



# Virginia Coastal Zone MANAGEMENT PROGRAM

## Coastal Policy Team

### Meeting Notes

Wednesday, March 26, 2014

Location: DEQ Central Office, 629 E. Main Street, Richmond VA

#### **Climate Adaptation Efforts**

Ben McFarlane of HR PDC reported on two grants from the Virginia CZM Program to HRPDC: 1) Assistance to Virginia Beach in developing a sea level rise adaptation plan; and 2) Technical Assistance and outreach to localities in the region, including an elevation data/mapping component. The second grant covers localities on the Peninsula and Southside that were left out of other VGIN efforts. HRPDC has held four Climate Change Adaptation Forums in conjunction with ODU and VIMS, with another being held on Friday, March 28. At HRPDC's commission meeting they will be setting up a Special Committee of local staff to look at recurrent flooding.

CZM Coastal Planner Shep Moon reported on two state-level climate adaptation initiatives: 1) the Recurring Coastal Flooding Subpanel of the Secure Commonwealth Panel, and 2) the Joint Subcommittee on Recurrent Flooding (SJR 3 and HJR 16) created by the 2014 General Assembly. Virginia CZM will be participating in both initiatives, and will continue to participate in MARCO's Climate Change Action Team. MARCO is currently working with Rutgers University to evaluate potential climate change impacts in the Mid-Atlantic region.

Curt Smith of A-N PDC reported an Eastern Shore stakeholder group meets quarterly regarding climate change/sea level rise planning tools and outreach/education efforts. Also, through A-NPDC's Technical Assistance grant from the Virginia CZM Program the PDC is assessing the vulnerability of roads to Long-term Flooding. This could be a pilot project and A-NPDC is working with VDOT. He also reported that the USGS wants to install 6 long-term tide gauges and are looking for \$5K annually from localities to maintain them. This is needed to create a true network of tide gauges and fill in gaps in the data.

#### **National Flood Insurance Program's Community Rating System – Wetlands Watch**

Shannon Hulst of Wetlands Watch shared a PowerPoint on the National Flood Insurance Program's Community Rating System and noted its potential for improving coastal resiliency in Virginia as well as saving money for property owners on flood insurance premiums. This PowerPoint is available on our website at

[http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/National\\_Flood\\_Insurance\\_Program\\_and\\_Community\\_Rating\\_System\\_presented\\_by\\_Wetlands\\_Watch\\_to\\_CPT\\_March\\_26\\_2014.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/National_Flood_Insurance_Program_and_Community_Rating_System_presented_by_Wetlands_Watch_to_CPT_March_26_2014.pdf).

Mark Slauter of VDEM noted that a template is needed that crosswalks the state programs and activities and the points to be earned for the localities. Ben McFarlane stated that we need to work with State agencies to identify which laws are applicable to the CRS and use this on the template. It was noted that such a template that crosswalks state and local programs with the CRS point system could make it easier for localities to apply. The CRS manual is 3" thick which creates a daunting task for

individual localities to determine whether or not they qualify for points. This activity could possibly be funded under the next round of CZM Section 309 strategies.

### **Updates to Executive Order continuing VA CZM Program 2014-2018**

The current Executive Order continuing the Virginia CZM Program is set to expire June 30, 2014. The CZM Manager Laura McKay reviewed the current EO and led a discussion of potential updates to the EO. Adding the word “ocean” to certain parts of the Executive Order where the word “coastal” appears was discussed in light of the program’s new efforts in ocean management. John Kuriawa, the NOAA Specialist for Virginia, stated that before adding “ocean” we should ensure that we are not significantly changing the approved program and EIS.

Laura proposed adding VDEM as a partner agency. VDEM stated they are ready to be involved and the Coastal Policy Team agreed they should be. Mark Slauter of VDEM will check with their Secretary to ensure that inclusion would be approved.

Given their responsibility to administer several core coastal laws at the local level, several PDCs proposed the following change (in red) to the statement appearing above the list of “Responsible Agencies and Enforceable Policies”: “The following state agencies shall have primary responsibility **in cooperation with local governments as appropriate.**” The CPT agreed to that change.

### **FY 14 CZM Application to NOAA**

Laura reported that the VA CZM Program expects to receive a slightly higher funding level in FY 14 than was available in FY 13 or even FY 12. This allows for restoration of the Land Acquisition project to \$200K; keeping the Seaside Restoration project level funded at \$161,000; increasing the PDC Competitive grants to \$140K. After making those changes, there would be another \$30K in Section 306 funds to allocate. Laura proposed adding that amount to land acquisition project in light of the fact that funds had been cut to \$130 in FY13 and that the current Governor has also set a 400 acre goal for land protection. The Coastal Policy Team agreed.

\$520K in Section 309 funds will be available in FY 14 (\$ 69k more than in FY13). This allows for funding to be restored to the levels originally proposed in the 5-year Section 309 Strategy. These funds must be used for the development of new, enforceable policies.

The restored 309 funds for the ocean strategy will be used either to support ocean data collection (marine mammal migration data) or implementation of the Marine Debris Reduction Plan which will be completed in summer 2014.

### **Program Changes**

Shep provided updates on several routine program change issues. The Virginia CZM Program has submitted a draft routine program change document regarding updates to the Virginia Department of Game and Inland Fisheries (VDGIF) administration of game, inland fisheries and boating laws. Based on feedback from NOAA, Virginia CZM is now working with VDGIF to identify the enforceable policies of the package before formally submitting the routine program change to NOAA.

As a follow-up to previous discussions, the CPT was in general agreement that laws protecting state-listed species of threatened and endangered animals, plants and insects should be formally incorporated. State-listed threatened and endangered species have been included in every Virginia CZM

Program Executive Order, but not listed as enforceable policies. Because the Virginia Department of Transportation still objects to this action, Virginia CZM staff will brief the Director of the Department of Environmental Quality in order to decide how best to proceed.

The CPT also discussed the need to submit a routine program change package that documents changes that occurred as a result of moving responsibility for implementation of the Chesapeake Bay Act and Regulations and the Erosion and Sediment Control Law from the Department of Conservation and Recreation to the Department of Environmental Quality. The merits of adding certain local programs were also discussed; although it was determined that further research is needed to determine if this action is necessary.

### **New Section 312 Program Evaluation Process**

Laura explained the new “paper” rather than “in-person” evaluation process NOAA has instituted for CZM Programs. Rather than a week long series of meetings, states will be filling out a survey. Virginia CZM will need to organize completion of the 312 surveys by Nov 15, 2014 and the entire process will be completed by July 2015. The new guidance is available on the Virginia CZM website at: [http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/NOAA\\_Evaluation\\_Process\\_of\\_State\\_CZM\\_Programs\\_March\\_2013.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/NOAA_Evaluation_Process_of_State_CZM_Programs_March_2013.pdf)

### **309 Coastal Needs Assessment – 2016-2020 Session**

Every 5 years NOAA requires CZM Programs to complete a Coastal Needs Assessment and Strategy across 9 different coastal management topics. Virginia CZM’s current 5-year strategy will conclude in September of 2016. Program staff will begin work on the next assessment and 5-year strategy in fall of 2014. The draft assessment & strategy will be due May 1, 2015 and the final will be due November 1, 2015. Some changes have been made to the process and NOAA’s guidance document can be viewed on the Virginia CZM website at: [http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/NOAA\\_Section\\_309\\_Guidance\\_DRAFT\\_Jan2013.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/NOAA_Section_309_Guidance_DRAFT_Jan2013.pdf). One change is that there will be in-depth assessments for high priority areas and more cursory assessments for medium and low priority areas. The new guidance also further clarifies what will qualify as an “enforceable policy” and also that policies that are developed are not required to be formally incorporated in the CZM Program as an official “Program Change.”

### **Coastal Partners’ Workshop – Dec 2014**

Laura proposed and the CPT agreed that the next Biennial Coastal Partners Workshop will be held **December 10-11, 2014** at DEQ in the 2<sup>nd</sup> floor training rooms. [*The rooms were subsequently reserved.*] The Policy Team agreed that the workshop should include at least one day of “project and/or issue updates” and another day could be used for developing the Section 309 Coastal Needs Assessments and Strategies. Attendees could select which of the 9 topical workgroups they want to join for the day (e.g. public access, wetlands, cumulative & secondary impacts, ocean resources, special area management plans, etc – some topics could be combined). It was noted that outside stakeholders should be brought in for the 309 process and this could help fulfill the public participation process requirements of Section 309.

## **Working Waterfronts Strategy**

Coastal Planner Beth Polak reported that year three of the Section 309 Working Waterfronts Strategy is currently underway. The first three years of the strategy have been led by Tom Murray of VIMS Advisory Services with support from HRPDC, MPPDC, NNPDC, and ANPDC. First, each region developed a definition of Working Waterfronts followed by completion of a comprehensive inventory of working waterfronts infrastructure. This year, an economic analysis of four different types of working waterfronts is being conducted and specific policy options for each region will be identified.

A working waterfronts workshop was held February 26, 2014 to engage stakeholders and begin a dialogue toward developing the Virginia Working Waterfronts plan, which will be the final outcome of the five year strategy. The plan will include a Virginia policy tool kit, adapted from the national working waterfronts initiative, and recommended action to ensure protection of working waterfronts in Virginia. Case studies from each region will also be included in the plan. Another working waterfronts strategy for the next 309 cycle is a possibility. The presentations from the workshop can be viewed at:

<http://www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/VirginiaWorkingWaterfronts/VirginiaWorkingWaterfrontsWorkshop2014.aspx>

A new Virginia CZM Program Working Waterfronts webpage is on-line, and includes background fact sheets for each of the four planning districts involved in the Working Waterfronts Strategy: Eastern Shore, Hampton Roads, Middle Peninsula and Northern Neck. These were created to highlight the value of working waterfronts and some of the challenges Virginia faces in preserving them. See:

<http://www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/VirginiaWorkingWaterfronts.aspx>.

Troy Hartley noted that there is research regarding the greatest threats to working waterfronts. John Kuriawa stated that in Maryland, the greatest threat to working waterfronts is the opportunity to profitably harvest from the Bay.

## **Ocean Resources Strategy**

Laura gave an update on ocean planning mentioning that MARCO has created a Stakeholder Liaison Committee comprised of representatives of the various non-governmental ocean user sectors (e.g. shipping, fishing, recreation, energy, etc.). MARCO will solicit input from these liaisons for use by the Mid-Atlantic Regional Planning Body. The RPB is comprised of federal, state, and tribal government representatives. Each state has 2 seats on the RPB. Jack Travelstead, retired Marine Resources Commissioner, is being replaced by John Bull, the new Commissioner. The second seat had been held by recently retired Rick Weeks, Chief Deputy of DEQ but is in the process of being re-filled.

The Regional Planning Body held Listening Sessions in Norfolk where Laura presented background on MARCO and its Ocean Data Portal and Joe Atangan representing the Navy presented the draft framework for the RPB (<http://www.boem.gov/Environmental-Stewardship/Mid-Atlantic-Regional-Planning-Body/index.aspx>). One issue to be settled is the geographic scope of the Mid-Atlantic ocean planning effort – particularly the inland boundary and the extent to which bays and estuaries should be included or not. The public comment period closed on April 15, 2014.

Laura gave a brief update on the CZM Section 309 Project of Special Merit on whale migration. VA Aquarium is conducting the work and has documented right whale activity within Virginia's Wind

Planning Area 25 miles offshore of Virginia Beach. VA is about to get a research lease from BOEM for several blocks on the western edge of the WPA and is one of 7 states vying to be one of 3 states to receive \$45 million from Dept. of Energy to build two, 6 megawatt turbines. A decision is due in mid-May.

Laura mentioned that the next major effort in Virginia for ocean planning will be the engagement of commercial fishermen in “ground-truthing” or validating maps produced by MARCO’s contractors which combine Vessel Trip Report data and vessel permit data (including gear types) from NOAA to show a heat map of where the most fishing days at sea are spent according to the fishers’ home port. This is an approach called “Communities at Sea” pioneered by Kevin St. Martin of Rutgers University.

In regards to Marine Debris, the team continues to work on the Debris reduction Plan, prioritizing reduction strategies that can be undertaken with the limited funding available in Virginia’s Section 309 strategy. CZM staff and Clean VA Waterways prepared a \$95k grant application to NOAA’s Marine Debris Program for a social marketing campaign to reduce releases. [*Subsequently CZM staff learned they will likely receive \$50k for this effort and Laura is encouraging MARCO to fund the expansion of the campaign to the other Mid-Atlantic states.*]

### **Habitat Restoration Updates**

- Pickett’s Harbor Natural Area Preserve – on the southern bayside of the Eastern Shore – DCR used its CZM grant to plant agricultural fields with native plants beneficial to migratory songbirds.
- GATR Tract - on the southern seaside of the Eastern Shore – DGIF using its CZM grant to thin pines to improve light penetration to support growth of native understory trees and shrubs for migratory songbirds. Also removing invasive plants and a derelict cement block building to increase native habitat.
- Kiptopeke State Park – DCR used this CZM grant to repair hawk observatory, install deer stands, thin pines, install 6 native plant micro-habitats at the lodges and for a public outreach intern.
- Seaside Restoration – VIMS using CZM grant to continue eelgrass and bay scallop restoration. The 200 acres of eelgrass planted has spread to almost 5,000 acres - the largest eelgrass restoration in the world. Laura working with VIMS and MRC to define additional set aside areas for eelgrass. 10-12,000 acres is the maximum extent eelgrass can likely cover on the Seaside given its habitat requirements.

### **Virginia Native Plants Marketing Partnership**

CZM Outreach Coordinator Virginia Witmer presented activities of the *Virginia Native Plant Marketing Partnership* (VNPMP), initiated by VACZM in August 2011 as a forum to collaborate and coordinate on consistent messaging to the general public and to maximize the partner agencies’ limited resources - <http://www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/NativePlants.aspx>. Virginia CZM and the Department of Game and Inland Fisheries hosted two VNPMP Forums - ***Increasing the Use of Virginia Native Plants: Social Marketing, Collaboration and Coordination***, in May 2013, and a second Forum in January 2014 - ***Growing Our Community and Cultivating Our Ideas***. With feedback from these forums, a VNPMP Steering Team has

prioritized these projects: 1) development of a Virginia conservation landscaping certification; 2) development of a framework and guidelines for native plant seed collection/propagation; 3) development of a collaborative web-based site to support the partnership and a centralized website for Virginia native plant information and resources; and, 4) development of a state-wide native plant marketing campaign .

The Virginia Nursery and Landscape Association 2014 Guide to Virginia Growers includes for the first time a native plant section, and VNPMP is working with VNLA to integrate native plant presentations into the VNLA's annual meeting in August 2014. Virginia's native plant marketing efforts are summarized in an on-line report -

[http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia\\_CZM\\_Program\\_Native\\_Plants\\_Marketing\\_Efforts.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia_CZM_Program_Native_Plants_Marketing_Efforts.pdf)



Virginia CZM initiated and funds four regional native plants campaigns. Stuart McKenzie (Northern Neck PDC), Ben McFarlane (Hampton Roads PDC), Curt Smith (Accomack-Northampton PDC), and Aimee Vosper (Northern Virginia Regional Commission) highlighted activities of each campaign:

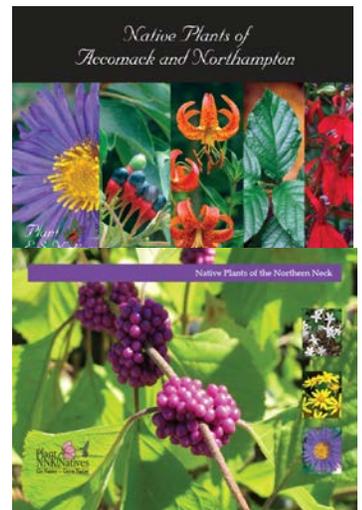
**Plant ES Natives**, coordinated by Virginia - [www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/NativePlants/PlantESNatives.aspx](http://www.deq.virginia.gov/Programs/CoastalZoneManagement/CZMIssuesInitiatives/NativePlants/PlantESNatives.aspx).

**Plant NNK Natives**, coordinated by the Northern Neck Chapter of the Native Plant Society <http://vnps.org/northernneck/go-native-grow-native/> - campaign looking for other sources of funding.

**Plant NoVA Natives**, coordinated by the Northern Virginia Regional Commission - VACZM grant open through the end of September 2014. Campaign to be piloted this fall and fully implemented in spring 2015. Currently finalizing regional native plant guide.

**Plant HR Natives Campaign** - Virginia CZM contracted with HRPDC in February to bring together a planning team and conduct pre-campaign research to develop the campaign.

Virginia has inquired of NOAA whether the regional native plant guides can be sold at cost to support reprinting. All guides are available on-line but are an important prompt in the hands of customers at point of sale. The NOAA Grants Management Office has indicated that they would consider this program income while a Virginia CZM grant is open so this idea has been tabled for now. John Kuriawa, Virginia's Program Manager at the NOAA Office of Coastal



Resource Management, suggested creating a searchable database to reduce the number of guides printed. Virginia responded that enhanced on-line and smart phone accessible tools are in the works. The Flora of Virginia is working on an app that will tap into the existing Digital Atlas of the Flora of Virginia.

Tracey Harmon, Virginia Department of Transportation, commented that she and other staff are often asked: “Why doesn’t VDOT use natives?” Tracey said that one of the challenges they have run into in the use of natives is when planting grasses for erosion control purposes - native plant grasses do not populate slopes as well without active management and invasive plants are too competitive. Virginia asked Tracey to recommend a staff person to participate on the Virginia Native Plant Marketing Partnership as a representative of the agency.

### **Coastal GEMS**

Nick Meade, Coastal GIS Coordinator presented new layers on Coastal GEMS and asked the CPT for ideas for new layers. Additional layers that were suggested were:

- Magisterial district boundaries – county boundaries in the mid-line of the rivers
- Coastal Hazard/Sea Level Rise data/Elevation data based on new lidar
- Storm surge vulnerability data
- Special flood hazard areas
- Static LiDAR data (digital elevation map) – could do a simpler version - index map
- Eastern Shore Coastal Change Archive
- Groundwater Withdrawal Permits
- Native Plant demo gardens
- CZM 306A land acquisition and construction projects

It was also suggested that CZM find a way, in Coastal GEMS, to link to the VIMS Shoreline Inventories.

### **Priorities from 2012 Workshop**

Ben McFarlane from HRPDC and Lewie Lawrence from MPPDC led a discussion about how to increase public understanding of climate issues. The climate adaptation grants to the PDCs and meetings of the recurrent flooding panel have helped with this issue, but other efforts are needed. Among the suggestions discussed for improving the understanding of the public and of elected officials were to:

- Have scientists attend local meetings and report on the facts about climate change
- Have trusted, respected leaders come and talk about climate change (e.g. military figures)
- Have the Climate Change Panel meet in different areas of the state
- Have forums similar to the Hampton Roads Forum in other regions of the coastal zone
- Have an impartial mediator involved in the climate change discussions
- Use the information networks that elected officials already rely on to provide climate change information

Troy Hartley reported that Virginia Sea Grant is finalizing a matrix that compares commonly used language in fisheries management plans with language used in local comprehensive plans so that scientific data can be more easily incorporated into planning documents. Sea Grant will have a post-doc focusing on ecosystem based fisheries management and projects and on land use/water quality/fisheries management interface.

### **Other Updates**

Laura noted that VA CZM has funded the Rappahannock and Eastern Shore Community Colleges to offer Ecotour Guide Certification Classes. Initial interest was high but enrollment was low so the colleges switched from in-person classes to an online course that would be held April 3<sup>rd</sup> through May 22<sup>nd</sup>. The final exam will be an in-person delivery of a proposed Ecotour package. 11 people had signed up for the classes.

Todd Janeski reported on the Richmond Oyster Shell Recycling Project which he developed. VA CZM assisted with signage at the dumpster on North Boulevard where shell is brought by volunteers from Richmond restaurants and retailers. The shell is subsequently trucked to Gloucester Point where it is “cured” and then used at hatcheries to produce spat on shell, which is then placed on oyster sanctuary reefs. The slide presentation is viewable at:

[http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia\\_Oyster\\_Shell\\_Recycling\\_Program\\_presented\\_by\\_Todd\\_Janeski\\_to\\_CPT\\_March\\_26\\_2014.pdf](http://www.deq.virginia.gov/Portals/0/DEQ/CoastalZoneManagement/Virginia_Oyster_Shell_Recycling_Program_presented_by_Todd_Janeski_to_CPT_March_26_2014.pdf).

### **Attendees:**

April Bahen-VA CZM	Ben McFarlane-HRPDC
Sharon Baxter-DEQ	Laura McKay-VA CZM
Steve Begg-VDOT	Stuart McKenzie-NNPDC
Bob Croonenberghs-VDH	Liz McKercher-DEQ
Sandra Erdle-CBNERRVA	Nick Meade-VA CZM
Ray Fernald-DGIF	Shep Moon-VA CZM
John Fisher-DEQ	Chip Neikirk-VMRC
Becky Gwynn-DGIF	Alicia Nelson-VMRC
Scott Hardaway-VIMS	Beth Polak-VA CZM
Tracey Harmon-VDOT	Robbie Rhur-DCR
Troy Hartley-VA Sea Grant	Dan Salkovitz-DEQ
Michele Henicheck-DEQ	Mark Slauter-DEM
Shannon Hulst-Wetlands Watch	Curt Smith-ANPDC
Ellie Irons-DEQ	Tom Smith-DCR
Todd Janeski-VCU	Sarah Stewart-RRPDC
Ken Jurman-DMME	Lyle Varnell-VIMS
Roger Kirchen-DHR	Aimee Vosper-NVRC
John Kuriawa-NOAA	Tony Watkinson-VMRC

Lewie Lawrence-MPPDC  
Janit Lewellyn-Allen-DCR

Julia Wellman-DEQ  
Virginia Witmer-VA CZM