



Coastal Policy Team
Meeting Agenda & NOTES

January 15, 2020

10:00am – 4:00pm

Location: 1111 East Main Street, 14th Floor Training Room, Richmond, Virginia

10:00 Welcome & Introductions

10:10 Update on DEQ/Water Division's FY 2020 Section 309 Project of Special Merit Proposal

An overview was provided for the DEQ proposal entitled "New Guidance to Build Resiliency and Mitigate for Sea Level Rise as Elements of the Chesapeake Bay Preservation Act". As part of the proposal VIMS would identify land use changes and potential pollutant load reductions through a GIS analysis. The Virginia Coastal Policy Center (VCPC) would provide legal analysis. DEQ, along with VIMS and VCPC would all work to gather stakeholder input and develop a new guidance document.

- V'lent Lassiter from DEQ will be the project manager.
- It was agreed that at least three stakeholder meetings should be held and that stakeholder input should begin early in the process.
- If changes in the scope of work are needed after the award, a post-award action could be requested from NOAA.
- Letters of support were received from A-NPDC, MPPDC, HRPDC, NNPDC and the Secretary of Natural Resources Office.
- CZM to send A-NPDC, MPPDC, HRPDC, VIMS, and CPC final draft of submittal to NOAA.
- Several people expressed that this project is important and should be addressed even if CZM/DEQ does not get the award. In that case, some of the work could potentially be undertaken through the upcoming Section 309 Coastal Hazards Strategy.
- NOAA (John Kuriawa) noted that it was likely that applicants would learn status of getting PSM at March 26-27, 2020 Coastal Program Managers meeting.

10:30 FY 2020 CZM Appropriations

- Update on grantee proposal guidance for budgets (Michelle Prior, DEQ Office of Financial Management)
 - The new guidance document consolidates guidance from the Uniform Guidance (from OMB), Dept. of Commerce and NOAA documents in one place. Highlights:
 - Fringe section identifies the need for fringe to be proportional between the Federal and Match amounts.

- Indirect section details types of documentation that must be provided.
 - Virginia CZM webpages have new Section 306A Guidance (2019) and updated Section 306A Questionnaire.
- Both Word and PDF versions of Final Products must be Section 508 accessible.
- Time schedule:
 - Section 309 projects need to ensure there are enforceable policies clearly stated for this 5th and final year of these grants.
 - Lower Chickahominy River Section 309 grants will have a stakeholder summit either June 15, 16, or 17, 2020
 - FY20 draft proposals due to CZM **Friday, March 20, 2020**
 - FY20 draft application due to NOAA mid-April 2020
 - FY20 final application due to NOAA May 2020
 - Grants begin October 1, 2020
- Proposals must use the new FY20 template to be sent to grantees soon.
- FY20 appropriations bill was signed by the President on Dec 20
 - Coastal Zone Management and Services: \$45M (+\$1.5M)
 - Coastal Management Grants: \$77M (+\$1.5M)
 - National Oceans and Coastal Security Fund (Title IX Fund): \$33M (+\$3M)
 - Coral Reef Program: \$29.5M (+\$1.9M)
 - National Estuarine Research Reserve System: \$27.5M (\$0.5M)
 - NERRS PAC: \$4.5M (+\$2.6M)
- Within the \$33M appropriated for the National Coastal Resilience Fund (or National Oceans and Coastal Security Fund above), Congress clarified that "not less than \$3M" of the total \$33M should be used for project planning and design, in addition to the more 'shovel ready' restoration projects. This is National Fish and Wildlife Foundation (NFWF) funds.
- ALSO: An opportunity was released by the Chesapeake Research Consortium:
 - \$40,000 is available for 1 or 2 contracts to develop design plans for a nearshore habitat restoration project within the Middle Peninsula of Virginia - specifically within the York River, Mobjack Bay, and Piankatank.
 - These funds could be used to supplement a Focal Area proposal.
 - MPPDC is applying for this grant: Guinea Marsh Islands Restoration project.
 - VIMS is also applying to fund a living shoreline project on the Lower York River (Norman Creek) in partnership with the USCG.
 - Proposals due by 5:00pm, January 31, 2020.
 - Proposals must recommend a specific site within the targeted watersheds.
 - Final project design and report due by December 2020.
 - The full RFP can be found here.

10:45 FY 2020 -2022 New Resilience Focal Area Proposal Ranking (\$400k+ available?) See attached proposals.

Below is a table showing FY 2020 -2022 Focal Area Grant Budget Requests – Federal Dollars

	Year 1	Year 2	Year 3	TOTAL
1 PDC Resilience TA	\$240,000	\$240,000	\$240,000	\$720,000
Rural PDC Resilience				
2 through Ecotourism	\$74,000	\$74,000	\$74,000	\$222,000
NERRS Nearshore Resilience				
3 Projects	\$50,000	\$50,000	\$50,000	\$150,000
VIMS DGIF DCR				
Conservation Targeting for				
4 Resilience	\$101,250	\$101,250	\$101,250	\$303,750
TOTAL	\$465,250	\$465,250	\$465,250	\$1,395,750

- Q & A on Proposals Received
Ballots were prepared for appointees or their alternates to rank the 4 proposals.
- CZM may be able to fund all four Focal Area proposals if CZM gets an increase in FY20 funds and uses the ~\$40K FY 18 reprogrammed funds. he CPT asked CZM to use its judgment as to whether to cut money from the lowest ranking proposal or to cut the same amount from each proposal if there is not enough money to fully fund each Focal Area proposal.

11:00 Report out on Focal Area ranking results

- 1st - PDC Resilience TA
- 2nd – VIMS/DGIF/DCR Conservation Targeting for Resilience
- 3rd – Rural PDC Resilience through Ecotourism
- 4th – NERRS Nearshore Resilience Projects

Time Schedule:

- Jan 16 – March 2020: negotiate individual PDC TA grant scopes of work – CZM staff expect that each PDC may accomplish different amounts of work under each of the 4 deliverables and will need to ensure each scope of work merits \$30,000.

12:00 Lunch

1:05 Section 309 FY 20 Grants and Draft Phase I Coastal Needs Assessments Review and discussion of the draft Coastal Needs Assessments for Nine Topics (see attached assessments file). Discussion to include:

- 1) Completeness of assessments and
- 2) Concurrence on rankings.

- Wetlands – staff recommended ranking = medium - Approved by CPT (Shep)
 - VMRC permitting data should be mentioned in the Status and Trends.
 - Data were not comprehensive or consistent, therefore hard to evaluate status and trends.
 - Several CPT members expressed interest in the creation of a centralized database for tracking changes to wetlands. John Kuriawa agreed that this was a good idea – need for accurate and consistent data to inform resiliency policy. Pam Mason (VIMS) noted that this idea was proposed as a PSM in the past, but was not funded since not a significant program change. John Kuriawa reiterated that since the data collection and inventory product can be part of the overall strategy without necessarily being a policy itself so this project could fit nicely within a Section 309 strategy.
 - Shep Moon (CZM) suggested that an inventory database could be a project deliverable to help inform broader policy.

- Coastal Hazards - staff recommended ranking = high – Approved by CPT (Shep)
 - There was discussion about whether land subsidence should be changed to a high hazard risk or remain medium. It was determined that although subsidence was a factor in the high rankings given to the flooding, coastal storms, shoreline erosion and sea level rise categories, it did not warrant a high ranking when considered by itself.
 - John Kuriawa provided some clarification on NOAA’s perception of rankings – CZM and the CPT should only rank “High” if they intend to do something about pressing policy need. Rankings are relative to ability to address at the present time.

- Public Access - staff recommended ranking = medium - Approved by CPT (Jeff)
 - Jeff noted this info was primarily sourced from 2018 Virginia Outdoors Plan and from info provided by Robbie Rhur (DCR). She emphasized that her data are a collection of whatever she could find, not necessarily aligned with the NOAA guidance metrics. DCR does not collect several of the data categories.
 - CZM staff to add Seaside Trail boardwalk to table. MPPDC to provide CZM with list of VDOT end-of-road public access sites.
 - DCR noted that new Beach Access Sites numbers are needed because those numbers are 30 years old. HRPDC to discuss with DCR possibility of working together to get these numbers as part of a HRPDC TA grant special project.
 - In Significant Changes in Public Access Mgmt table in Statutes, Regs, Policies, etc. row, column CMP Provides Assistance to Locals

that Employ, the answer should be Yes due to the Public Access Authorities

- In Significant Changes in Public Access Mgmt table, Statutes, Regs, Policies, etc. row, column Significant Changes Since Last Assessment should be Yes because of the HRPDC Strategic Plan
 - In Significant Changes in Public Access Mgmt table, Operation/Maintenance of Existing Facilities row, column Significant Changes Since Last Assessment is Yes because of declining maintenance budgets (e.g. public access sites that have filled/silted in and aren't going to be dredged)
 - In Significant Changes in Public Access Mgmt table in Acquisition/enhancement programs row, column Employed by State or Territory is Yes due to the Virginia Outdoors Foundation grant that encourages public entities to put permit encumbrances on land to prevent selling.
 - Public access easement on Captain Sinclair's water access site cited as another method of preserving public access in perpetuity.
 - John Kuriawa noted that key trends space in table should include whether more public lands have been sold or acquired.
 - For 2a, DGIF (Becky Gwynn) will provide CZM with their Boating Maintenance Plan; also Conserve Virginia Targeting Program
 - For Publically Available Access Guide table in State or territory has row, Printed column (is Yes) include CZM and other interpretive signage here; (ecotour guides should be added to this row)
 - For the Publically Available Access Guide table in the State or territory has row, Mobile App column is Yes – FishSwimPlay.com app from HRPDC; DGIF also has one.
 - For the Publically Available Access Guide table in State or territory has row, Online column is Yes – PlanRVA has JRA Access Mapper online; NNPDC Appomattox Regional Trail is online; DCR has Publically Accessible Natural Area Preserve (NAP) Storymaps online
 - John Kuriawa added that the new Section 306 guidance includes written expectation that grantees will maintain the access facility after construction.
- Marine Debris - staff recommended ranking = high – Approved by CPT (Laura)
 - Laura noted that the public awareness of the problem of marine debris has increased significantly in recent years, more potential partners are working together to get the ball rolling and that now is not the time to let up.
 - Marine Debris Leadership meeting on March 17, 2020 to talk about the Marine Debris Reduction Plan. VCPC is encouraged to attend.
 - DCR has policies about not releasing balloons in State Parks.
 - A bill has been proposed to prohibit the release of more than one balloon per event.

- Cumulative & Secondary Impacts - staff recommended ranking = medium
 - CPT agreed to change this ranking to high (Jeff)
 - NOAA expressed support for ranking CSI high to be able to do some work on this category, even if not immediately.
 - Work categories to focus on water quality (e.g. WIP), green infrastructure and smart growth.
 - Information on the continued support for each of the 15 Bay watershed PDCs (\$52K each) for WIP capacity will be provided to CZM for Section 309 Needs Assessment and Strategy Phase I document.
 - CPT would like for Environmental Justice to be added.
 - EPA’s new Waters of the U.S. rule has created uncertainty about implementation of wetlands regulations at the state level and that other changes at the Federal level regarding permitting and mitigation banks could exceed current DEQ staffing capacity. Jeff to meet with Dave Davis (DEQ) to discuss further and ID DEQ potential policy needs.
 - For the Marine Fisheries category, mention more than just Aquaculture; discuss impacts to wild fisheries from wetlands loss and decrease in water quality.
 - Mention changes to the non-tidal code in the last few years.
 - RPA enforcement on agricultural lands an issue to study – possible 309 funding support to Soil & Water Conservation Districts.
 - Several CPT members and John Kuriawa suggested a High ranking instead of Medium because: CSI creates connection between “inland” coastal PDC’s and those down watershed, inland PDC’s will never be competitive for Ocean Resources projects, environmental justice can be included in CSI, multiple synergistic opportunities with Chesapeake Bay initiatives.

- Special Area Management Planning - staff recommended ranking = medium – Approved by CPT (Shep)
 - Current CZM work on the Lower Chickahominy River will result in a number of recommendations, but does not need a new 309 SAMP.
 - The Piankatank River was also considered for a new SAMP, but the needs are for habitat restoration projects and landowner education, not new enforceable policies.

- Ocean Resources - staff recommended ranking = high – Approved by CPT (Laura)
 - The Ocean Disposal sites number (Uses within Ocean or Great Lakes Waters) appears high. This number needs checking.
 - It was asked if the Principal Port facilities listed (Uses within Ocean or Great Lakes Waters) is meant to include private port facilities as well. If so, HRPDC will help look into it.

- Sand/Gravel arrow (Change in Threat to the Resource or Use Conflict) should be up because the Threat and Use Conflict are going up.
 - Cultural/Historic Threat/Use Conflict is going up; up arrow (in Change in Threat to the Resource or Use Conflict).
 - Recreation/Tourism Threat/Use Conflict is going up. Change to up arrow (in Change in Threat to the Resource or Use Conflict) However, there was some discussion about whether offshore wind was a threat or a benefit as it can increase recreational fishing and tourism.
 - Fishing (commercial and recreational) needs an X for Land-based development (Major Contributors to Increase in Threat or Use Conflict).
 - Another column should be added in the Major Contributors to Increase in Threat or Use Conflict table for “Ocean Warming,” and add an X in that column for Living Marine Resources.
 - For the Significant Changes to Mgmt of Ocean Resources table, add a Yes for Single-sector management plans for Commercial Lease Area Wind Plan and Blue Crab Plan.
 - CPT members agreed that this 309 strategy cycle is an opportune time to address these conflicts with policy changes given current offshore wind construction plans.
- Energy & Gov Facility Siting - staff recommended ranking = medium - Approved by CPT (Jeff)
 - To put in #2: the indirect and induced impacts of solar are not known. Many of these arrays are going into low-income communities without economic benefits to the communities (environmental justice issues). No long-term erosion and sediment control maintenance required as ownership changes hands. There is also no recognition that floodplain is migrating inland; solar will be in the floodplain eventually. Then will equipment be allowed in these areas to dismantle the arrays when they start flooding (some areas will convert to RPAs). Rural localities are also losing prime agricultural lands. As industry appears to pursue exemptions from some environmental regulations, the tradeoffs need to be reevaluated.
 - It was suggested that solar and migrating RPAs be considered in Coastal Hazards or CSI.
- Aquaculture - staff recommended ranking = medium - Approved by CPT (Jeff)
 - Use conflict resolution will continue to need to be addressed as more visible floating cages for shellfish are trending up vs. lower profile bottom cages; VMRC has a standing Shellfish Aquaculture Advisory Committee to address conflicts.

- Initial surge of lease applications has returned to normal levels, but it would be helpful for VMRC to have a dedicated policy staff member.
- Since current user conflict study by VIMS/CPC/VMRC is funded by 306 and CPT is a good forum for future discussion, VMRC does not see need to rely on CZM 309 funding for resolving issues.
- Possible new staff for both fieldwork and policy review could alleviate some burden as will part of Governor’s budget proposing VMRC retain fees vs. returning to General Fund.
- DGIF has some hatcheries. This information will be provided to CZM for the Phase I Assessment

Below is a table showing Section 309 Assessment and Five Year (FY 2021-2025) Strategy Timeline

Phase I Assessment and Ranking Completed	January 15 CPT meeting
Stakeholder Engagement Opportunities (TBD)	February - April
Draft assessment and strategy due to NOAA	May 1, 2020
OCM provides comments to CMPs on draft assessment and strategy	July 1, 2020
Final assessment and strategy due	September 1, 2020
OCM approves final assessment and strategy	November 1, 2020
CMPs begin carrying out FY 2021-2025 strategies	October 1, 2021

- Phase II Assessments and 5 year grant strategies will be completed for areas ranked as high priority.
- Review data needs for Phase II assessments on high priority topics (time did not allow for this)
- Set up work groups and dates to meet to begin grant strategy development

2:35 Ranking ballots handed out for the 9 topics

- Results of ranking for Section 309 categories:
 - 1st – Coastal Hazards
 - 2nd – Cumulative and Secondary Impacts (CSI)
 - 3rd – Ocean Resources
 - 4th – Marine Debris
 - 5th – Wetlands
 - 6th – Aquaculture
 - 7th – Energy and Government Facility Siting
 - 8th – Special Area Management Planning (SAMPs)
 - 9th – Public Access

Coastal Hazards Workgroup volunteers: Ben McFarlane, Lewie Lawrence, Pam Mason, Elizabeth Andrews, Denise Nelson, Corey Miles, Angela Davis, Ann Phillips, John Bateman, Jay Ruffa, Sarah Stewart, Shannon Alexander, and Linda Millsaps. First meeting will be *March 5*.

CSI Workgroup volunteers: Lewie Lawrence, Denise Nelson, Curt Smith, Ben McFarlane, Pam Mason, John Bateman, John Kennedy, Corey Miles, Robbie Rhur. First meeting will be *February 24*.

Ocean Resources Workgroup volunteers: Ben McFarlane, Angela King, Ken Jurman, Todd Janeski. George Hagerman also to be invited. First meeting will be *March 2* – late morning.

Marine Debris Workgroup volunteers: Jessica Steelman, Corey Miles, Virginia Witmer, Elizabeth Andrews (or a student), someone from VIMS (Pam Mason will inform CZM of the person). First meeting will be *March 4*.

- 2:50 Natural Resilience Project Proposal Sortable Database Update (Ross Weaver)
- The database has been updated with new projects and funding opportunities and a two-page document on how to use the database has been developed.
 - The priority column has been removed from the database in response to input from the CPT at its last meeting; discussion ensued on this topic and determined that more thought needs to be put into regional prioritization because all entities prioritize differently.
 - Total costs of projects can be determined by the database, but sometimes there are different types of cost estimates, so it could be difficult to add all projects together.
 - CPT agreed that the USACE's *Natural Infrastructure Opportunities Tool-Connecting Resources to Needs* could be a useful tool that should be connected to the database. However, funds would be needed to develop data for the tool. Ross to send link to tool to CPT members to review.
 - Next step is to schedule more meetings, including PDCs, NGOs and others.
 - Ross will present database again at the Winter or Spring PDC meeting.
- 3:10 Discussion: Need for forum to coordinate climate resilience efforts (Ann Phillips)
- Examples were provided of the need for new rainfall data and modeling (e.g. NOAA/NWS's ATLAS 14); however there is currently no government body in place to prioritize needs like this.
 - Potential models were suggested for addressing this issue including the Bay Program's Scientific and Technical Advisory Committee and an interagency task force created by the Secretary of Natural Resources.
 - It was emphasized that the function needs to be institutionalized.
 - The upcoming Coastal Master Plan and the new CZM Section 309 strategy could help develop and institutionalize the process of working on climate resilience issues.

- The DCR Floodplain Program has language in Code that authorizes a body to coordinate on this issue, but the body has not been convened presumably for lack of resources.
- CPT agreed that it could assist DCR's Floodplain Program in starting up a working group on climate resilience that DCR would ultimately be responsible for running.
- Ann, Laura and the DCR Floodplain Planner (Angela Davis) will explore further after the General Assembly session. The Director of DCR would need to support any further action.

4:00 Other agency updates

- VIMS – CBNERRS seeks suggestions for topics for its Coastal Training Program. They will host a York River/Small Coastal Basins Forum on April 28, 2020.
- James River Chlorophyll Criteria were approved by EPA.
- Sea Grant Graduate Symposium is February 27-28, 2020.
- VIMS Wetlands Workshop is May 12, 2020
- Coastal Partners Workshop – Dates set for November 18-19, 2020.
- Virginia CZM Magazine was given to CPT members. Virginia Witmer will send link to PDF of magazine to all CPT members via Constant Contact.
- CZM webpage updates on hold due to DEQ revamping of website.

4:15 Adjourn

Attendees

Shannon Alexander – A-NPDC
 Elizabeth Andrews – VCPC, Wm&M Law School
 April Bahen – VA CZM
 John Bateman – NNPDC
 Sharon Baxter – DEQ
 Andrew Button – VMRC
 Angela Davis – DCR
 Dave Davis – DEQ
 Jeff Flood – VA CZM
 Lewis Gillingham – VMRC
 Cirse Gonzalez - CBNERRVA
 Becky Gwynn – DGIF
 Todd Janeski – VCU/DCR
 Ken Jurman – DMME
 John Kennedy – DEQ
 Angela King - VCPC, Wm&M Law School
 John Kuriawa – NOAA
 Sam Lake – VA Sea Grant
 Lewie Lawrence – MPPDC
 Pam Mason – VIMS
 Ben McFarlane – HRPDC
 Laura McKay – VA CZM
 Nick Meade – VA CZM
 Corey Miles – NVRC
 Linda Millsaps – GWRC
 Shep Moon – VA CZM
 Denise Nelson – GWRC

Ann Phillips - Special Assistant to the Governor for
 Coastal Adaptation and Protection
 Michelle Prior – DEQ
 Meghann Quinn – DEQ
 Bettina Rayfield – DEQ
 Jesse Reiblich - VCPC, Wm&M Law School
 Robbie Rhur – DCR
 Jay Ruffa – Crater PDC
 Curt Smith – MPPDC
 David Spears – DMME
 Jessica Steelman – A-NPDC
 Sarah Stewart – PlanRVA
 Carl Thiel-Goin – DCR
 Lyle Varnell – VIMS
 Tony Watkinson – VMRC
 Ross Weaver – Wetlands Watch
 Joe Weber – DCR-NH
 Virginia Witmer – VA CZM