

Final Evaluation Findings

Virginia Coastal Management Program

June 2006 to May 2015

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Executive Summary

The Coastal Zone Management Act requires the National Oceanic and Atmospheric Administration's Office for Coastal Management to conduct periodic evaluations of the performance of states and territories with federally approved coastal management programs. This evaluation examined the operation and management of the Virginia Coastal Zone Management Program by the Virginia Department of Environmental Quality, the designated lead agency, for the period from June 2006 to May 2015. The evaluation focused on three target areas: restoring and protecting coastal habitats and enhancing public access, regional ocean planning, and building coastal resilience.

The findings in this evaluation document will be considered by the National Oceanic and Atmospheric Administration (NOAA) in making future financial award decisions concerning the coastal program. The evaluation came to these conclusions:

Accomplishment: The Virginia Coastal Zone Management Program's place-based restoration efforts have been highly successful, leveraging significant funding from partners and resulting in "on the ground" coastal habitat improvements.

Accomplishment: The Virginia Coastal Zone Management Program's financial support of public access authorities has provided a new tool for public access acquisition and management through a local policy framework enabled by state legislation.

Accomplishment: The Virginia Coastal Zone Management Program's leadership in regional ocean planning has brought together diverse stakeholders to plan for the location of future offshore facilities while minimizing user conflicts and impacts to coastal resources.

Accomplishment: The Virginia Coastal Zone Management Program's leadership in coastal resilience has enhanced the capacity of local partners for adaptation planning and promoted the use of living shoreline approaches to enhance community and ecological resilience.

Accomplishment: The Virginia Coastal Zone Management Program is leveraging partnerships, providing new data and tools to partners, and building local and nongovernmental-organization partner capacity to better manage Virginia's coastal resources.

Recommendation: The NOAA Office for Coastal Management encourages the Virginia Coastal Zone Management Program to continue its leadership role in regional ocean planning and to plan for how to move the work forward over the next five years, including continued emphasis on ways to diversify and leverage funding.

Recommendation: The NOAA Office for Coastal Management recommends that the Virginia Coastal Zone Management Program further define the program's "niche" as it relates to coastal *resilience*.

This evaluation concludes that the Virginia Department of Environmental Quality is satisfactorily implementing and enforcing its federally approved coastal program, adhering to the terms of the federal financial assistance awards, and addressing coastal management needs identified in section 303(2)(A) through (K) of the Coastal Zone Management Act.

Program Review Procedures

The National Oceanic and Atmospheric Administration (NOAA) evaluated the Virginia Coastal Zone Management Program in federal fiscal year 2015. The evaluation team consisted of Kenneth Walker, evaluation team lead; John Kuriawa, site liaison; and Bruce Carlisle, director, Massachusetts Office of Coastal Zone Management. The support of the Virginia Coastal Zone Management Program staff was crucial in conducting the evaluation and in setting up interviews and the public meeting. The support and assistance of the Virginia Coastal Zone Management Program staff is most gratefully acknowledged.

NOAA sent a notification of the scheduled evaluation to David Paylor, director, Virginia Department of Environmental Quality, on December 16, 2014, published a notice of “Intent to Evaluate” in the *Federal Register* on April 16, 2015, and notified members of Virginia’s congressional delegation. The Virginia Coastal Zone Management Program posted a notice of the public meeting in local newspapers during the week of April 13, 2015.

The evaluation process included a review of relevant documents and a survey of stakeholders, which helped identify the three target areas of the evaluation: restoring and protecting coastal habitats and enhancing public access, regional ocean planning, and building coastal resilience. A site visit was conducted and the evaluation team held meetings with staff members and group discussions with stakeholders and program staff members. A public meeting was held on Tuesday, May 12, 2015, at 5:00 p.m. at Virginia Department of Environmental Quality Central Office, 2nd Floor Training Room, 629 E. Main Street, Richmond, Virginia 23219, to provide an opportunity for members of the public to express their opinions about the implementation of the coastal program. Stakeholders and members of the public were given the opportunity to provide written comments via email or U.S. mail through May 15, 2015. The summarized comments and NOAA’s responses are included in Appendix A. The Office for Coastal Management then developed draft evaluation findings, which were provided to the Virginia Coastal Zone Management Program for review. The Virginia Coastal Zone Management Program’s comments were considered in drafting the final evaluation findings.

Final evaluation findings highlight a coastal program’s accomplishments in the target areas and include may include recommendations, which are of two types:

Necessary Actions address programmatic requirements of implementing regulations of the Coastal Zone Management Act and of the state coastal program approved by NOAA. These must be carried out by the dates specified. Failure to address necessary actions may result in a future finding of non-adherence and the invoking of interim sanctions, as specified in Coastal Zone Management Act §312(c).

Recommendations are actions that the office believes would improve the program but are not mandatory. The state is expected to have considered the recommendations by the time of the next evaluation or dates specified.

Evaluation Findings

Restoring and Protecting Coastal Habitats and Enhancing Public Access

The Virginia Coastal Zone Management Program has demonstrated significant leadership at the state level in restoring and protecting coastal habitats and enhancing public access in Virginia. Coastal habitat restoration and conservation were cited as the top accomplishments by partners during the review period. Leadership in this area is highly valued by state, local, and nongovernmental-organization partners. Partners also noted the importance of having a state champion for these efforts.

The Virginia Coastal Zone Management Program is successfully working with partners to enhance restoration and protection of key coastal habitats. Place-based restoration and protection efforts (e.g., Virginia Seaside Heritage Program, Southern Tip Partnership) have been highly successful, leveraging significant funding from partners, with demonstrable results. After the hurricanes of the 1930s and a devastating disease, eelgrass and the bay scallops and other fish that depend on it disappeared from the seaside of the Eastern Shore. Seaside Bay drains about 300 square miles through at least eight openings to the Atlantic. These geographic characteristics keep the seaside water quality cleaner and cooler than the surrounding Chesapeake Bay and provide for good eelgrass growth. In 1998, the Virginia Institute of Marine Science, with funding from the Virginia coastal program, began planting test plots of eelgrass. Based in part on the success of this effort, the coastal program initiated the multi-partner Virginia Seaside Heritage Program in 2002.

Under the direction of the Seaside Heritage Program, approximately 500 acres planted in eelgrass has resulted in about 5,000 acres of eelgrass restored. The eelgrass restoration efforts have been critical to the reintroduction of bay scallops, which require eelgrass during juvenile stages. The Virginia Institute of Marine Science built a state-of-the-art bay scallop hatchery, and approximately 375,000 scallops have been reared to spawning age within cages in seagrass beds. In the spring of 2015, about 200,000 were released from the cages into grass beds. For additional details, see Section 312 metrics, performance measures 1 and 2. The restoration of both seagrass bed habitat and the reintroduction of bay scallops has been a significant accomplishment for Virginia. The restoration work of the Seaside Heritage Program is considered one of the most successful nearshore ocean restoration projects in the world.

In addition, the Coastal Virginia Ecological Value Assessment is providing critical data to support conservation planning. The Virginia Ecological Value Assessment was developed to provide guidance for land use management and conservation planning in Virginia's coastal zone. The Virginia Ecological Value Assessment is a collaborative effort among several state programs, including the Virginia Coastal Zone Management Program, to synthesize best available natural resource information into a single geospatial platform. The assessment combines scientific data and best professional judgment to rank terrestrial and aquatic areas for their ecological value. The evaluation team heard directly from partners about the value of having all this information

and data in one location. This tool provides an excellent example of how the Virginia Coastal Zone Management Program is providing good data to support decision-making in the coastal zone. Specifically, the Virginia Ecological Value Assessment is being used to prioritize land acquisition and habitat restoration, and for local planning purposes.

While both restoration and conservation were identified as top accomplishments, the evaluation team also noted that this is a potential area for “strategic” program visibility and potentially a topic for enhanced social marketing for the Virginia Coastal Zone Management Program.

The Virginia Coastal Zone Management Program is increasing public access through development of a new type of entity for local governments, the Virginia public access authorities, which addresses local ownership and management of coastal public access sites. Public access authorities for the Middle Peninsula and the Northern Neck were developed via a coastal zone management technical assistance Section 309 grant. The public access authorities recognize that shorelines are high priority natural areas, and their mission is to set aside access sites for all types of recreational activities for the economic and societal benefits of the commonwealth. Partners noted, “the Public Access Authority is making an effort to return the original financial investment by the Virginia Coastal Zone Management Program by donating land value back to the program. This is collaboration at its best.” The public access authorities are providing a much-needed tool for local management and acquisition of public access, and are potentially transferrable to other coastal states.

EXAMPLE: Middle Peninsula Chesapeake Bay Public Access Authority

Virginia’s Middle Peninsula Chesapeake Bay Public Access Authority, the first entity of its kind in the United States, was enabled under the leadership and auspices of the Middle Peninsula Planning District Commission. The public access authority was created to identify, acquire, and manage passive and low-impact water access sites in the Middle Peninsula for the public. The public access authority promotes land acquisition, conservation, and restoration; enhances sustainable public access to regional waterways; encourages public education; and is guided by site-specific, comprehensive stewardship and wildlife and habitat management plans. The public access authority’s work draws successfully on collaborations with partners and funding from a number of state and federal agencies, nongovernmental organizations, and private citizens. The Middle Peninsula Planning District Commission has acquired over \$5 million of property with minimal public investment by leveraging investments and using the value of existing access properties as a match for other awards.

Accomplishment: The Virginia Coastal Zone Management Program’s place-based restoration efforts have been highly successful, leveraging significant funding from partners and resulting in “on the ground” coastal habitat improvements.

Accomplishment: The Virginia Coastal Zone Management Program’s financial support of public access authorities has provided a new tool for public access acquisition and management in Virginia through a local policy framework enabled by state legislation.

Regional Ocean Planning

The Virginia Coastal Zone Management Program continues to be a national leader in regional ocean planning, providing leadership and vision for the Mid-Atlantic multi-state regional efforts, and enhancing the capacity of state and regional decision-makers. The coastal program, working with neighboring states under the auspices of the Mid-Atlantic Regional Council on the Ocean, has assisted in the development of a regional ocean planning framework and an ocean data portal to enhance decision-making on ocean planning issues. The ocean planning initiative and the related online data and mapping efforts were identified by partners as top accomplishments during this review period.

The evaluation team heard from partners that Virginia's leadership on regional ocean planning is highly valued by partners in the state and region, and the coastal program has been a catalyst for this work in the region. By providing early seed money, developing a framework and tools to assist regional partners, and providing good data to support decision-making, the coastal program has built and enhanced regional capacity for ocean planning. This effort was previously funded by Regional Ocean Partnership awards. The coastal program has also galvanized and leveraged partnerships (including the Moore Foundation) to sustain this effort.

The evaluation team heard directly that, "in absence of the Virginia Coastal Zone Management Program, the ocean planning work would not have had outreach with communities." The coastal program has been particularly instrumental in efforts to engage commercial and recreational fisherman. Another partner noted, "I frequently use Virginia as a model for ocean planning for states in the region."

The Mid-Atlantic Regional Council on the Ocean data portal is an interactive mapping and planning web-based portal that was funded by the Virginia Coastal Zone Management Program initially in 2010 with \$75,000 from a 2009 award and \$75,000 from a 2010 award. Between 2011 and 2015, Virginia's Section 309 strategies included ocean planning and marine debris, both funded at approximately \$60,000 annually. The Virginia Coastal Zone Management Program was the instigator and initiator of the first portal to be used by the regional council and the Mid-Atlantic Regional Planning Body for ocean planning and decision-making. The evaluation team heard from partners that "the portal has helped change how people view their role and the ocean." The evaluation team also heard that the Virginia Coastal Zone Management Program went to great lengths to get best available data or collect needed data where it did not exist. Partners spoke of the comprehensiveness of this exercise and the "inclusiveness of data gathering," which is unique. In areas where data were not available, the Virginia Coastal Zone Management Program collected data on human uses, such as areas important for fishing or recreational uses, by meeting directly with community members. Examples of data collected also include "Communities at Sea" maps, which were developed by working with commercial and recreational fishermen to depict the intensity of fishing trips from specific ports. Other areas of data collection include marine debris and marine mammals (whales). The evaluation team also heard from partners about the value of having all ocean-planning related data in one location.

While regional ocean planning was identified as a top accomplishment, the evaluation team noted that this is also an area for “strategic” program visibility and potentially a topic for enhanced social marketing for the Virginia Coastal Zone Management Program. In addition, with the reduction of federal funds, there is a need for the Virginia Coastal Zone Management Program to diversify and sustain funding to support regional ocean planning over the next five years.

Accomplishment: The Virginia Coastal Zone Management Program’s leadership in regional ocean planning has brought together diverse stakeholders to plan for the location of future offshore facilities while minimizing user conflicts and impacts to coastal resources.

Recommendation: The NOAA Office for Coastal Management encourages the Virginia Coastal Zone Management Program to continue its leadership role in regional ocean planning and to plan for how to move the work forward over the next five years, including continued emphasis on ways to diversify and leverage funding.

Enhancing Coastal Resilience

During the evaluation review period, the Virginia Coastal Zone Management Program has undertaken a number of initiatives that are enhancing the capacity of local partners to improve the resilience of coastal communities and coastal resources in Virginia. This work has ranged from supporting Virginia’s planning district commissions for local adaptation planning, multi-year efforts to promote “living shorelines,” and expanded policies for protecting beaches and dunes.

Beaches and dunes provide natural infrastructure for protection from storms and are key components of coastal resilience. The 2008 geographic expansion of the Coastal Primary Dune and Beach Act to cover the entire coastal zone of Virginia is a major accomplishment for this review period. Originally passed in 1980, the Coastal Primary Sand Dune and Beach Act only applied to nine local governments. Virginia Coastal Zone Management Program-funded inventories of beaches and dunes confirmed that these natural features are found in numerous other localities, and as a result, the Virginia General Assembly expanded coverage of the act to all localities in the coastal zone. Cities and towns in the commonwealth have since adopted local ordinances to protect beaches and dunes consistent with the state enabling legislation.

Living shorelines provide an opportunity for wetlands to migrate landward as sea level rises and can contribute to other coastal management goals related to water quality, habitat, and resilience. The Virginia Coastal Zone Management Program has a long history of promoting living shorelines through living shoreline inventories, shoreline evolution reports, and shoreline management plans. Shoreline inventory reports include information on land use and shoreline characteristics and are a valuable tool for local and state decision-makers for informing decisions on land use planning, coastal construction, and implementation of environmental legislation. Shoreline management plans are guidance documents for local governments that recommend local strategies for managing tidal shoreline conditions. These serve as the basis for

county policy on shoreline management and as a reference manual for local wetlands boards. The coastal program and the Virginia Institute of Marine Science have partnered with many communities, including Charles City County, to develop comprehensive shoreline management plans. For additional information, see Section 312 metrics, performance measure 3.

In 2008, the Virginia Coastal Zone Management Program made a concerted effort to provide funding to support regional planning district commissions and their efforts to enhance resilience. The planning district commissions developed vulnerability assessments, as well as maps depicting the possible consequences of sea level rise, coastal storms, and coastal flooding, and analyzed policies as a way to initiate the adaptation discussion with local governments.

Statewide, the Hampton Roads region is most at risk for climate change impacts and is already experiencing major flooding. The Hampton Roads Planning District Commission has undertaken over five years of work to document the impacts of climate change and has developed strong local partnerships in the region. The Hampton Roads Planning District Commission completed vulnerability assessments by mapping various levels of sea level rise and storm surge and the impacts on infrastructure, neighborhoods, and coastal resources. To assist communities with implementation strategies, the planning district commission developed options for incorporating sea level rise adaptation into local plans, including descriptions of policies that local governments could adopt to increase resilience. Local efforts have also included extensive public outreach and education, and Hampton Roads has also taken advantage of NOAA trainings on resilience. The most important outcome of this work has been a heightened awareness of these issues by the local officials and the public in Hampton Roads.

Climate change was identified by partners through the evaluation survey as one of the top program accomplishments during the review period. In particular, partners cited the Virginia Coastal Zone Management Program's leadership on climate change and resilience issues as critical to raising awareness of this issue. Early seed funding when public support was limited was critical as a catalyst for local projects.

Climate change was also identified as a top challenge for the program. While the Virginia Coastal Zone Management Program has successfully undertaken a number of activities to support local and regional climate change adaptation, the need for technical assistance and support for local adaption strategies is anticipated to continue and grow. The evaluation team suggests that the coastal program analyze its skills, strengths, and ability to influence partners to determine the most appropriate "niche" as it relates to coastal resilience and improving local capacity for adaptation planning in coastal Virginia.

Accomplishment: The Virginia Coastal Zone Management Program's leadership in coastal resilience has enhanced the capacity of local partners for adaptation planning and promoted the use of living shoreline approaches to enhance community and ecological resilience.

Recommendation: The NOAA Office for Coastal Management recommends that the Virginia Coastal Zone Management Program further define the program’s “niche” and as it relates to coastal resilience.

Partnerships

The Virginia Coastal Zone Management Program is successfully leveraging partnerships to enhance capacity and improve the management of Virginia’s coastal zone, and partners the evaluation team heard from most commonly cited partnerships as a top strength of the program. One partner noted, “Virginia’s strong relationships with local communities and effective partnerships both across state agencies and externally is a model.” Other comments included “partner oriented,” “effective partnerships with local communities,” “partnerships with regional and nonprofit groups,” “flexible to meet needs of locals,” “flexibility offered to partners,” and “inclusionary.”

The Virginia Coastal Zone Management Program is also developing state-specific tools to assist local and regional governments, and providing data to support partners and help them make better informed decisions about coastal management issues. Examples include the newly authorized public access authorities, the Mid-Atlantic Regional Council on the Ocean data portal, and the Coastal Virginia Ecological Value Assessment.

The evaluation team heard that partners clearly value the leadership of the Virginia Coastal Zone Management Program across various “niche” roles, including regional ocean planning, habitat restoration and conservation, public access, and climate resilience. Other themes that emerged were leveraging partnerships to build partner capacity, providing early seed money from Coastal Zone Management Act funding, developing state-specific tools to assist local and regional governments, and providing good data to support decision-making.

Accomplishment: The Virginia Coastal Zone Management Program is leveraging partnerships, providing new data and tools to partners, and building local and nongovernmental-organization partner capacity to better manage Virginia’s coastal resources.

Evaluation Metrics

Beginning in 2012, state coastal management programs began tracking their success in addressing three evaluation metrics specific to their programs. The evaluation metrics include a five-year target and provide a quantitative reference for each program about how well it is meeting the goals and objectives it has identified as important to the program.

Metric 1

Seaside Habitat Restoration

Goal: Sustain and enhance healthy habitats (on the seaside of Virginia's Eastern Shore) that are resilient and support thriving coastal resources.

Objective: By October 2017, seed scallops that are hatchery reared and released on the seaside of Virginia's Eastern Shore will increase.

Strategy: Historically, the bay scallop was a commercially harvested species on the seaside of Virginia's Eastern Shore. Following dramatic declines in eelgrass on the seaside during the 1930's, bay scallops, which depend upon the grass beds as habitat for juveniles, went locally extinct. The Virginia Coastal Zone Management program has provided funding to increase eelgrass habitat on the seaside of Virginia's Eastern Shore since 1999. Seagrass acreage is now at a level that could support a viable bay scallop population.

Therefore, to re-establish a self-sustaining bay scallop population, the Virginia Coastal Zone Management program provides funding for a restoration program that involves the hatchery production of bay scallops that will be deployed in cages within the eelgrass beds, where they will serve as spawning stock to repopulate the grass beds. The Seaside Habitat Restoration grants are designed to meet Executive Order 18 goals and ultimately establish not only a viable population of bay scallops but also a recreational fishery that will help support a vibrant ecotourism industry on Virginia's Eastern Shore.

At level funding based on the 2012 budget, on average, 40,000 adult scallops per year can be produced, deployed, and maintained in the eelgrass beds, and an annual population census of the developing wild scallop population in the grass bed can be conducted. Reaching this target number is dependent upon environmental conditions (especially water temperature), primarily as they relate to rearing early juvenile scallops through the nursery phase.

Performance Measure 1: By October 2017, the number of seed scallops that are hatchery reared and released on the seaside of Virginia's Eastern Shore using CZM federal and match funds.

Target: By October 2017, 200,000 seed scallops will be hatchery reared and released on the seaside of Virginia's Eastern Shore using CZM federal and match funds.

Results: Over the first three years, approximately 100,100 seed scallops have been reared and released on the seaside of Virginia's Eastern Shore using CZM federal and match funds.

Discussion: The Virginia Coastal Zone Management Program is making good progress toward achieving the five-year target.

Metric 2

Seaside Habitat Restoration

Goal: Sustain and enhance healthy habitats (on the seaside of Virginia's Eastern Shore) that are resilient and support thriving coastal resources.

Objective: By October 2017, the acreage of eelgrass on the seaside of Virginia's Eastern Shore will increase.

Strategy: Eelgrass is one of the most productive habitats in the Chesapeake Bay and seaside bays of Virginia's Eastern Shore. During the early 1930s, eelgrass declined in the seaside bays due to a wasting disease and was completely eliminated by 1933. In 1997, several small natural patches were observed in South Bay on the seaside of Virginia's Eastern Shore. Since 1999, through Virginia Coastal Zone Management Program grants to the Virginia Institute of Marine Science, eelgrass seeds have been broadcast into 350 acres in four seaside bays, which have now spread naturally to over 4,370 acres in these same bays.

The Virginia Coastal Zone Management program continues to provide funds to increase eelgrass acreage on the seaside of Virginia's Eastern Shore through seeding areas in these bays. This ensures that this important habitat is restored and continues to thrive to support the many species that depend on it. With an increase in healthy eelgrass beds, habitat and resources for bay scallops, finfish, sea turtles, and avian species can be supported. Reaching the proposed target in this metric is dependent upon favorable environmental conditions. If certain unfavorable conditions occur, especially storm events, the amount of seeds recovered from the eelgrass beds and thus broadcast out into the seaside bays could be negatively impacted.

Performance Measure: By October 2017, the total number of acres seeded/planted with eelgrass on the seaside of Virginia's Eastern Shore using CZM federal and match funds.

Target: By October 2017, 150 acres of eelgrass seeded/planted on the seaside of Virginia's Eastern Shore using CZM federal and match funds.

Results: The cumulative total of eelgrass planted over the last three years on the seaside of Virginia's Eastern Shore using CZM federal and match funds is 96 acres.

Discussion: The Virginia Coastal Zone Management Program is making excellent progress toward achieving the five-year target.

Metric 3

Shoreline Management

Goal: Living Shoreline practices are adopted where feasible in all shoreline erosion control and related development projects, expanding and enhancing viable natural shoreline habitats for coastal species, and affording protection to shorefront landowners and businesses.

Objective 3: Virginia’s coastal counties and cities will develop new local shoreline management plans as a result of assistance from the Virginia Coastal Zone Management Program.

Strategy 3: Some shoreline erosion control practices currently used can negatively affect the habitat and water quality protection functions of natural shorelines. “Living shoreline” techniques are appropriate in many of these cases, and can maintain or increase these natural shoreline functions. Recent state legislation requires coastal localities to adopt shoreline management plans as a component of their comprehensive plan. The shoreline plan must recognize living shorelines as the preferred erosion control alternative and map areas suitable for their use. The Virginia Coastal Zone Management Program provides funding to the Virginia Institute of Marine Science to help develop draft local plans to help meet this requirement. The plans are designed to protect shoreline habitats, minimize nutrient runoff from uplands, protect properties from coastal erosion, and help encourage appropriate shoreline management techniques. Once the draft plans are developed by the Virginia Institute of Marine Science, they are submitted to the local planning commission for consideration under the locality’s required five-year comprehensive plan update. If approved by the planning commission (a process which the Virginia Coastal Zone Management Program cannot control), the comprehensive plan is then submitted to the local county board of supervisors (or city council) for final consideration and eventual adoption (again, a political action that the Virginia Coastal Program cannot undertake or control).

Performance Measure: By 2017, the number of local shoreline management plans developed and submitted to local planning commissions for consideration.

Target: By 2017, seven local shoreline management plans developed and submitted to local planning commissions for consideration.

Results: Over the first three years, six shoreline management plans have been developed and submitted to local planning commissions for consideration, including Westmoreland County (2013), Virginia Beach (2013), York County (2014), City of Suffolk (2014), Charles City County (2015) and Fairfax County (2015).

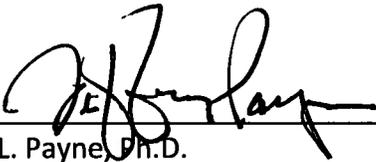
Discussion: The Virginia Coastal Zone Management Program has made excellent progress towards achieving the five-year target.

Conclusion

For the reasons stated herein, I find that the State of Virginia is adhering to the programmatic requirements of the Coastal Zone Management Act and its implementing regulations in the operation of its approved Virginia Coastal Zone Management Program.

These evaluation findings contain five accomplishments and two recommendations that must be considered before the next regularly scheduled program evaluation. No necessary actions were identified. Recommendations that must be repeated in subsequent evaluations may be elevated to necessary actions.

This is a programmatic evaluation of the Virginia Coastal Zone Management Program that may have implications regarding the state’s financial assistance awards. However, it does not make any judgment about or replace any financial audits.



Jeffrey L. Payne, Ph.D.
Director
NOAA Office for Coastal Management



Date

Appendix A: Response to Written Comments

William Neville

Town of Chincoteague, Virginia

Comment: Mr. Neville wrote to express concern regarding the Virginia Coastal Zone Management Program and implementation of Federal Consistency as it relates to enforceable policies of the Coastal Primary Sand Dune and Beach Act. Mr. Neville raised issues about Virginia Department of Environmental Quality comments on the Comprehensive Conservation Plan and Environmental Impact Statement for the Chincoteague National Wildlife Refuge. Mr. Neville suggests that a work program to update the Coastal Primary Sand Dune and Beach Act legislation and associated guidance may be warranted to reflect the full range of management areas in coastal Virginia.

NOAA Response: NOAA thanks Mr. Neville for providing written comments on the Virginia Coastal Zone Management Program. NOAA encourages the Virginia Coastal Zone Management Program to consider a work program to update the program's enforceable policies, including the Coastal Primary Sand Dune and Beach Act legislation and associated guidance, to reflect the full range of management areas in coastal Virginia.

Mr. Neville's concerns were shared with the Virginia Coastal Zone Management Program staff.