepts.

TITLE 15.2 COUNTIES, CITIES AND TOWNS

Chapter 22 - Planning, Subdivision of Land and Zoning

§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose.

The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.

The comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each feature, including any road improvement and any transportation improvement, shown on the plan and shall indicate where existing lands or facilities are proposed to be extended, widened, removed, relocated, vacated, narrowed, abandoned, or changed in use as the case may be.

As part of the comprehensive plan, each locality shall develop a transportation plan that designates a system of transportation infrastructure needs and recommendations that may include the designation of new and expanded transportation facilities and that support the planned development of the territory covered by the plan and shall include, as appropriate, but not be limited to, roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, and public transportation facilities. The plan should recognize and differentiate among a hierarchy of roads such as expressways, arterials, and collectors. The Virginia Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation plan.

The plan, with the accompanying maps, plats, charts, and descriptive matter, shall show the locality's long-range recommendations for the general development of the territory covered by the plan. It may include, but need not be limited to:

1. The designation of areas for various types of public and private development and use, such as different kinds of residential, including age-restricted, housing; business; industrial; agricultural;

mineral resources; conservation; active and passive recreation; public service; flood plain and drainage; and other areas;

2. The designation of a system of community service facilities such as parks, sports playing fields, forests, schools, playgrounds, public buildings and institutions, hospitals, nursing homes, assisted living facilities, community centers, waterworks, sewage disposal or waste disposal areas, and the like;

3. The designation of historical areas and areas for urban renewal or other treatment;

4. The designation of areas for the implementation of reasonable ground water protection measures;

5. A capital improvements program, a subdivision ordinance, a zoning ordinance and zoning district maps, mineral resource district maps and agricultural and forestal district maps, where applicable;

6. The location of existing or proposed recycling centers;

7. The location of military bases, military installations, and military airports and their adjacent safety areas;

8. The designation of corridors or routes for electric transmission lines of 150 kilovolts or more; *and*

9. The location of state waters that have high water quality, ecological health, or both.

The plan shall include: the designation of areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing, which is sufficient to meet the current and future needs of residents of all levels of income in the locality while considering the current and future needs of the planning district within which the locality is situated.

The plan shall include: a map that shall show road improvements and transportation improvements, including the cost estimates of such road and transportation improvements as available from the Virginia Department of Transportation, taking into account the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated.

VIRGINIA ADMINISTRATIVE CODE

Title 9 Environment

9 VAC 25-260 Water Quality

9 VAC 25-260-10 Designation of Uses—Minimum Flow

9 VAC 25-260-30 Antidegradation Policy—Tier 1, 2, 3

9 VAC 25-260-350 Designation of Nutrient Rich waters—“Blackwater” Criteria

This project was funded by the Virginia Coastal Program at the Department of Environmental Quality through Grant FY010: NA10NOS4190205 of the National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Management, under the Coastal Zone Management Act of 1972, as amended.

