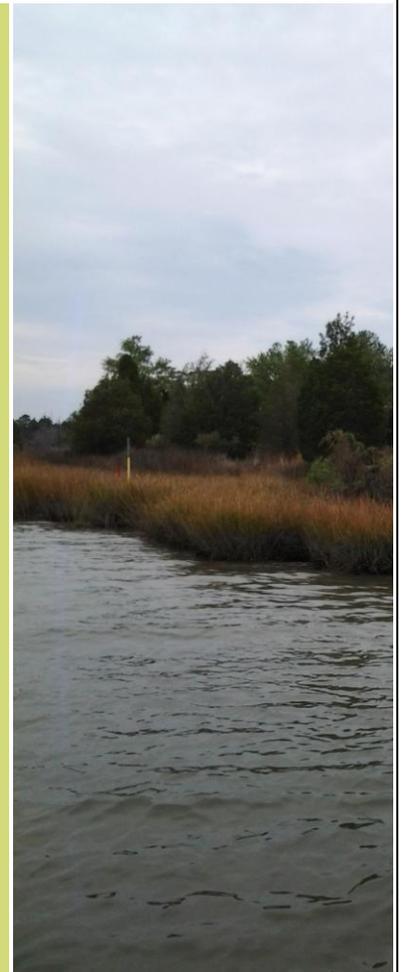


MIDDLE PENINSULA PLANNING DISTRICT COMMISSION

Coastal Technical Assistance Program



2017



Virginia Coastal Zone
MANAGEMENT PROGRAM

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PRODUCT #1: COASTAL MANAGEMENT ANALYSIS AND POLICY SUPPORT

The Middle Peninsula Planning District Commission's (MPPDC) Coastal Resources Technical Assistance Program provides the necessary administrative framework to assist rural coastal local governments across the Middle Peninsula with access to enhanced coastal zone management tools and techniques that balance economic development with protecting coastal resources.

The MPPDC Coastal Technical Assistance Program provided and supported both analysis and policy assessment using a variety of approaches to assist and improve local and regional planning efforts. The nine local governments of the Middle Peninsula region relied upon MPPDC staff for ongoing analysis and policy support for emerging issues (e.g. stormwater, FEMA flood program, public water access and economic development). Technical policy assistance included demographic and economic analysis; review of environmental assessments, intergovernmental review, site visits and research to assess coastal issues.

Example of Coastal Management Support

Stormwater management

MPPDC staff participated on the Virginia Department of Environmental Quality (DEQ) Stormwater Fee Advisory group to review the fee structure and to make recommendations for fee changes associated with the storm water management permits. In parallel efforts MPPDC staff worked with Delegate Keith Hodges (98th District) to convene discussions with Middle Peninsula localities regarding the outstanding stormwater donut hole issues associated with the HB 1250/ SB 673 Virginia Erosion and Stormwater Management Act; consolidation of programs; opt-out for certain localities. Based on discussions HB 1774 was drafted, introduced,

and passed at the 2017 General Assembly Session to examine ways to improve stormwater management. More specifically, the house bill, *“Directs the Commonwealth Center for Recurrent Flooding Resiliency (the Center) to convene a work group to consider alternative methods of stormwater management in rural Tidewater localities. The bill provides that the group is to be facilitated by the Virginia Coastal Policy Center at William and Mary Law School and is to include representatives of institutions of higher education, state agencies, local governments, private industry, and other groups. The bill provides that the work group is to review and consider the creation of rural development growth areas, the development of a volume credit program, the payment of fees to support regional best management practices, and the allowance of the use of stormwater in highway ditches to generate volume credits. The bill requires the Center to report the results of the work group's examination to the Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by January 1, 2018, which is the date the work group provisions of the bill are set to expire. The bill also delays from July 1, 2017, to July 1, 2018, the effective date of new stormwater laws enacted during the 2016 Session of the General Assembly.”* The Committee began meeting in July 2017. MPPDC staff and the MPPDC Chairman served on the committee in the interest of all Middle Peninsula localities. The committee has worked diligently to create recommendations that offer rural jurisdictions equitable participation in stormwater management program.

Demographics and Economic Analysis

As the MPPDC region continues to struggle to rebound from the great recession of 2007-2009, MPPDC staff has been asked to provide a new socio-demographic analysis to illustrate stagnating economic and social conditions. MPPDC staff used the Weldon Cooper Center

Demographics Research Group's most recent population projections for Virginia to create a one page information sheet

(http://www.mppdc.com/articles/PDC_Info/Population_Projects_2017_RED.pdf).¹

Restore America's Estuaries conference

MPPDC staff attended the Coastal Society's Restore Americas Estuaries conference on December 10-15th and attended the biennial meeting of the Coastal Society on December 25th. MPPDC staff served on the Board of Directors for the Coastal Society. The conference was the largest national gathering in 2016 focused on coastal restoration, science, and management practices. Specific topics discussed included planning and designing resilient communities as well as working together for coastal resilience and health in the face of changing climate.

PRODUCT #2: LOCAL AND STATE PLANNING COORDINATION

MPPDC hosted monthly and quarterly meetings as a forum and information exchange between the local planning staff, local government administrators and local government appointed committees. This forum provided for continued coordination of coastal local planning efforts, specialized training opportunities and the impetus for leadership in progressive coastal zone planning techniques. Training topics revolved around assisting with implementation of existing state and federal regulations including, but not limited to ground water management; stormwater management; repetitive flooding & public safety; hazard mitigation; local land use police powers and other related matters. Forums, training and meeting activities served as a conduit for information exchange between various user groups about state/federal initiatives and to solicit input

¹ Please note that MPPDC staff did not utilize mySidewalk, as proposed in the original scope of work, since MPPDC staff realized that the outcomes were not going to produce the anticipated results needed for the project.

from localities on state/federal initiatives. Coordination occurred at the local level for administrators and planners (monthly, bi monthly, and quarterly), and other appropriate committees as necessary.

MPPDC staff specifically convened twelve meetings of the local government administrators, five meetings of the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA), and hosted a meeting of the Coastal Planning District Commissions (i.e. Northern Neck PDC, Middle Peninsula PDC, Hampton Roads PDC, George Washington PDC, Richmond Regional PDC, and Crater PDC) to discuss ongoing and new issues related to coastal zone management.

Example of Local Planning Coordination

MPPDC staff partnered with the Federal Emergency Management Agency (FEMA) in preparation for a Middle Peninsula workshop to discuss the All Hazards Mitigation Plan amendment process, the community rating system, and the process utilized by FEMA to account for construction improvements to structures. In May 2017, MPPDC staff also coordinated with FEMA to convene a resiliency workshop for local elected officials and staff to learn and discuss how federal policy and funding is provided to address flooding.

PRODUCT #3: MPCBPAA WORK PLAN & SUPPORT FOR ONLINE FACILITY RESERVATION SYSTEM

MPPDC staff assisted the MPCBPAA with project facilitation, research and data collection to support the implementation of the MPCBPAA annual work plan. MPPDC staff also assisted Virginia Interactive with the Online Facility Reservation system design by providing technical planning assistance including, but not limited to, outdoor trail planning, public access use capacity assessment, site mapping, and other aspects of coastal

recreational planning to enhance the user’s interactive experience with the reservation system. MPCBPAA meetings were convened in October, December, February, April, and September to implement the work program

Examples of Work Plan and Support for Online Facility Reservation System

MPPDC staff hosted five meetings of the MPCBPAA throughout the course of the project. Topics discussed ranged from land donations, reservation system, public water access, eco-business framework, and the construction of a nature viewing platform on the Clay Tract. MPPDC staff also updated the reservation system with NOAA tidal information as some of the MPCBPAA properties are inaccessible at high tides.

PRODUCT #4: BENEFITS ACCRUED FROM PRIOR CZM GRANTS

Over the past years, funding through Virginia Coastal Zone Management (CZM) Program has made it possible for Middle Peninsula’s rural localities to progressively examine coastal zone issues and formulate solutions conducive to growth and sustainability in the region. Compilation of prior benefits accrued through prior CZM funding will show the significant strides made possible, and demonstrate the ongoing necessity of the program to Middle Peninsula localities.

MPPDC staff created a brief report (2 page) naming and describing MPPDC projects funded by CZM in previous years that have produced measureable benefits in subsequent years and/or have served as a foundation for additional projects (Appendix A).

Appendix A:
Benefits accrued from prior CZM Grants



BENEFITS ACCRUED FROM PRIOR CZM GRANTS IN THE MIDDLE PENINSULA OF VIRGINIA



Below is a list of names and a description of Middle Peninsula Planning District Commission (MPPDC) projects funded by the Virginia Coastal Zone Management Program in previous years that have produced measureable benefits in subsequent years and/or have served as a foundation for additional projects.

STORMWATER

Since 2011, the Virginia Coastal Zone Management Program funded five separate projects that addressed stormwater management within the Middle Peninsula, including:

- In 2012, MPPDC staff was awarded Grant #NA11NOS4190122 Task 94.02 *Land and Water Quality Protection in Middle Peninsula* to analyze the ownership, management and oversight of stormwater ditches and the relationship to the secondary road system overseen by the Virginia Department of transportation.
- In 2013, MPPDC staff was awarded Grant #NA12NOS4190168 Task 94.02 *Land and Water Quality Protection in Middle Peninsula Phase II* to explore the formation of a regional stormwater management program to reduce the cost and improve the delivery of stormwater management services. Also, MPPDC was funded through the CZM Technical Assistance Program (Grant #NA14NOS4190141 Task 44) which supported, in part, the development of HB 1173/SB 423 to allow localities to “opt-out” of the administration of a local stormwater management program. All localities within the Middle Peninsula, with the exception of Gloucester County, opted- out.
- In 2014, MPPDC staff was funded through the CZM Technical Assistance Program (Grant #NA15NOS4190164 Task 44) to assist local government in interpreting and enacting the stormwater and erosion and sediment control program under the existing law, particularly as HB1250/SB673 caused confusion.

Benefits

Each project funded through the CZM built off the previous project and created regional momentum to address on-going concerns regarding stormwater management. With funding through the CZM Coastal TA MPPDC has been able to work with Delegate Hodges, to represent MPPDC locality voices, to develop new legislation that allowed rural localities to more equitably participate in stormwater management. HB 1774 and other collective work of the MPPDC is estimated to save Virginia localities several million dollars in stormwater program administration costs. Also under HB1774, MPPDC provided critical input to help improve the insolvency of the state administered stormwater management program which is operating at over a \$2 million shortfall annually. MPPDC's input to HB1774 will include cost savings for DEQ to implement the state wide program.

LIVING SHORELINES

Legislation passed in 2011 designating living shorelines as the preferred alternative for stabilizing Virginia tidal floodplain shorelines. Beginning in 2013, local governments were required to include living shoreline policy and guidance in their comprehensive plans, consequently MPPDC staff sought funding through the Virginia CZM program to begin understanding living shorelines, their potential benefits and how they could be used to secure the Middle Peninsula shoreline. In 2012, MPPDC was awarded Grant #NA12NOS4190168 Task 54 *A Study to Determine the Efficacy of Incentivizing the Use of Living Shorelines in Virginia Through the Establishment of a Revolving Loan Fund*. This study researched offering grants and /or loans at below market rates to encourage the financing of living shoreline projects to advance the Commonwealth's Water Quality and coastal habitat goals. This project was the catalyst for other associated projects that eventually facilitated the creation of a MPPDC Living Shoreline Financing Program.

Benefits

With CZM funding in 2012 for a study to determine the efficacy of incentivizing the use of living shorelines in Virginia through the establishment of a revolving loan fund, MPPDC staff had the opportunity to work with Delegate Hodges on HB1734 to allow the Virginia Resources Authority to lend funds for the installation of living shorelines for water quality purposes. The bill subsequently was enacted into law as §62.1-229.5, *Loans for Living Shorelines*.

MPPDC also received funding from NFWF to construct a living shoreline demonstration project on land owned by the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA), develop a living shoreline incentive program (loans to homeowners and an “insurance program”), and finance a pilot project. In 2015, MPPDC staff served on the workgroup assembled by Virginia Department of Environmental Quality to develop administrative guidelines for funding living shoreline projects and provided a draft of its Living Shoreline Incentive Program (LSIP) design to the Virginia Clean Water Financing and Assistance Program at DEQ to be used as a model Local Plan for other localities/PDCs interested in establishing a LSIP for their area.

Benefits (continued....)

In June 2016, MPPDC submitted application for funding through the Virginia Clean Water Financing and Assistance Program to capitalize its LSIP Program. The application was approved by the State Water Control Board in December and the MPPDC received a letter authorizing a loan of \$250,000 at 0% interest over 15 years. MPPDC began accepting applications for Living Shoreline loans in March 2017. The first project was approved May 12, 2017. Capitalization of the LSIP was secured on June 1st and the first project was completed in July.

To provide additional options to coastal land owners, the MPPDC reached out to the Virginia Association of Soil and Water Conservation Programs which administers the Virginia Conservation Assistance Program (VCAP) through local Soil and Water Conservation Districts to discuss partnering to provide both loans and grants to eligible landowners. MPPDC's first 2 approved projects utilized funding from both programs.

MPPDC has distributed several dozen applications, approved and closed on 4 projects, and completed construction of two projects with \$208,442 of funding approved (loans and VCAP grants) to homeowners.

MPPDC continues to partner with Virginia Institute of Marine Science Shoreline Studies Program with funding from the National Fish and Wildlife Foundation to build demo Living Shoreline projects on public access sites to research different methodologies and improve public knowledge of these practices in the region.

PUBLIC ACCESS

Since the creation of the MPCBPAA in 2003, the CZM Program has funded a variety of projects that have moved the MPCBPAA towards its goal of improving public access to the water's of the Commonwealth.

- In 2012, MPPDC staff was awarded Grant #NA11NOS4190122 Task 53, *Rural Chesapeake Bay/Seaside of Virginia Working Waterfront Coalition* to study and report on working waterfront businesses that were closed or in danger of closing, and document the issues associated with the closing of each business. Additionally, the project identified land use planning tools associated with the impacted businesses, identified the business or legacy succession planning the businesses had in place, provided a section on legacy and succession planning available for working waterfront businesses, and a list of resources available for businesses.
- In 2013, MPPDC staff was awarded Grant #NA10NOS419025 Task 53 *Perrin Wharf Waterfront Revitalization* to revitalize and reorganize the public wharf moorage space at the newly acquired Perrin Wharf.
- In 2013, MPPDC staff was awarded Grant #NA10NOS4190205 Task 51 *Severn River Property – Preliminary Management Plan Development*), to develop preliminary plan for the Severn River property that meets the goals of the MPCBPAA while maximizing access, outdoor recreation and community needs.
- In 2013, MPPDC staff was awarded Grant #NA11NOS4190122 Task 56 *Aberdeen Creek Harbor Master Plan*, to focus on developing a master plan for Aberdeen Creek that aimed to maintain services and working waterfront industries within the Creek.
- In 2014, MPPDC staff was awarded Grant #NA14NOS4190141 Task 53 *Captain Sinclair's Recreational Area Water Access Improvement and Native Coastal Landscaping*, to improve water access at the Captain Sinclair's Recreational Area through the construction of a new pier and planting of native landscape surrounding the new pier to enhance the adjacent wetlands.
- In 2015, MPPDC staff was awarded Grant #NA14NOS4190141 Task 52 *Public Access Authority Private Land Giving Program Development for Enhancement of Public Water Access on the Middle Peninsula*, to create a structured process for land acquisition closings, educating both the public and private sector on the economic benefits of private land donations for public use and creating a marketing and outreach campaign targeting potential donors.
- In 2016, MPPDC staff was awarded Grant #NA15NOS4190164 Task 53 *Middle Peninsula Public Access Master Plan*, to create a roadmap for public access throughout the Middle Peninsula region.
- In 2016, MPPDC staff was awarded Grant #NA16NOS4190171 Task 52 *Eco-Business Program Development*, to establish a Middle Peninsula eco-business program to encourage eco-business entrepreneurs use of MPCBPAA public lands.

Benefits

With funding from the CZM Program, the MPCBPAA in partnership with MPPDC staff, has created a network of waterfront properties that offer water access, scenic views, and numerous hunting opportunities throughout the region. CZM projects have enhanced MPCBPAA's management of this network of lands through planning efforts and helped to secure funding to develop an online land reservation system for MPCBPAA lands.

With funding for the MPCBPAA Private Land Giving Program, a structured land giving program and a public access marketing campaign was created to encourage land donations to the MPCBPAA. The MPCBPAA found that while some property owners are interested in donating properties to receive tax benefits, others are interested in supporting public access to water's of the Commonwealth. However whatever the reasons for the donation, without these donations, neither the Commonwealth nor local governments could afford to purchase such desirable land for the public's benefit. Between 2006 and 2016, MPCBPAA has received donation of 35 parcels, amounting to 174.148 acres with approximately \$3,999,250 in land value.

As CZM continues to fund MPCBPAA projects, the MPCBPAA continues to improve access to the waters of the Commonwealth and more effectively manage its land assets.