

## IV. STRATEGY

### Cumulative and Secondary Impacts

#### Working Waterfronts

##### I. Issue Area(s)

The proposed strategy or implementation activities will support the following priority (high or medium) enhancement area(s) (*check all that apply*):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Aquaculture              | <input checked="" type="checkbox"/> Cumulative and Secondary Impacts |
| <input type="checkbox"/> Energy & Government Facility Siting | <input type="checkbox"/> Wetlands                                    |
| <input type="checkbox"/> Coastal Hazards                     | <input type="checkbox"/> Marine Debris                               |
| <input type="checkbox"/> Ocean/Great Lakes Resources         | <input checked="" type="checkbox"/> Public Access                    |
| <input type="checkbox"/> Special Area Management Planning    |  |

##### II. Program Change Description

A. The proposed strategy will result in, or implement, the following type(s) of program changes (*check all that apply*):

- A change to coastal zone boundaries;
- New or revised authorities, including statutes, regulations, enforceable policies, administrative decisions, executive orders, and memoranda of agreement/understanding;
- New or revised local coastal programs and implementing ordinances;
- New or revised coastal land acquisition, management, and restoration programs;
- New or revised Special Area Management Plans (SAMP) or plans for Areas of Particular Concern (APC) including enforceable policies and other necessary implementation mechanisms or criteria and procedures for designating and managing APCs; and,
- New or revised guidelines, procedures and policy documents which are formally adopted by a state or territory and provide specific interpretations of enforceable CZM program policies to applicants, local government and other agencies that will result in meaningful improvements in coastal resource management.

**B. Describe the proposed program change.**

The proposed program change will establish a coastal zone-wide Working Waterfronts plan for Virginia that will serve to guide communities in protecting, restoring and enhancing their water-dependent commercial and recreational activities. The strategy to develop this program change is designed to help communities with existing water-dependent commercial infrastructure understand the long-term costs associated with the loss of working waterfronts, develop new policy tools to help them manage the increasing growth pressures, and build capacity to develop working waterfronts as a thriving component of local economic development.

### **III. Need(s) and Gap(s) Addressed**

*Identify what priority need the strategy addresses, and explain why the proposed program change or implementation activities are the most appropriate means to address the priority need. This discussion should reference the key findings of the Assessment and explain how the strategy addresses those findings.*

Coastal areas are experiencing dramatically increased demand for residential development. This demand often results in the need for services and resources that are not compatible with the nature and character of the community that attracted the development in the first place. As a result, historic industries that support the functionality of many waterfront communities become disadvantaged by impacts of new development. Localities with working waterfronts often lack sufficient information and/or organizational capacity to effectively respond to the changes presented by increased growth and development.

By providing initial grant funds to VIMS/Sea Grant, the strategy draws upon expertise in comparative economic analyses to identify the long-term economic impacts of incoming development versus the maintenance and enhancement of existing water dependent commercial activities. This first step will lay the foundation for development of a working waterfront plan for Virginia's Coastal Zone, to guide communities in decision making and policy development to retain the water-driven elements of their economic structure and cultural heritage.

### **IV. Benefit(s) to Coastal Management**

*Discuss the anticipated effect of the program change or implementation activities including a clear articulation of the scope and value in improved coastal management and resource protection.*

The desired benefit of this strategy is to arrive at a coastal zone-wide plan for Virginia that will serve to guide communities in protecting, restoring and enhancing their water-dependent commercial and recreational activities. The planning process will help derive a clear consensus definition of water dependent commercial activities and working waterfronts. It will inventory existing working waterfront infrastructure throughout the coastal zone and identify threats and opportunities for preservation. The plan will include examples of policy tools for local government adoption that will allow for restoration, enhancement and retention of working waterfront areas. One or more community demonstration projects included in the strategy will exhibit both victories and challenges to development of a working waterfronts plan and approaches to implementation.

### **V. Likelihood of Success**

*Discuss the likelihood of attaining the proposed program change and implementation activities. The state or territory should address: 1) the nature and degree of support for pursuing the strategy and the proposed change; and, 2) the specific actions the state or territory will undertake to maintain or build future support for achieving and implementing the program change, including education and outreach activities.*

The working waterfronts issue received a high level of support from the Virginia Coastal Zone Management Program Coastal Policy Team as demonstrated in the group's high ranking of the need for strategy development in this area. Eight coastal Planning District Commissions (PDCs) are represented on the team with four PDCs participating in the working waterfronts strategy planning group: Accomack-Northampton, Hampton Roads PDC, Middle Peninsula PDC and Northern Neck PDC. These PDCs have significant working waterfront infrastructure and have confirmed their support through direct participation in developing a working waterfront strategy and planning process.

Support from the Coastal Policy Team has been fostered by more than a decade of investment in working waterfronts-related issues by NOAA and the Virginia CZM Program. This investment spans from shellfish and habitat restoration to policy development and local government capacity building.

From 1999-2001, the Oyster Heritage Program has constructed over 80 sanctuary reefs and 1000 acres of harvest area in Virginia's coastal waters. From 2002-2008 the Seaside Heritage Program has restored approximately 1400 acres of seagrass beds on Virginia's seaside, approximately 4.9 acres of oyster reefs have been constructed on public oyster beds in Accomack County, and just under 5 acres of oyster reef have been constructed in Northampton County.

In 2002, the Virginia CZM Program funded the onset of continued staff support for implementation of the Middle Peninsula Chesapeake Bay Public Access Authority Act. The act establishes a Public Access Authority for the Middle Peninsula region to set aside access sites for economically viable recreational activities and public access sites. To date the MPCB Public Access Authority holds title to approximately 850 acres of public access sites in the region, including Gloucester, Essex and King and Queen Counties.

In 2006, the Northern Neck Chesapeake Bay Public Access Authority was formed and is currently working to increase public access to the Chesapeake Bay through the Northern Neck region. The NNCB Public Access Authority entered into a contract in June 2010 with the Norfolk Army Corps of Engineers to create a Shallow Draft Dredging and Sediment Plan that will be completed by September 30th of this year. This plan will estimate dredging costs for all federal designated navigation channels in the three member counties of the NNCBPAA (Lancaster, Northumberland and Westmoreland), attempt to pair creeks with similar dredge cycles to reduce mobilization and de-mobilization costs, and investigate local options on how to create a funding mechanism to be able to have resources available to dredge the channels and keep the creeks open so local watermen can continue their work.

In 2006, the Virginia CZM Program supported the York River Use Conflicts project which served to frame existing and emergent issues and identify policy needs surrounding conflicts affecting local government ability to maximize use of their waterfront. To help address this, the York River Use Conflict Committee developed seven recommendations to help Gloucester County preserve the coastal identity that makes its waterfront community unique. In February 2009, the Gloucester County Board of Supervisors unanimously approved the recommendations and the county is now working to implement them.

In 2007, the Virginia CZM Program funded the Middle Peninsula Shallow Water Dredging Master Plan Framework to provide a comprehensive and sustainable approach to the on-going dredging needs for access to waterways of the Middle Peninsula.

Also that year, the Virginia CZM Program supported the “Working Waterways and Waterfronts 2007” national symposium in Norfolk to share local, state and national-level initiatives that address water access. A key outcome of the symposium was development of a structure for communicating among the diverse constituencies involved in working waterfront issues.

In 2008, the Virginia CZM Program funded the Middle Peninsula Aquaculture and Local Policy Development project to identify public policy needs for aquaculture-working waterfront sustainability (economic effectiveness of uses including jobs, business sales, and fiscal revenue). Through dialogue with local elected officials the project also explores other economic tradeoffs or competing economic interests of existing local public policy.

Through this level of continued interest and investment in protecting the necessary aquatic infrastructure as well as fostering initial decision-making capacity, the Virginia CZM Program and its partners have laid the groundwork to successfully address working waterfront-related issues in Virginia.

In addition, an approved working waterfronts plan would position Virginia to receive funding for acquisition of commercial waterfront sites and plan implementation if the currently proposed legislation HR 2548, *The Keep America’s Waterfronts Working Act* is passed and funds are appropriated.

## **VI. Strategy Work Plan**

*Using the template below, provide a general work plan that includes the major steps necessary for achieving the program change and/or implementing a previously achieved program change. The plan should identify significant projected milestones/outcomes, a schedule for completing the strategy, and budget estimates. If an activity will span two or more years, it can be combined into one entry (i.e., Years 2-3 rather than Year 2 and then Year 3). While the annual outcomes are a useful guide to ensure the strategy remains on track, OCRM recognizes that these benchmarks may change some over the course of the five-year strategy due to unforeseen circumstances. The same holds true for the annual budget estimates. If the state intends to fund implementation activities for the proposed program change, describe those in the plan as well. Further detailing of annual tasks, budgets, benchmarks, and work products will be determined through the annual award negotiation process.*

<b>Total Years:</b>	Five Years
<b>Total Budget:</b>	\$250,000
<b>Final Outcome(s) and Products:</b>	Virginia Working Waterfronts Plan including examples of policy tools for local adoption

**Years One and Two:** FY 2011-2012

**Description of activities:** Develop a clear consensus definition among planning district commissions (PDCs) of water-dependent commercial activities and working waterfronts. Given the significant economic and demographic variability between the regional planning districts, localized public and stakeholder engagement is warranted and envisioned. It should be noted that, based upon community engagement to-date, it is likely that regional variations will emerge in defining what working waterfronts means in diverse communities. The community visioning and development effort will therefore be a central component of this strategy from inception to completion. As part of the strategy coordination, Virginia Sea Grant Extension Programs will facilitate overall outreach and consensus building among and between regions. In addition, the necessary infrastructure for working waterfronts will also be defined and critical working waterfront infrastructure throughout the coastal zone by PDC identified. Existing public access data will be queried and used to identify and differentiate those public access sites that may serve a dual function as working waterfront infrastructure from those public access sites not suitable for this extended use. One or more areas where a county Board of Supervisors or Town Council supports the working waterfront concept with a resolution and is willing to conduct a demonstration project will be selected. A comparative valuation between new development and retention, restoration and enhancement of existing water-dependent enterprises will be conducted as well as an assessment of methods and opportunities to integrate public access and working waters in appropriate venues.

**Outcome(s):** Establish foundation for working waterfront plan development and planning process.

**Budget:** \$100,000

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**Year Three** FY 2013

**Description of activities:** Develop policy tools via research of successful working waterfront policies in neighboring states and workgroup assessment to enable localities to address retention of working waterfronts. Policy examples include but are not limited to public financing, comprehensive plan changes, ordinances and overlay zones, zoning and taxation. A one-day workshop will be conducted to provide a forum for information exchange and query among stakeholders in water-dependent industries.

**Outcome(s):** Continued development of the components of a working waterfronts plan for Virginia.

**Budget:** \$50,000

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**Description of activities: Completion of Virginia Working Waterfront Plan**

**Outcome(s):** A Coastal Zone-wide plan to guide Virginia communities in retaining the working waterfront as a viable means of locally sustainable economic development will be finalized. An approved plan would also position Virginia to receive funding for acquisition of working waterfront sites if proposed legislation (HR 2548, *The Keep America's Waterfronts Working Act*) is passed and funds are appropriated.

**Budget:** \$100,000

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**VII. Fiscal and Technical Needs**

- A. Fiscal Needs:** *If 309 funding is not sufficient to carry out the proposed strategy, identify additional funding needs. Provide a brief description of what efforts the applying agency has made, if any, to secure additional state funds from the legislature and/or other sources to support this strategy.*

Partnering with the VIMS/ Sea Grant Extension program will bring additional resources to the strategy, both financial and technical. The program's coastal community development program is one possible source of additional financial support to assist in implementing the strategy.

- B. Technical Needs:** *If the state does not possess the technical knowledge, skills, or equipment to carry out the proposed strategy, identify these needs. Provide a brief description of what efforts the applying agency has made, if any, to obtain the trained personnel or equipment needed (for example, through agreements with other state agencies).*

The VIMS/Sea Grant Extension program's marine business and coastal community development program has personnel experienced in financing and evaluating working waterfront feasibility.

**VIII. Projects of Special Merit (Optional)**

*If desired, briefly indicate what PSMs the CMP may wish to pursue to augment this strategy. Any activities that are necessary to achieve the program change or that the state intends to support with baseline funding should be included in the strategy above. The information in this section will not be used to evaluate or rank PSMs and is simply meant to provide the CMPs the option to provide additional information if they choose. PSM descriptions should be kept very brief (e.g., undertake benthic mapping to provide additional data for ocean management planning). Do not do provide detailed project descriptions that would be needed for the PSM competition.*

## Shoreline Management

### I. Issue Area(s)

The proposed strategy or implementation activities will support the following priority (high or medium) enhancement area(s) (*check all that apply*):

- |  |  |
|--|--|
| <input type="checkbox"/> Aquaculture                         | <input checked="" type="checkbox"/> Cumulative and Secondary Impacts |
| <input type="checkbox"/> Energy & Government Facility Siting | <input checked="" type="checkbox"/> Wetlands                         |
| <input checked="" type="checkbox"/> Coastal Hazards          | <input type="checkbox"/> Marine Debris                               |
| <input type="checkbox"/> Ocean/Great Lakes Resources         | <input type="checkbox"/> Public Access                               |
| <input type="checkbox"/> Special Area Management Planning    |  |

### II. Program Change Description

A. The proposed strategy will result in, or implement, the following type(s) of program changes (*check all that apply*):

- A change to coastal zone boundaries;
- New or revised authorities, including statutes, regulations, enforceable policies, administrative decisions, executive orders, and memoranda of agreement/understanding;
- New or revised local coastal programs and implementing ordinances;
- New or revised coastal land acquisition, management, and restoration programs;
- New or revised Special Area Management Plans (SAMP) or plans for Areas of Particular Concern (APC) including enforceable policies and other necessary implementation mechanisms or criteria and procedures for designating and managing APCs; and,
- New or revised guidelines, procedures and policy documents which are formally adopted by a state or territory and provide specific interpretations of enforceable CZM program policies to applicants, local government and other agencies that will result in meaningful improvements in coastal resource management.

B. *Describe the proposed program change.*

The previous Section 309 Shoreline Management Strategy provided \$791,590 for various initiatives to promote the use of living shorelines. Outcomes included changes to policy documents, state legislation, education of government officials, contractors and waterfront property-owners, and new living shoreline design guidance. Support was also provided for data acquisition to help improve local decision making. This strategy will build on these successes by providing support for development of local shoreline management plans. These plans are widely recognized as the most effective policy to promote living shorelines. In addition, funds in year 1 will be targeted at implementing the recommendations of a study mandated by the Virginia General Assembly to find ways to streamline the regulatory process for living shorelines and promote this method of shoreline management. As a result, the anticipated outcomes of this strategy will be both new policies (in the form of locally adopted plans and changes to state regulations) and implementation of previous program changes from the last strategy.

### **III. Need(s) and Gap(s) Addressed**

*Identify what priority need the strategy addresses, and explain why the proposed program change or implementation activities are the most appropriate means to address the priority need. This discussion should reference the key findings of the Assessment and explain how the strategy addresses those findings.*

The Assessment identifies the loss of the water quality protection and habitat values of wetlands as a key cumulative and secondary impact of waterfront development. Fringe marshes are often impacted by traditional shoreline erosion management techniques (bulkheads and rock revetments), either during construction or as a result of sea level rise and wave scouring after construction. Previous Section 309 efforts to improve shoreline management and promote the use of living shorelines have been successful, but more work remains. The promotion of living shorelines through the development and use of local shoreline management plans is shown as a high priority need in the Assessment. Previous policy changes have provided a framework for encouraging the use of living shorelines over traditional techniques, but local shoreline management plans are needed in order to advance implementation of these policies. Additional resources are needed in order to take full advantage of the progress made during the last strategy and to adopt to shoreline management policies at both the state and local levels.

### **IV. Benefit(s) to Coastal Management**

*Discuss the anticipated effect of the program change or implementation activities including a clear articulation of the scope and value in improved coastal management and resource protection.*

In Virginia, shoreline management decisions affecting important coastal resources such as riparian buffers, tidal wetlands, beaches, and nearshore habitats are made by local wetland boards, with oversight by the Virginia Marine Resources Commission (VMRC) and with technical assistance from the Virginia Institute of Marine Science (VIMS). Wetlands boards react to projects proposed by individual property-owners, who often request shoreline erosion control projects that are not the most appropriate for their given shoreline situation and may negatively impact coastal resources. During the Assessment period, VIMS was forced to scale back its project review function and while still providing an alternative analysis for proposed projects, conducts site visits on only about 15 percent of those projects. This shifts more of the responsibility of recommending appropriate shoreline management techniques to local wetland boards and their staff. Reliance on local citizen boards and staff with multiple local government responsibilities often results in a lower level of expertise than was available through the scientific staff at VIMS. Local shoreline management plans provide a means for the shoreline management experts at VIMS to recommend management techniques for each reach of local shoreline in advance of project proposals. They provide not only a tool for localities to review the appropriateness of proposals, but up-front guidance to waterfront property-owners and contractors as to the preferred management technique for specific shorelines. The result should be better project proposals from project proponents and a more informed decision process for those responsible for project review.

## **V. Likelihood of Success**

*Discuss the likelihood of attaining the proposed program change and implementation activities. The state or territory should address: 1) the nature and degree of support for pursuing the strategy and the proposed change; and, 2) the specific actions the state or territory will undertake to maintain or build future support for achieving and implementing the program change, including education and outreach activities.*

During the past Section 309 Strategy significant effort and resources were dedicated to promoting the use of living shorelines. In addition to policy changes, research, and training/outreach initiatives, improved data on shoreline conditions was acquired to support more informed shoreline management decisions. State-level shoreline managers and scientists are in agreement that developing local shoreline management plans based on this data are a priority for improving shoreline management and that their use is the next logical step in promoting living shorelines. The reduction in proposal reviews and site visits by VIMS scientists has highlighted the need for technical advice on a reach basis. Local governments are now more receptive to plans because of this change in technical support from VIMS.

Interest in developing and adopting local shoreline management plans is also heightened by the requirements of the Chesapeake Bay Preservation Act (CBPA). The CBPA Regulations require that a shoreline management plan be adopted as a component of each local comprehensive plan. The regulations also only allow alteration of the Resource Protection Area buffer for shoreline management if the technique employed is based on “best available technical advice”. There is general agreement from the Department of Conservation and Recreation’s Division of Chesapeake Bay Local Assistance that the shoreline management plans funded through this strategy would help meet both of these needs.

The 2010 session of the Virginia General Assembly passed Senate Joint Resolution 35, which requested that VIMS study tidal shoreline management in the Commonwealth. In completing the study VIMS was directed to identify regulatory innovations that would increase the use of living shorelines and make recommendations to achieve the sustained protection of tidal shoreline resources. Funding is included in the first year of the Section 309 Shoreline Strategy to advance the recommendations from VIMS, which will be presented to the 2011 session of the General Assembly.

## **VI. Strategy Work Plan**

*Using the template below, provide a general work plan that includes the major steps necessary for achieving the program change and/or implementing a previously achieved program change. The plan should identify significant projected milestones/outcomes, a schedule for completing the strategy, and budget estimates. If an activity will span two or more years, it can be combined into one entry (i.e., Years 2-3 rather than Year 2 and then Year 3). While the annual outcomes are a useful guide to ensure the strategy remains on track, OCRM recognizes that these benchmarks may change some over the course of the five-year strategy due to unforeseen circumstances. The same holds true for the annual budget estimates. If the state intends to fund implementation activities for the proposed program*

*change, describe those in the plan as well. Further detailing of annual tasks, budgets, benchmarks, and work products will be determined through the annual award negotiation process.*

**Total Years:** Five Years  
**Total Budget:** \$720,000  
**Final Outcomes and Products:** Streamlined permitting process, local shoreline management plans, inventories, and evolution reports.

**Year One: FY 2011**

**Description of activities: Living Shorelines State Policy Development -** The strategy will provide support the Virginia Institute of Marine Science (VIMS) to implement the recommendations of Senate Joint Resolution 35 (2010 Virginia General Assembly), which requested that VIMS identify regulatory innovations that would increase adoption of living shorelines. The VIMS study recommended development of a streamlined general permit for living shorelines, guidance on integrated shoreline management, and a policy preference for living shorelines. As of January, 2011 the Virginia General Assembly was considering legislation that would address each of these study recommendations, plus require all coastal zone localities to adopt the shoreline management guidance from VIMS into their comprehensive plans. Regardless of the outcome of this proposed legislation, this strategy will advance shoreline management policy in Virginia.

**Outcome(s):** It is anticipated that VMRC will adopt a streamlined permitting process to encourage the use of living shorelines and to encourage integrated shoreline management practices.

**Budget: \$30,000**

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**Years One – Five: FY 2011-2015**

**Description of activities: Local Shoreline Plan Development -** The majority of this strategy will focus on supporting development of local shoreline management plans, which will promote the use of living shorelines where appropriate. Shoreline Management Plans comprise 5 major elements: a shoreline inventory, a shoreline evolution study, recommendations for shoreline management options using cost effective geospatial decision tools, a general cost estimate and schematics for specific types of shoreline treatments, and background review on the state of the shoreline including general geology and characteristics of the coastal land use. The content of these plans have been selected based on a needs assessment conducted by VIMS with local and state agency participation, as well as in consideration on current and new legislation under consideration in the Virginia General Assembly. The plans will be intended for inclusion in local comprehensive plans and will be used for shoreline management decisions. In order to develop these plans, baseline data in form of local

shoreline inventories and shoreline evolutions reports is necessary. This information was collected for some localities during the previous Section 309 Shoreline Strategy, and is available for 24 of the 36 counties. Additional reports are necessary in order to provide broader coverage of Virginia's coastal zone.

**Outcomes:** VIMS will use the budgeted funds to develop both baseline data (shoreline inventories and shoreline evolution reports), as well as complete several shoreline management plans. Summary of major coastal management milestones to be accomplished under this activity include the completion of the first cycle of state-wide Shoreline Inventory Reports for Virginia and the completion of the state-wide Shoreline Evolution Report Series. Specific products include 5 updated Shoreline Evolution Reports that expand existing efforts to include small tributaries beyond primary shoreline, 8 new Shoreline Evolution Reports that will include all primary and secondary shoreline, and 9 new Shoreline Inventories. Ten (10) Shoreline Management Plans will be developed using these and/or prior completed baseline reports. Selection of target localities for specific activities was based on funds available, product demands, currency of existing data and products, and county size and location.

**Benefits:** Legislation currently being considered by the Virginia General Assembly would require incorporation of shoreline management guidance into local comprehensive plans. These plans are expected to be adopted by local governments in compliance with new legislation

**Budget: \$690,000**

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## VII. Fiscal and Technical Needs

**A. Fiscal Needs:** *If 309 funding is not sufficient to carry out the proposed strategy, identify additional funding needs. Provide a brief description of what efforts the applying agency has made, if any, to secure additional state funds from the legislature and/or other sources to support this strategy.*

It is anticipated that this strategy, at the recommended funding level, will result in new state level policy to encourage living shorelines, new local shoreline management plans and background information for future shoreline management plans. By itself, however, it will not provide adequate funding to provide data and plans for all of Virginia's coastal localities. In order to prepare as many plans as possible, the Virginia CZM Program and VIMS will encourage localities to provide some level of matching funds.

**B. Technical Needs:** *If the state does not possess the technical knowledge, skills, or equipment to carry out the proposed strategy, identify these needs. Provide a brief description of what efforts the applying agency has made, if any, to obtain the trained personnel or equipment needed (for example, through agreements with other state agencies). N/A*

**VIII. Projects of Special Merit (Optional)** *If desired, briefly indicate what PSMs the CMP may wish to pursue to augment this strategy. Any activities that are necessary to achieve the program change or that the state intends to support with baseline funding should be included in the strategy above. The information in this section will not be used to evaluate or rank PSMs and is simply meant to provide the CMPs the option to provide additional information if they choose. PSM descriptions should be kept very brief (e.g., undertake benthic mapping to provide additional data for ocean management planning). Do not do provide detailed project descriptions that would be needed for the PSM competition.*

- Develop a database and reporting process for tracking wetlands in Virginia (a proposal was submitted, but not selected, for NOAA’s “Modernizing and Improving State CZM Information Systems Grant”)
- Develop a Virginia Erosion Vulnerability Assessment (VIMS would develop an EVA tool for Virginia similar to the one they developed for Maryland)
- Develop additional local shoreline management plans

**Land & Water Quality Protection**

**I. Issue Area(s)**

The proposed strategy or implementation activities will support the following priority (high or medium) enhancement area(s) *(check all that apply)*:

- |  |  |
|--|--|
| <input type="checkbox"/> Aquaculture                         | <input checked="" type="checkbox"/> Cumulative and Secondary Impacts |
| <input type="checkbox"/> Energy & Government Facility Siting | <input type="checkbox"/> Wetlands                                    |
| <input type="checkbox"/> Coastal Hazards                     | <input type="checkbox"/> Marine Debris                               |
| <input type="checkbox"/> Ocean/Great Lakes Resources         | <input type="checkbox"/> Public Access                               |
| <input type="checkbox"/> Special Area Management Planning    |  |

**II. Program Change Description**

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- A change to coastal zone boundaries;
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- New or revised coastal land acquisition, management, and restoration programs;
- New or revised Special Area Management Plans (SAMP) or plans for Areas of Particular Concern (APC) including enforceable policies and other necessary implementation mechanisms or criteria and procedures for designating and managing APCs; and,
- New or revised guidelines, procedures and policy documents which are formally adopted by a state or territory and provide specific interpretations of enforceable CZM program policies to applicants, local government and other agencies that will result in meaningful improvements in coastal resource management.

## ***B. Describe the proposed program change.***

The anticipated program change resulting from this strategy aims toward improved land use approaches and development policies that are consistent with increased nutrient reduction goals proposed by the Chesapeake Bay TMDL, Virginia's WIP, and revised Virginia storm water management regulations. The strategy will analyze the local consequences of these storm water control requirements across three regional types (urban, transitional and rural) and develop tools to enable localities to meet these requirements while avoiding natural resource impacts or unforeseen adverse consequences.

In light of changing Federal and State regulations associated with nutrient loading, local nutrient goals, storm water management and TMDLs, initial grant funds will be offered to two coastal PDCs representing the geographies of urban, suburban and rural areas to evaluate and recommend new policy approaches and solutions for specifically identified local issues relating to water quality. This opportunity offers (as a pilot project) a comprehensive review of the impacts of new legislation and the identification of new policy changes that may be needed to advance sustainable community development in a new regulatory environment. Identifying and addressing these issues at the regional and local level is the most appropriate way to arrive at locally successful approaches to effective water quality improvements. Also, by initiating the project through a pilot program, one or two coastal regions serve as research and testing grounds, thus allowing other coastal regions and localities to implement resulting policies in later years of the 309 funding cycle.

In addition, the strategy will address other regionally specific issues related to land use and water quality as identified by each participating planning district. For example, the Hampton Roads Planning District Commission has identified interest in exploring the need for legislation to enable localities to require replacement or preservation of trees beyond the existing limits of 10-20 percent tree canopy in order to protect or restore water quality.

## **III. Need(s) and Gap(s) Addressed**

*Identify what priority need the strategy addresses, and explain why the proposed program change or implementation activities are the most appropriate means to address the priority need. This discussion should reference the key findings of the Assessment and explain how the strategy addresses those findings.*

Growth and development in Virginia's coastal zone continues to increase at a rate that is disproportionate with the rest of the Commonwealth. Water quality impacts associated with urban growth are further magnified by development trends characterized by increasing impervious cover. Rural land use patterns have also been impacted by recent changes in state regulations. These changes now allow placement of alternative septic systems in sensitive areas (with high water tables) enabling.

Virginia's water quality goals set forth in the *Chesapeake 2000* Agreement will not be met by 2010 because impaired segments of the Chesapeake Bay remain identified in Virginia's Clean Water Act section 303(d). Therefore, EPA has established the development of a federal Total Maximum Daily Load to address nutrients (N and P) and sediment for the

Chesapeake Bay and its tidal tributaries to achieve restoration. Virginia is working toward meeting these goals. However, many Virginia localities lack sufficient information and/or organizational capacity to effectively respond to the cumulative and secondary impacts associated with proposed Chesapeake Bay clean up requirements.

#### **IV. Benefit(s) to Coastal Management**

*Discuss the anticipated effect of the program change or implementation activities including a clear articulation of the scope and value in improved coastal management and resource protection.*

The desired benefit of this strategy is to arrive at a coastal zone-wide approach (Urban, Suburban and Rural) for sustainable community development recognizing a new federal, state and local regulatory environment. Facilitating pilot projects with three representative government frameworks allows the remaining Virginia Coastal Zone localities to have tools to achieve their local goals. The pilot approach will include examples of policy tools, research approaches and enabling authority clarification, for local government to consider as part of the cumulative and secondary impacts solutions associated with proposed Chesapeake Bay TMDLs and Watershed Implementation Plans (WIPs) correlated with clean up requirements. The strategy will also entail regular meetings of all 8 Coastal PDCs at which information on the pilot projects is shared so that all coastal localities can benefit from this strategy.

#### **V. Likelihood of Success**

*Discuss the likelihood of attaining the proposed program change and implementation activities. The state or territory should address: 1) the nature and degree of support for pursuing the strategy and the proposed change; and, 2) the specific actions the state or territory will undertake to maintain or build future support for achieving and implementing the program change, including education and outreach activities.*

The Virginia CZM Program's involvement in addressing this issue began nearly 20 years ago. In 1992, the Southern Watershed Area Management Plan (SWAMP) was ranked as a high priority in CZM's Coastal Needs Assessment and Strategy, and first received funding under Section 306 that same fiscal year. Through this project a set of conservation corridors was identified in the Southern Watershed Area (SWA) which has proven to be a valuable planning tool for the Cities of Chesapeake and Virginia Beach as well as a principal model for conservation corridor development throughout Virginia's coastal zone. With Virginia CZM program support, the entire coastal zone will soon have a comprehensive network of conservation corridors developed throughout the Commonwealth, upon completion of the final two regions in fiscal year 2010 (see section of past efforts in Assessment for details).

Furthermore, the program began supporting research and data collection for onsite sewage disposal systems (OSDS) in the Middle Peninsula region in fiscal year 2008. The current strategy builds upon that work by identifying key concerns with the proliferation of OSDS and focusing on policy based solutions.

Now, as Virginia positions to respond to the Chesapeake Bay cleanup requirements, draft legislative proposals are being prepared to address clean up issues within the coastal zone. This draft legislation becomes the first salvo of a new regulatory paradigm facing local and state government in Virginia. Municipal governments and Soil and Water Conservation Districts will develop and implement program changes for centralized municipal waste water issues, agriculture, onsite wastewater disposal, and storm water. Virginia local governments are administrative arms of the state government and will respond to Bay related mandates. As long as localities are directed to address water quality issues, there will be program changes and implementation activities.

## VI. Strategy Work Plan

*Using the template below, provide a general work plan that includes the major steps necessary for achieving the program change and/or implementing a previously achieved program change. The plan should identify significant projected milestones/outcomes, a schedule for completing the strategy, and budget estimates. If an activity will span two or more years, it can be combined into one entry (i.e., Years 2-3 rather than Year 2 and then Year 3). While the annual outcomes are a useful guide to ensure the strategy remains on track, OCRM recognizes that these benchmarks may change some over the course of the five-year strategy due to unforeseen circumstances. The same holds true for the annual budget estimates. If the state intends to fund implementation activities for the proposed program change, describe those in the plan as well. Further detailing of annual tasks, budgets, benchmarks, and work products will be determined through the annual award negotiation process.*

<b>Total Years:</b>	Three Years (MPPDC Pilot)
<b>Total Budget:</b>	\$150,000
<b>Final Outcome(s) and Products:</b>	Issue identification, analysis and policy development.

<b>Years One - Three:</b>	FY 2011 – 2013 Pilot Studies Rural
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**Description of activities:** In light of changing Federal and State regulations associated with Bay clean up-nutrient loading, nutrient goals, clean water, OSDS management, storm water management, TMDLs, etc, staff from the Middle Peninsula Planning District Commission (MPPDC) will develop a rural pilot project which aims to identify pressing coastal issue(s) of local concern related to Bay clean up and new federal and state legislation which ultimately will necessitate local action and local policy development. Achieving the local nutrient loading goals will be a priority, therefore, MPPDC staff will focus on developing, assessing, and articulating the development the enforceable policy tools necessary to assist localities with the reduction of nutrient loadings by evaluating and assessing a series of environmental factors anticipated to support, clarify, prepare, and maximize locality or regional participation proposed in the Chesapeake Bay TMDL Phase II Watershed Implementation Plan. MPPDC anticipates, among other enforceable policy changes, local land use program changes necessary to address the expansion of the nutrient credit exchange program for on-site water treatment systems. Chesapeake Bay clean

up will have a very strong nexus to local land use policy, water quality protection, and fiscal concerns associated with the proliferation of new engineered septic systems. Staff has identified many cumulative and secondary impacts that have not been researched or discussed within a local public policy venue. Year 1-3 will include the identification of key concerns related to coastal land use management/water quality and Onsite Sewage Disposal System (OSDS) and community system deployment. Staff will focus on solution based approaches, such as the establishment of a regional sanitary sewer district to manage the temporal deployment of nutrient replacement technology for installed OSDS systems, assessment of land use classifications and taxation implications associated with new state regulations which make all coastal lands developable regardless of environmental conditions; use of aquaculture and other innovative approaches such as nutrient loading offset strategies and economic development drivers.

It is anticipated that the services of VNEMO will be required to address stormwater and nutrient loading issues as another condition identified within Chesapeake Bay TMDL Phase 1 Watershed Implementation Plan. New storm water regulations will be needed, nutrient management plans for municipal and or county owned lands are anticipated as well. These issues, among others will ultimately require new local tools and enforceable policy. Staff will partner with VNEMO to facilitate collaborative public decision processes to evaluate the successes of the identified approaches.

Budget: \$150,000

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<b>Total Years:</b>	Three Years (HRPDC Pilot)
<b>Total Budget:</b>	\$270,000
<b>Final Outcome(s) and Products:</b>	Comprehensive plan evaluation and applicable policy development

**Year One:** FY 2011 Pilot Studies Suburban

**Description of activities:** During year 1, the Hampton Roads Planning District Commission will select one or two transitional localities experiencing high suburban growth such as Isle of Wight County or Suffolk. HRPDC will work with this locality to evaluate the effects that the Chesapeake Bay TMDL and Virginia’s Storm water Regulations will have on development. HRPDC staff will evaluate the existing Comprehensive Plan of the selected locality for compatibility with the regulatory requirements and develop policy recommendations as needed. Staff will partner with VNEMO to facilitate development of policy recommendations.

**Outcome(s):** Evaluation of local Comprehensive Plan and impacts of regulations. Identification of tools to evaluate the impacts of alternative development scenarios and development of policy to resolve identified conflicting issues.

Budget: \$40,000

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**Year One:**

**FY 2011 Pilot Studies – Urban**

**Description of activities:** During year 1, the Hampton Roads Planning District Commission will select one urban locality faced with the challenge of encouraging sustainable redevelopment and an increasing need for stormwater retrofits. HRPDC will work with this locality to evaluate the effects that the Chesapeake Bay TMDL and Virginia’s Stormwater Regulations will have on redevelopment and the need for stormwater treatment retrofits. HRPDC staff will evaluate the existing Comprehensive Plan of the selected locality for compatibility with the regulatory requirements. HRPDC staff will assist the locality in identifying retrofit and redevelopment opportunities that maximize the protection of existing green infrastructure and identify any potential for restoration opportunities. Staff will partner with VNEMO to evaluate impacts of regulations and identify policy recommendations.

**Outcome(s):** Evaluation of local Comprehensive Plan and impacts of regulations. Identification of tools to evaluate the impacts of alternative development scenarios and develop policy recommendations as applicable. Identification of retrofit opportunities that enhance green infrastructure.

**Budget:** \$50,000

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**Years Two – Three:**

**FY 2012 – 2013 Continued Pilot Studies**

**Description of activities:** HRPDC will continue to provide technical support to the selected localities. During years 2 and 3, currently available land management tools will be evaluated for their potential to affect land use patterns in accordance with locally identified priorities. Tools to be evaluated might include development of comprehensive storm water management plan, authority to require greater tree canopy, no discharge marine zone designation, use-value taxation, transfer of development rights, and conservation subdivision design.

**Outcome(s):** Propose changes to comprehensive plan and develop comprehensive storm water management plan

**Budget:** \$180,000

**Total Years:** Two Years  
**Total Budget:** \$277,400  
**Final Outcome(s) and Products:** Implementation Projects

**Years Four and Five**

**FY 2014 - 2015**

**Description of activities:** All coastal PDCs, and localities that have worked with their PDCs on issues related to the pilot studies, will have an opportunity to receive funds for implementation projects based on tools and policies developed in years 1-3. Results from previous strategy years will be disseminated to the other PDCs and localities

throughout the coastal zone through reports, web products and presentations at coastal zone-wide events such as the 2012 and 2014 Virginia CZM Coastal Partners Workshop.

Budget: \$ 277,400

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#### **VII. Fiscal and Technical Needs**

- A. Fiscal Needs:** *If 309 funding is not sufficient to carry out the proposed strategy, identify additional funding needs. Provide a brief description of what efforts the applying agency has made, if any, to secure additional state funds from the legislature and/or other sources to support this strategy.*
- B. Technical Needs:** *If the state does not possess the technical knowledge, skills, or equipment to carry out the proposed strategy, identify these needs. Provide a brief description of what efforts the applying agency has made, if any, to obtain the trained personnel or equipment needed (for example, through agreements with other state agencies).*

#### **VIII. Projects of Special Merit (Optional)**

*If desired, briefly indicate what PSMs the CMP may wish to pursue to augment this strategy. Any activities that are necessary to achieve the program change or that the state intends to support with baseline funding should be included in the strategy above. The information in this section will not be used to evaluate or rank PSMs and is simply meant to provide the CMPs the option to provide additional information if they choose. PSM descriptions should be kept very brief (e.g., undertake benthic mapping to provide additional data for ocean management planning). Do not do provide detailed project descriptions that would be needed for the PSM competition.*

## V. 5-YEAR BUDGET SUMMARY BY STRATEGY

	Oct 11 - Sep 12 Year 1 FY 11	Oct 12 - Sep 13 Year 2 FY 12	Oct 13 - Sep 14 Year 3 FY 13	Oct 14 - Sep 15 Year 4 FY 14	Oct 15 - Sep 16 Year 5 FY 15	<b>Total</b>
<b>Program Implementation: RPC's and 2015 Assessment &amp; Strategy</b>	\$0	\$0	\$30,000	\$30,000	\$30,000	<b>\$90,000</b>
<b>Cumulative and Secondary Impacts</b>						
Working Waterfront	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	<b>\$250,000</b>
Shoreline Management						
Living Shoreline: State Policies	\$30,000	\$0	\$0	\$0	\$0	<b>\$30,000</b>
Local Shoreline Management Plans	\$150,000	\$135,000	\$135,000	\$135,000	\$135,000	<b>\$690,000</b>
Land & Water Quality Protection						
HR PDC: Urban & Transitional	\$90,000	\$90,000	\$90,000	\$0	\$0	<b>\$270,000</b>
MP PDC: Rural	\$50,000	\$50,000	\$50,000	\$0	\$0	<b>\$150,000</b>
Implementation of Pilot Projects				\$137,400	\$140,000	<b>\$277,400</b>
<b>Special Area Management Planning</b>						
Seaside SAMP	\$60,000	\$60,000	\$0	\$0	\$0	<b>\$120,000</b>
<b>Ocean Resources</b>						
Marine Spatial Plan						
Coordinator	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	<b>\$400,000</b>
Data Collection & Analysis	\$20,000	\$17,400	\$47,400	\$30,000	\$27,400	<b>\$142,200</b>
Marine Debris Plan	\$6,000	\$0	\$0	\$20,000	\$20,000	<b>\$46,000</b>
<b>TOTAL</b>	<b>\$536,000</b>	<b>\$482,400</b>	<b>\$482,400</b>	<b>\$482,400</b>	<b>\$482,400</b>	<b>\$2,465,600</b>

## VI. ACRONYMS

ARRA – American Recovery and Reinvestment Act of 2009 (“Recovery Act”)  
ASMFC – Atlantic States Marine Fisheries Commission  
BBNWR – Back Bay National Wildlife Refuge  
BLM – Bureau of Land Management  
BMP – Best Management Practices  
CBF – Chesapeake Bay Foundation  
CBGN – Chesapeake Bay Gateways Network  
CBLB – Chesapeake Bay Local Assistance Board  
CBPADMR – Chesapeake Bay Preservation Area Designation and Management Regulations  
CCB – Center for Conservation Biology  
CCI – Comprehensive Coastal Inventory Program  
CELCP – Coastal and Estuarine Land Conservation Program  
CESCF – Cooperative Endangered Species Conservation Fund  
CINWR – Chincoteague Island National Wildlife Refuge  
CNHT – Chesapeake National Historic Trail  
CVW – Clean Virginia Waterways  
CWP – Center for Watershed Protection  
CZM – (Virginia) Coastal Zone Management (Program)  
CZMA – Coastal Zone Management Act  
DCR – Department of Conservation and Recreation (Virginia)  
DEQ – Virginia Department of Environmental Quality  
DFGP – Derelict Fishing Gear Program  
DGIF – Department of Game and Inland Fisheries  
DMA – Disaster Mitigation Act  
DMME – Department of Mines, Minerals and Energy  
DOI – Department of the Interior  
ECM – Ecological Core Model  
EIS – Environmental Impact Statement  
FEMA – Federal Emergency Management Agency  
FIRM – Flood Insurance Rate Maps  
GCCC – Governor’s Commission on Climate Change  
GEMS – Geospatial and Educational Mapping System  
GIS – Geographic Information Systems  
GWRC – George Washington Regional Commission  
HIRA – Hazard Identification and Risk Assessment  
HRPDC – Hampton Roads Planning District Commission  
ICC – International Coastal Cleanup  
INSTAR – Interactive Stream Assessment Resource Healthy Waters Initiative  
JLARC – Joint Legislative Audit and Review Commission  
JST – John Smith Trail  
KVB – Keep Virginia Beautiful  
LAL – Limulus Amoebocyte Lysate  
LIDAR – Light Detection And Ranging  
LIDATF – Low Impact Development Assessment Task Force

LNG – Liquefied Natural Gas  
 LWCF – Land and Water Conservation Fund  
 MAFMC - Mid-Atlantic Fishery Management Council  
 MAPP – Mid-Atlantic Power Pathway  
 MARAD – Federal Maritime Administration  
 MARCO – Mid-Atlantic Regional Council for the Ocean  
 MAWW – Mid-Atlantic Wetlands Workgroup  
 MDNR – Maryland Department of Natural Resources  
 MIBI – Modified Index of Biotic Integrity  
 MMS – Minerals Management Service  
 MPCBPAA – Middle Peninsula Chesapeake Bay Public Access Authority  
 MPPDC – Middle Peninsula Planning District Commission  
 MSRA – Magnusson-Stevens Reauthorization Act of 2006  
 NASS – National Agricultural Statistics Service  
 NEAMAP – Northeast Monitoring and Assessment Program  
 NFWF – National Fish and Wildlife Foundation  
 NIMBY – “Not In My Backyard”  
 NNCBPAA – Northern Neck Chesapeake Bay Public Access Authority  
 NOAA – National Oceanic and Atmospheric Administration  
 NPDS – National Pollutant Discharge System  
 NRC – Nuclear Regulatory Commission  
 NVRC – Northern Virginia Regional Commission  
 NWI – National Wetlands Inventory  
 OCS – Outer Continental Shelf  
 OCSLA – Outer Continental Shelf Land Act  
 ODEC – Old Dominion Electricity Cooperative  
 OSDS – Onsite Sewage Disposal System  
 OTEC – Ocean Thermal Energy Conversion  
 PAA – Public Access Authority  
 PCA – Priority Conservation Areas  
 PDC – Planning District Commission  
 PWDCA – Priority Wildlife Diversity Conservation Areas  
 QTP – Quality’s Waste Tire Program  
 RPA – Resource Protection Area  
 SAFETEA-LU - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for  
     Users  
 SAMP – Special Area Management Plan  
 SAV – Submerged Aquatic Vegetation  
 SCC – State Corporate Commission  
 SELC - Southern Environmental Law Center  
 SMP – Shoreline Management Plan  
 SWCD – Soil and Water Conservation District  
 TMDL – Total Maximum Daily Load  
 TMI – Tidal Marsh Inventory  
 TNC – The Nature Conservancy  
 TOGA – Tidewater Oyster Gardeners Association



## **VII. Appendix**

Letters received during public comment period conducted  
December 1, 2010 – January 3, 2011



## TOWN OF CHINCOTEAGUE, INC.

January 3, 2011

Beth Polak  
Virginia CZM Program  
623 East Main Street  
Richmond, VA 23219

RE: Section 309 Coastal Zone Enhancement Program 2011-2016

Dear Ms. Polak:

Please accept the following public comment in response to the Draft Needs Assessment and Strategy that your office submitted to NOAA under the Section 309 Program on September 20, 2010.

As a professional land use planner, working for the Town of Chincoteague in Virginia, I am trying to stay informed on the programs and policies that will affect our community. The CZM Program has accomplished significant long range planning projects on the Eastern Shore in the past and we look forward to working with you in the future.

The following ideas and observations are my own and do not reflect an official response by our local government.

- ❖ Continue to support coastal community planning under a Coastal Hazards strategy
  - The ESVA Adaptation Working Group, sponsored by The Nature Conservancy, has established a priority for the processing and application of LiDAR elevation data. We will need your continued assistance at the local community level through the Coastal GEMS program to prepare map products and analysis
  - The priority that NOAA has placed on climate adaptation, weather resilience and sustainable coastal communities/economies should be supported by the Virginia 309 plan as a high priority with strategies developed to support a program similar to Maryland's 'Coast-Smart Communities'
  
- ❖ Prepare the Working Waterfronts Plan as a Project of Special Merit – not under the CSI strategy
  - Considering this topic under the Cumulative and Secondary Impacts strategy rather than a more comprehensive strategy creates a bias against existing coastal communities
  - Shoreline management strategies for 'living shorelines', migration of wetlands, and blue/green infrastructure separation of human use from all water edges will conflict with the Working Waterfront strategy and will require special consideration

6150 COMMUNITY DRIVE, CHINCOTEAGUE ISLAND, VIRGINIA 23336  
(757) 336-6519 FAX (757) 336-1965

- ❖ Include coastal communities in the 309 document planning scope or consider an exclusion for 'human use' habitats from the enforceable policies that are proposed
  - Coastal communities, like Chincoteague, are not recognized as a habitat type for consideration under the proposed Seaside SAMP or the Working Waterfronts strategies
  - The Virginia 309 Plan excludes existing 'human use' communities from consideration except as an 'impact' on natural resources

The proposed Marine Spatial Plan process along with a continued Seaside SAMP will encourage needed long range planning for the Eastern Shore. I look forward to your efforts and hope to participate as an advocate for balancing 'natural resource protection and reasonable coastal-dependent economic growth' in our coastal communities.

Sincerely,



William W. Neville, AICP  
Director of Planning

cc. Elaine K. N. Meil, A-NPDC



**VCAN**  
Virginia Coastal Access Now

*Helping provide public access to Virginia's coast!*

VCAN Home Office  
1356 Pamlico Blvd.  
Chesapeake VA 23322  
757-410-3180  
vcnaccess@verizon.net

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January 3, 2011

Ms. Beth Polak/DEQ

VA CZM Program

[Beth.polak@deq.virginia.gov](mailto:Beth.polak@deq.virginia.gov)

VCAN public comments on the Virginia Coastal Zone Management Program's Draft Section 309 Needs Assessment & Strategy (the strategy) September 20, 2010

Virginia Coastal Access Now (VCAN) supports the strategy with the following comment. VCAN believes that public access as a coastal management or "enhancement" area under the CZMA Section 309 is a top priority area that should have been listed by the Virginia CZM Program. This can be found in the strategy's own assessment of public access wherein the continuing trend of the loss of public access via the "privatization of the shoreline" is identified in the face of a stated increase in demand for public access in the Virginia Outdoor Plan. The Middle Peninsula Survey data conducted by the MPCPPAA also expressed that no survey respondents thought that public access to the coast was adequate or better. This response is shared throughout Virginia's coastal zone based on many examples where public access to the water's of the Chesapeake Bay have been lost over the last 40 plus years that continue to this vary day. Hence, our non-profit agrees with the public access component of the strategy with increased priority.

The strategy, specifically the Cumulative and Secondary Impacts (CSI) of Coastal Growth & Development enhancement are, is a potential vehicle to help stop and even reverse this trend by including planned actions to restore public access while developing Working Waterfronts. Under the CSI, a goal to expanding public access needs to include the creation of new public access opportunities, precluding the closure of existing public access locations, and the restoration of sites where public access has been lost.

Virginia Coastal Access Now (VCAN) is a nonprofit 501c3 organization established September 18, 2006  
To maintain and enhance the public's access to Virginia's beaches and waterways within the Commonwealth of Virginia's Coastal Zone  
Donations welcomed and are tax deductible • EIN 56-2424100  
1356 Pamlico Blvd. • Chesapeake VA 23322 • 757-410-3180 • vcnaccess@verizon.net • www.vcnaccess.org

The VA CZM Program Strategy should dovetail with the President's Executive Order (EO) and draft Chesapeake Bay Strategy Goals Framework (March 19, 2010) including it's public access component for public access to the waters of the Chesapeake Bay.

Enhancements by both these strategies and the proposed Working Water front Preservation Act of 2009 could ensure and restore waterfront and public access. Under the proposed Act, the EO, and draft strategies, restoration of public access could range from re-acquisition of public property from private control to lifting restrictions on parking to removing barriers at public access sites. The lack of public parking or "access to the access" is the great façade of public access. How and where possible in the strategy, the Virginia CZM Program must address the need, issue, and requirement for public parking to provide real public access.

The Coastal GEMS website is an excellent resource for mapping public access. This GIS based resource could include a data layer under recreational features that clearly identifies the availability of public parking.

The Virginia Recreation Saltwater Fishing Fund that are generate from fishing license fees for increasing public access for fishing in saltwater areas should be utilized to improve public access in the saltwater of Virginia's coastal zone when the funds are made available.

VCAN endorses the Coastal Policy Team's stated recommendation that "The issue of public access will be addressed through the CSI, Working Waterfronts strategy by coupling efforts to retain or enhance public access to regionally identified coastal areas for recreational as well as commercial water-dependent activities."

Virginia Coastal Access Now expresses our gratitude for VA CZM Program's efforts on behalf of public access and thanks the DEQ for the opportunity to comment.

Respectfully submitted,



Mark Feltner, President



January 3, 2011

Ms. Beth Polak  
Virginia Coastal Zone Management Program  
Department of Environmental Quality  
629 East Main Street  
Richmond, VA 23219

Re: Section 309 Coastal Zone Enhancement Program – Draft Assessment and Strategy  
Public Comments

Dear Ms. Polak:

The staff of the Hampton Roads Planning District Commission has received and reviewed the Section 309 Coastal Zone Enhancement Program Draft Assessment and Strategy. Based on this review, we believe that the strategy adequately identifies critical issues facing coastal zone localities in Hampton Roads. This strategy addresses a key need in the region for consideration of issues facing the coastal zone.

Specifically, we believe that the section addressing Cumulative and Secondary Impacts of Coastal Growth and Development provides an important opportunity for the development of effective policies that address imminent regulatory issues, including the Chesapeake Bay TMDL and changes to Virginia's stormwater regulations. HRPDC is capable of performing the tasks laid out in the strategy for October 2011 to September 2014.

We appreciate the opportunity to review this draft strategy. If you have any questions, please do not hesitate to call.

Sincerely,

Dwight Farmer  
Executive Director/Secretary

BJM/kg

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Michael L. Lipford

January 3, 2011

Beth Polak  
Virginia CZM Program  
629 East Main Street  
Richmond, VA 23219

Re: TNC Comments on the Virginia Coastal Zone Management Program's  
Draft Section 309 Needs Assessment and Strategy

Dear Ms. Polak:

I am writing to provide The Nature Conservancy's comments on the Virginia Coastal Zone Management Program's Draft Section 309 Needs Assessment and Strategy ("the document"). In general, the Conservancy wishes to convey its strong support for the three priority areas identified in the document: ocean resources, cumulative and secondary impacts of growth and development, and special area management planning.

Several of the strategies outlined within the three priority areas are closely aligned with The Nature Conservancy's objectives in Virginia and the Mid-Atlantic region. We are particularly pleased with the strategies outlined in the document to:

- Develop a Marine Spatial Plan for the Seaside's barrier island lagoon system as part of the Seaside Special Area Management Plan,
- Develop a Virginia Marine Spatial Plan for the waters off Virginia's coast in concert with the Mid-Atlantic Regional Council on the Ocean and the "regional planning body" called for in the July 19, 2010 Final Recommendations of the Interagency Ocean Policy Task Force, and
- Continue work to promote the use of living shorelines.

The Nature Conservancy will do whatever we can to assist in these efforts.

We place tremendous value on our partnership with the Virginia Coastal Zone Management program. Thank you for the opportunity to provide these comments.

Sincerely,



Nicole M. Rovner  
Director of State Government Relations