

“Working Waterfront Issues – State Approaches to Jobs, Access and Public Trust Waters”

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Welcome to



Water Access **2007**

**A National Symposium on
Working Waterways & Waterfronts**

**May 9 - 11, 2007
Norfolk, Virginia**



2007 and 2010 WWF Conferences

- Stay tuned as the program continues.
- <http://www.wateraccessus.com>



“Keep America’s Waterfronts Working Act “ (HR2548)

- an approved working waterfronts plan would position Virginia to receive funding for acquisition of commercial waterfront sites and plan implementation given that currently proposed legislation

Different Approach in CZMA

- Would likely be implemented in a way modeled after the “Coastal and Estuarine Land Conservation Program” (“CELCP”)



Federal CZM Act Reauthorization

- Authorization expired in 1999
- Has been operating on original authorization from 1972
- Water Access now a national priority
- Reauthorization is being pushed now by NMMA, BOAT US and other stakeholder orgs.



The Act Would Amend the Coastal Zone Management Act of 1972

- Establish competitive matching grant program administered through the Department of Commerce. Coastal states would apply for matching grants to purchase title or development rights to working waterfront...



Eligibility

- To be eligible a coastal state would develop a comprehensive Working Waterfront Plan.



Local Tools Being Used

- Working waterfront retention measures many and varied

But can be summarized as:

1. Legislative
2. Regulatory
3. Comprehensive measures



Legislative Measures

- *Tax Deferrals* -agree if certain conditions met; i.e. use and ownership don't change.
- Survey in Florida suggest not popular with contingent tax liability accruing on property

Regulatory Measures

- *Development Moratoria* -allows local gov't time to formulate and implement retention measures by effectively freezing permitting for specific type of development for specific time period.
- Most downside on developers and stakeholders in proposed property.



Regulatory Measures

- *Land Use and Zoning Restrictions*
- Zoning divides into “use districts” for limitations on possible use of given property.
- Many areas have such marine industrial zoning.
- Probably need discretionary review process for conditional uses, etc.



Comprehensive Measures

- *Design Standards*

usually architectural, but in terms of marinas and the like, standards can include rights-of-way to water and other requirements for public access.



WWF Work Continues a Decade of VCP Strategy

- Oyster Heritage Program
- MP & NNPDCA Public Access Authorities
- York River Use Conflicts Project
- MP Shallow Water Dredging Plan/Framework
- Aquaculture WWF Policy Needs
- Next WWF Plan & Policy Tool Development

Next

- 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 proposed Planning Process

- help derive a clear **consensus definition** of water dependent commercial activities
- **inventory** existing working waterfront infrastructure throughout the costal zone
- Gather examples of **policy tools** for local government consideration 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