

AGENDA NOTE – HRPDC EXECUTIVE COMMITTEE MEETING

ITEM #9-J: COASTAL ZONE MANAGEMENT PROGRAM – PUBLIC ACCESS PROJECTS

SUBJECT:

The Virginia Department of Environmental Quality manages the Virginia Coastal Zone Management (CZM) Program. PDCs are eligible for formula grants to support technical assistance programs and competitive grants for projects addressing a high priority issue, as determined by the CZM Program.

BACKGROUND:

In October 1986, Virginia received its first grant from the National Oceanic and Atmospheric Administration (NOAA) for the State's Coastal Zone Management Program. Since that time, the HRPDC and its predecessors have received over \$2.5 million through this program to provide technical assistance on environmental issues to the local governments and to complete a variety of technical studies.

The HRPDC applied for two competitive grants in July 2012 for public access projects in Norfolk and Suffolk. These grants were selected by the Virginia CZM Program for competitive awards. The grant for the Norfolk project, "Lavalette Ave. – Canoe/Kayak Launch and Fishing Dock," was subsequently reviewed and approved by NOAA, and a contract between the HRPDC and the Virginia CZM Program has been executed. The Suffolk project application, "Nansemond River Water Access at Constant's Wharf Park and Marina," is currently undergoing review by NOAA staff. These grants have been awarded to the HRPDC and are extended to December 31, 2014. Of the \$30,000 awarded in each grant, \$3,000 is reserved by the HRPDC to cover administrative costs and assistance to the localities in documenting and completing the project, and \$27,000 is passed on to the locality to help fund the public access project. Passing funds on to the cities requires executing contracts or memoranda of agreement between the HRPDC and each city.

Attachment 9-J

RECOMMENDED ACTION:

Authorize the Executive Director to complete a memorandum of agreement or contract with the City of Norfolk for the public access project, "Lavalette Ave. – Canoe/Kayak Launch and Fishing Dock" and the City of Suffolk for the public access project, "Nansemond River Water Access at Constant's Wharf Park and Marina," upon final grant approval from NOAA and receipt of contract from the Virginia CZM Program.



**MEMORANDUM OF AGREEMENT
BETWEEN
HAMPTON ROADS PLANNING DISTRICT COMMISSION AND
THE CITY OF NORFOLK
REGARDING
“Lavalette Avenue – Canoe/Kayak Launch and Fishing Dock”**

1. PARTIES.

The parties to this Agreement are the Hampton Roads Planning District Commission (HRPDC) and the City of Norfolk (Norfolk).

2. AUTHORITY.

This Agreement is authorized under the approval of the HRPDC Executive Committee, at its meeting held on March 20, 2014, and the Norfolk City Council, at its meeting held on TBD.

3. PURPOSE.

The purpose of the Agreement is to set forth terms by which HRPDC and Norfolk will provide services and personnel in order to complete the deliverables set forth in Attachment A, “2012 Virginia Coastal Zone Management Program Grant Project Title: Lavalette Ave – Canoe/Kayak Launch and Fishing Dock”.

4. BACKGROUND.

The Hampton Roads Planning District Commission proposes a Section 306A project that will repurpose an abandoned powerboat ramp at the foot of Lavalette Ave. in the City of Norfolk. The site is located on the Lafayette River adjacent to the VA Zoological Park, Lafayette Park, and the Ernie Morgan Environmental Action Center. The intent is to construct a pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak ramp. The only existing use of the facility is shoreline fishing, which results in trampled wetland vegetation. The project will positively impact a number of the priority areas listed by the VA Coastal Policy Team. This project will restore a pier and provide an ADA accessible floating dock that is equipped for fishing, crabbing, and canoe/kayak launching. Access to the water for recreational activities was the 2nd most requested activity during public surveys taken for the recently adopted City of Norfolk Recreational Master Plan.

5. TERM.

The terms of this Agreement, as modified with the consent of both parties, will remain in effect until December 31, 2014. The Agreement may be extended by mutual written agreement of the parties. Either party upon 30 days written notice to the other party may terminate this Agreement.

6. CONDITIONS/RESPONSIBILITIES.

HRPDC

1. The HRPDC will provide all necessary project documentation and reporting to the Virginia Coastal Zone Management Program, including interim and final progress reports, project summaries, and financial reports.
2. HRPDC will submit the final product(s) and documentation to the Virginia Coastal Zone Management Program tentatively December 31, 2014.
3. HRPDC will provide staff and support in the amount of \$3,000 of federal grant funds to complete the deliverables as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
4. HRPDC will provide \$27,000 in federal grant funds to the City of Norfolk as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
5. HRPDC staff will assist Norfolk staff in the completion of the deliverables described in Attachment A as follows:
 - a. HRPDC staff will act as grant manager and ensure that Norfolk staff complies with all grant requirements (Deliverable #1).
 - b. HRPDC staff will assist Norfolk staff in developing acceptable language and content for educational signage for the project, including ensuring that any signage meets minimum requirements established by the Virginia Coastal Zone Management Program (Deliverable #4).

NORFOLK

1. The City of Norfolk will provide monthly progress reports to HRPDC staff on the first business day of each month after final execution of the contract.
2. The City of Norfolk will provide staff and support in the amount of \$47,500 of matching funds to complete the deliverables as described in Attachment A, in accordance with the grant agreement with the Virginia Coastal Zone Management Program.
3. City of Norfolk staff will be responsible for all issues related to demolition, planning, design, and construction of the canoe/kayak launch and fishing dock, including contracting with any third parties to perform these tasks (Deliverables #2 and #3).
4. City of Norfolk staff will be responsible for all issues related to upland restoration on the project site (Deliverable #4).
5. City of Norfolk staff will be responsible for final signage contents and construction (Deliverable #4).

7. POINTS OF CONTACT.

The HRPDC Points of Contact for this project shall be:

Randy Keaton
Deputy Executive Director
Hampton Roads Planning District Commission

723 Woodlake Drive
Chesapeake, Virginia 23320
rkeaton@hrpdcva.gov
757-420-8300 (phone)
757-523-4881 (fax)

Benjamin McFarlane
Regional Planner
Hampton Roads Planning District Commission
723 Woodlake Drive
Chesapeake, Virginia 23320
bmcfarlane@hrpdcva.gov
757-420-8300 (phone)
757-523-4881 (fax)

The Norfolk Point of Contact for this project shall be:

Shawn Krawetzki
Landscape Architect III
City of Norfolk
Department of Recreation, Parks and Open Space
501 Boush Street
Norfolk, Virginia 23510
757-441-2400 ext. 251 (phone)

**** Any changes in these contacts must be submitted in writing.****

8. OTHER PROVISIONS.

Nothing in this Agreement is intended to conflict with current law or regulations of the Commonwealth of Virginia, the Department of Commerce, or the City of Norfolk. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this Agreement shall remain in full force and effect

9. MODIFICATION.

This Agreement may be modified upon the mutual, written, consent of the parties.

10. CONTENT.

This MOA contains the entire understanding and present intentions of the parties and supersedes any and all previous agreements or understandings they may have regarding this subject matter, whether orally or in writing.

2012 VIRGINIA COASTAL ZONE MANAGEMENT PROGRAM GRANT

Project Title: Lavalette Ave – Canoe/Kayak Launch and Fishing Dock

I. LEGAL APPLICANT

Name: Dwight L. Farmer, Executive Director/Secretary
Organization: Hampton Roads Planning District Commission
Street Address: 723 Woodlake Drive
City, State, Zip+4 numbers: Chesapeake, Virginia 23320-8909
DUNS #: 556306942

Project Manager: Benjamin McFarlane Title: Regional Planner
Phone: (757) 420-8300
E-mail: bmcfarlane@hrpdcva.gov

II. PROJECT DETAILS

Geographic Area of Impact: City of Norfolk, Virginia
Congressional District(s): 3
Start Date: October 1, 2013 End Date: March 31, 2014

Project continuing from previous year? No

III. PROJECT SUMMARY *(4000 Character and Spaces Limit)*

The Hampton Roads Planning District Commission proposes a Section 306A project that will repurpose an abandoned powerboat ramp at the foot of Lavalette Ave. in the City of Norfolk. The site is located on the Lafayette River adjacent to the VA Zoological Park, Lafayette Park, and the Ernie Morgan Environmental Action Center. The intent is to construct a pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak ramp. The only existing use of the facility is shoreline fishing, which results in trampled wetland vegetation. The project will positively impact a number of the priority areas listed by the VA Coastal Policy Team.

Habitat Restoration: This project will coordinate with the Elizabeth River Project, the Lafayette River Wetlands Partnership, and the Chesapeake Bay Foundation, which are all active civic environmental organizations dedicated to the restoration of the Chesapeake Bay and the Elizabeth and Lafayette River waterways. The upland shoreline restoration component of the project will be marked with an interpretive placard that can be used by the association in its educational programs. An area (approximately 75' on each side of the ramp with a varying width of approximately 3' to 10') of shoreline currently degraded by citizens fishing and crabbing will be restored with native vegetation. The restored area will be protected by allowing the public access to the new floating dock for fishing and reducing the need to fish from the shoreline.

Public Access: The City of Norfolk has a population of 242,803 and 144 miles of shoreline, with only limited public access to the water. The proposed project will restore

a pier and provide an ADA accessible floating dock that is equipped for fishing, crabbing, and canoe/kayak launching. Access to the water for recreational activities was the 2nd most requested activity during public surveys taken for the recently adopted City of Norfolk Recreational Master Plan.

IV. BUDGET

(This table automatically calculates totals. However, be sure to double check all figures before submitting to the Coastal Program. Double click inside the table to enter figures or other information. In the event that all budget lines are not visible, double click in the table. Please save entire file as a Word document, .doc, or .docx, not an .xls, or .xlsx.)

	Federal	Match	Total	Budget Narrative
Personnel	\$1,622	\$0	\$1,622	Total from Personnel Worksheet
Fringe	\$406	\$0	\$406	HRPDC fringe rate of 25%
Equipment	\$0	\$0	\$0	
Travel	\$262	\$0	\$262	Travel from Chesapeake to Norfolk and Richmond for meetings and site visits.
Supplies	\$0	\$0	\$0	None
Contractual	\$27,000	\$47,500	\$74,500	Detailed in attached sub
Construction	\$0	\$0	\$0	None
Other	\$0	\$0	\$0	None
TOTAL DIRECT	\$29,290	\$47,500	\$76,790	
INDIRECT	\$710	\$0	\$710	Indirect costs are estimated at 35% of direct personnel costs, in accordance with HRPDC Indirect Cost Allocation Plan, which is on file with DEQ.
TOTAL	\$30,000	\$47,500	\$77,500	

Personnel Worksheet

Name & Title	Annual Salary	Months	Federal	Match	Total Personnel Cost
Jimontanae McBride, Principal Regional Planner	\$86,619	0.1	\$722	\$0	\$722
Benjamin McFarlane, Regional Planner	\$54,040	0.2	\$901	\$0	\$901
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
TOTAL		0.3	\$1,622	\$0	\$1,622

V. DELIVERABLES/PRODUCTS

A single final report will be submitted reflecting work on the following deliverables and products.

Product #1

Title (80 character and spaces limit): Project Management

Percent total project budget: 3%

Description (4000 character and spaces limit): Product 1 will encompass HRPDC’s management of the grant and assistance to city staff with complying with all grant requirements. It will include grant reporting and progress reports. The deliverable will be the primary responsibility of HRPDC staff.

Product Format: This product will be included in a final report, which will be submitted in hard copy and in Adobe Acrobat format.

Timeframe: Start: October 1, 2013

End: March 31, 2014

Product #2

Title (80 character and spaces limit): Gangway, Floating Fishing/Crabbing Dock, and Canoe/Kayak Launch

Percent total project budget: 88%

Description (4000 character and spaces limit): This product will encompass the planning, design, and construction of the gangway, floating dock, and canoe/kayak launch. The product will be documented through photographs, design drawings, and

written material. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
End: March 31, 2014

Product #3

Title (80 character and spaces limit): Demolition of Existing Dilapidated Dock
Percent total project budget: 3%

Description (4000 character and spaces limit): This product will encompass demolition of the existing dilapidated dock. This will be documented through before and after photographs. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
End: March 31, 2014

Product #4

Title (80 character and spaces limit): Upland Shoreline Restoration and Signage
Percent total project budget: 6%

Description (4000 character and spaces limit): This product will encompass the upland shoreline restoration phase of the project. Once the existing dock is removed, appropriate native plant species will be identified and planted along the upland shore on both sides of the ramp to an approximate distance of 75'. This will also include development of material for and installation of interpretive signage. Drafts of signage contents will be submitted to VCZMP staff for review and approval, and appropriate logos and credit will be included on the final designs. This will be documented through photographs and written material. The deliverable will be the primary responsibility of City of Norfolk staff and contractors.

Product Format: This product will be described in the final report.

Timeframe: *Start:* October 1, 2013
End: March 31, 2014

VI. PROJECT TIMELINE.

Specific dates for project task completion will depend on a number of factors. Projected milestones by month are listed below.

October 2013 – Complete design work, planning, and permitting.

October - November 2013 – Advertise Project for bidding.

November 2013 – Award Construction Contract.

December 2013 – Begin Construction.

March 31, 2014 – Finish Construction.

VII. EXTENDED PROJECT DESCRIPTION – *Optional (2000 character limit)*

Currently the shoreline area at the project site is being used for fishing by residents. The high volume of use has resulted in trampled wetland vegetation down to dirt paths. The loss of this vegetation has begun to allow erosion of the soil and is increasing the amount of runoff water and sediment allowed to enter the Lafayette River. This environmental impact indicates a clear need for a fishing pier. In addition, public water access was identified as a priority by Norfolk's residents during the creation of a recreational master plan for the City.

To accomplish the project, City of Norfolk staff will provide Services in kind to develop design development drawings and acquire all required permitting. Based on discussions with floating dock manufacturers and contractors, the plan is to hire a general contractor to demolish the existing pier, install the new pilings, new pre-manufactured floating dock, new connecting ramp, and new kayak / canoe launching apparatus. City of Norfolk staff will inspect and coordinate construction and provide in kind services to ensure construction completion on or before the March 31, 2014 deadline. Once the construction of the dock and ramp is complete, then restoration of the upland shoreline will occur, by tilling up the ground, amending the soil, and planting a variety of plants and trees based on cooperative input between the City of Norfolk Environmental and Open Space Planning and Development Divisions.

The existing ramp has been out of service for 10 years and nothing remains but the intact concrete ramp. The associated piers have been swept away in a succession of storms. Bringing another water access point back into service will provide universal access for recreational opportunities, exposure to the Lafayette River and its ecosystems, and educational opportunities for schools and private organizations that will help to perpetuate the needed public awareness required to protect this vital resource.

Sub-Contractual Budget

Description of Work performed under subcontract:

City of Norfolk staff and consultants will perform the following tasks associated with this project:

- 1) Design pier and floating dock that will provide an ADA accessible fishing pier/canoe/kayak launch with a ramp connection to the shore, including developing design and development drawings and acquiring all required permitting
- 2) Select and purchase of required construction materials for the ramp, dock, and launch apparatus
- 3) Contract with a consultant to produce detailed construction drawings of the pier/canoe/kayak launch, including pilings, mechanical connections, and placement of the dock along the shoreline
- 4) Hire a general contractor to demolish the existing pier, install new pilings, new pre-manufactured floating dock, new connecting ramp, and new kayak/canoe launching apparatus
- 5) Coordinated with contractors to ensure that construction is on schedule and observing appropriate requirements and best practices
- 6) Coordinate with non-governmental organizations, including the Chesapeake Bay Foundation and others, to promote possible use of this project to extend shoreline restoration further along the Lafayette River

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	Federal	Match	Total	Budget Narrative
Personnel	\$0	\$12,500	\$12,500	Total from Sub-Contractual Personnel Worksheet
Fringe	\$0	\$0	\$0	
Equipment	\$0	\$0	\$0	
Travel	\$0	\$0	\$0	
Supplies	\$23,500	\$23,500	\$47,000	Dock Ramp, Fishing/Kayak Launch Dock/Kayak Launch Apparatus, and any other costs associated with materials needed for the installation of the Dock. Plants and sign materials for habitat restoration.
Contractual		6,500	\$6,500	Hiring of a Consultant to produce final construction drawings
Construction	3,500	5,000	\$8,500	Demolition of Existing Dock and Construction of New Dock
Other			\$0	
TOTAL DIRECT	\$27,000	\$47,500	\$74,500	
INDIRECT				
TOTAL	\$27,000	\$47,500	\$74,500	

Sub-Contractual Personnel Worksheet

Name & Title	Annual Salary	Months	Federal	Match	Total Personnel Cost
City Employee	\$50,000	3	\$12,500	\$0	\$12,500
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
					\$0
TOTAL		3	\$12,500	\$0	\$12,500