

# **VIRGINIA MARINE RESOURCES COMMISSION**

**Virginia Sea Grant Coastal and Marine Policy Fellow Assistance**

**NEPA/Federal Consistency Review & Electronic Permit Development**

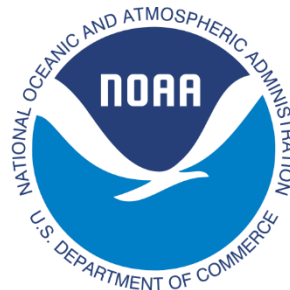


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The views expressed herein are those of the author and do not reflect the views of NOAA or any of the subagencies.



## **Introduction**

The Virginia Marine Resources Commission (VMRC) is charged with the administration and regulatory oversight of the Commonwealth's enforceable policies of fisheries management, subaqueous lands, tidal wetlands, and coastal primary sand dunes and beaches within Virginia's Coastal Zone Management Program. Undertaken by its Habitat Management Division, the goal of this effort is to eliminate unnecessary impacts to submerged lands, tidal wetlands, dunes and beaches, and to maintain a permit review process based on public interest review procedures consistent with the public trust doctrine that fairly balances private use of State-owned submerged lands and the need to preserve habitat for sustainable fisheries.

To assist the Division with this effort, VMRC hosted a Commonwealth Coastal and Marine Policy Sea Grant Fellow to help coordinate Division requests for environmental scoping comments and to transition from the historic paper file-based permitting process to a digital permit with electronic pay. Specifically, the Fellow was responsible for the oversight and implementation of a standardized procedure for coordinating agency review and scoping comments on environmental documents routinely provided to VMRC for projects potentially affecting marine fisheries and habitats. Additionally, the Fellow worked closely with the Division's Deputy Chief and agency information technology (IT) staff to identify procedures that would facilitate the issuance of the Division's subaqueous, tidal wetlands, and beaches and dunes permits electronically, which include alternative procedures for the collection of permit fees and royalties, and capturing field data in real time to upload into a shared permit tracking database. The Fellow was also responsible for digitizing and uploading historic permit records (1960's – 2015) into a shared database currently hosting modern records.

During the reporting period, environmental review scoping comments were generated for approximately 100 projects that included requests for reviews of federal consistency determinations, NEPA scoping documents, and proposed activities in the Commonwealth potentially involving the use or development of State-owned submerged lands, tidal wetlands, or beaches and dunes. After coordinating each review with the Division's Environmental Engineer geographically assigned to the project area, and with the Fisheries Management Division as necessary, the completed scoping comments were sent to the recipient via email as a PDF attachment and entered into the Habitat Management Permit Tracking and Scoping Comments database. The development and oversight of the scoping comment requests by the Commonwealth Fellow has resulted in increased staff efficiencies, a more thorough project review, and a greater percentage of timely responses by the Division.

The Division debugged its electronic permit issuance and online payment prototype during the spring of 2020 and went live during the reporting period. This has greatly assisted the agency in managing the Commonwealth's submerged lands, tidal wetlands, and coastal primary sand dunes. Historic permit issuance, beginning in 1962 when VMRC assumed its oversight of the Commonwealth's State-owned submerged lands from the Office of the Attorney General, required considerable staff time and postage resulting in typically one to two week delays with project initiation. The Division's current digital permit with electronic payment has been widely accepted by the general public and additionally served as VMRC's pilot effort to launch electronic payments for the balance of the agency. Following the live release of the digital permit in May 2020, online payments for permit fees accounted for approximately 76 % of the

296 total fee transactions, confirming the public's acceptance of this transition away from a paper file-based document (permit) with notarized signatures.

Lastly, during the reporting period, the Commonwealth Fellow continued working, as time allowed, on the Division's efforts to upload historic permit records to the agency's web-based permit tracking database. Given the agency's limited staffing and challenges associated with COVID-19, including the overnight transition to a teleworking environment, the resulting automation of the Division's NEPA/federal consistency review coordination, collection of field data, maintenance of permit records, and electronic permit issuance has improved the agency's management of the Commonwealth's submerged lands, tidal wetlands, and coastal primary sand dunes and beaches.