

URBAN LAND TRUST PARTNERING WITH COASTAL COMMUNITIES: RETREATING FROM SEA LEVEL RISE THROUGH CONSERVATION



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Pilot Project Introductory Webinar



MEET OUR PROJECT TEAM



Mary-Carson Stiff

Wetlands Watch Director of Policy
Living River Trust Board Member



Skip Stiles

Wetlands Watch Executive Director



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BACKGROUND: LIVING RIVER TRUST



Founded in 2003 in response to APM Terminals port complex

Bottomland impact mitigation and land conservation programs

As a land trust, we hold conservation easements, own land, and facilitate conservation projects

Urban environment: accept small parcels and go after high-value places

Since 2010, 622 acres preserved across Elizabeth River watershed

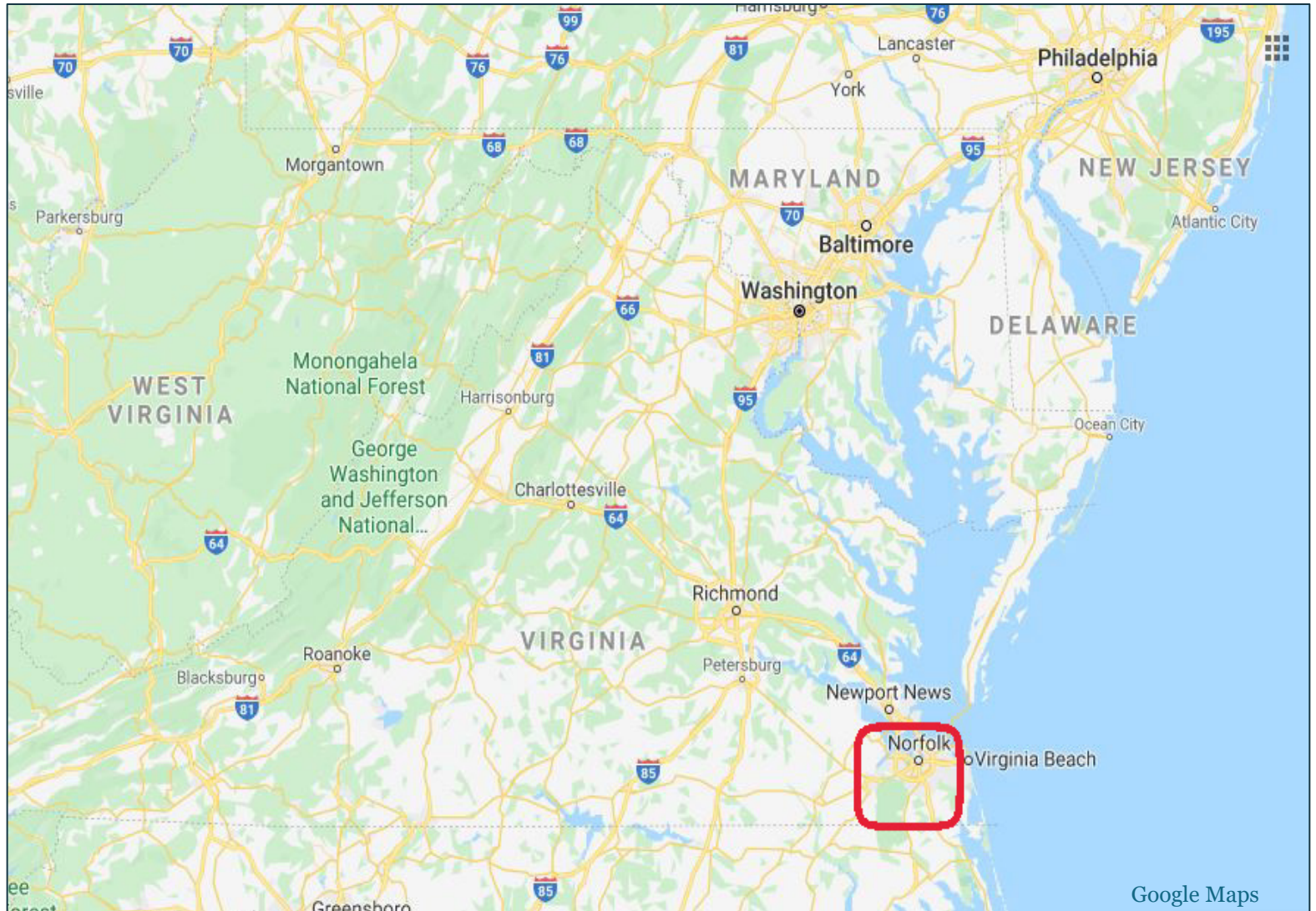


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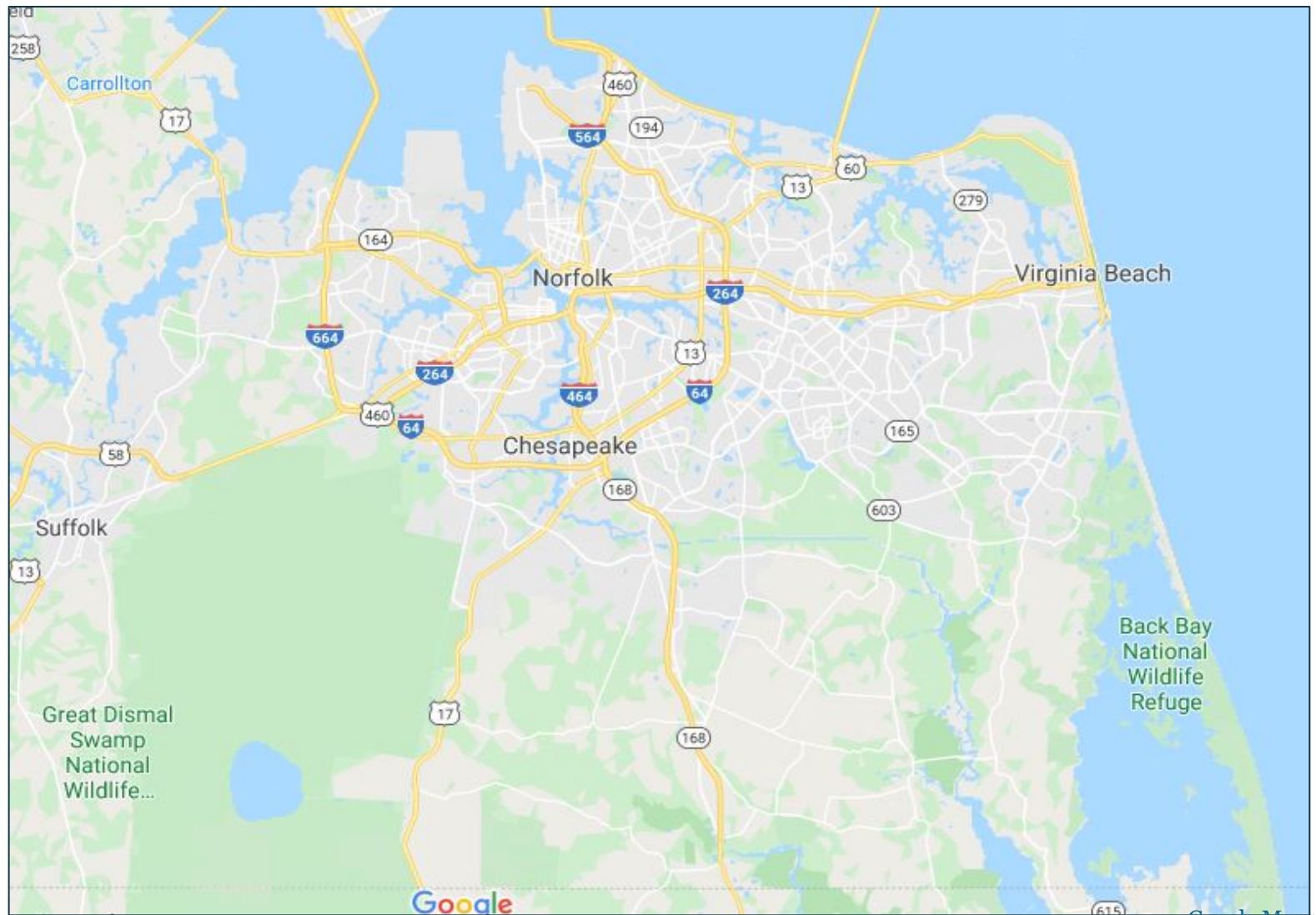
PROJECT LOCATION: SOUTHEASTERN VA “HAMPTON ROADS”



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PILOT PROJECTS: CITIES OF CHESAPEAKE & NORFOLK



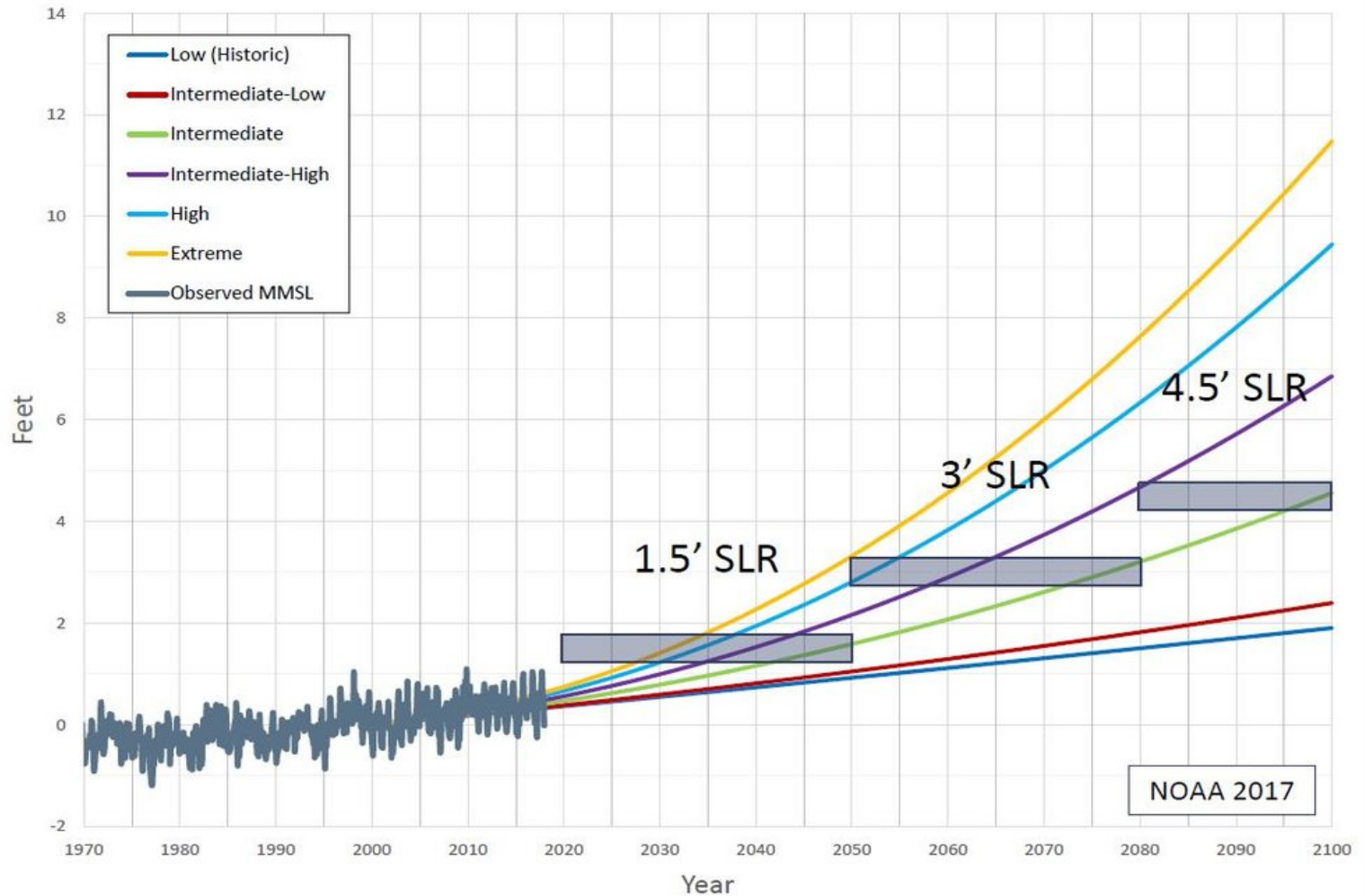
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Google Maps

SEA LEVEL RISE VULNERABILITY: REGIONAL SCENARIOS

Projected Relative Sea Level Change at Sewell's Point, Virginia - 2000-2100



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REGION + 3 FEET OF SLR (REGIONAL 2070 SCENARIO)



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CITY OF NORFOLK - NUISANCE FLOODING ON THE RISE



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Photo: Skip Stiles

EXISTING MITIGATION/ADAPTATION SOLUTIONS DON'T WORK



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Photo: Mary-Carson Stiff

LAND CONSERVATION MEETS MANAGED RETREAT

Wetlands Watch is leading a project in partnership with the Living River Trust (LRT) to pioneer two pilot programs with the Cities of Chesapeake and Norfolk

Goals:

1. Build resilience to sea level rise through conservation
2. Develop adaptive land management strategies with multiple financial, educational, & water quality benefits
3. Create national models replicable in other coastal communities grappling with economic & cultural realities of sea level rise



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Method: Converting frequently flooded residential parcels to conserved open space, restoring natural features & mitigating flooding through adaptive land management strategies



2 PILOT PROJECTS WORKING IN EXISTING LOCAL PROGRAMS

Existing Local Programs:

- Chesapeake's acquisition & open space program, funded through FEMA's hazard mitigation grants
- Norfolk's resilient zoning ordinance that disincentivizes development in areas of current & future flood risk by offering resilient points for development rights removal

Pilot Projects:

1. Feasibility of a property transfer of FEMA acquisition open space properties from City → land trust
2. Assessment of how to incentivize and implement the extinguishment of development rights program in the City's zoning ordinance, using rolling easements



WORKING ALONGSIDE EXPERTS / THOUGHT LEADERS

Engaging subject matter experts in land conservation, climate change, sea level rise adaptation, water quality, shoreline restoration, tax incentives, and more.

- **Year 1 (2020)** – Build national network of thought leaders → Create **small working groups** that tackle specific issues
- **Year 2 (2021)** – Develop draft strawman programs and policies to implement pilot projects → Host working symposium in Hampton Roads to share strawman plans and solicit feedback
- **Year 3 (2022)** – Incorporate symposium comments and feedback into plans → Release plans/policies to public → Explore exportability potential to other communities

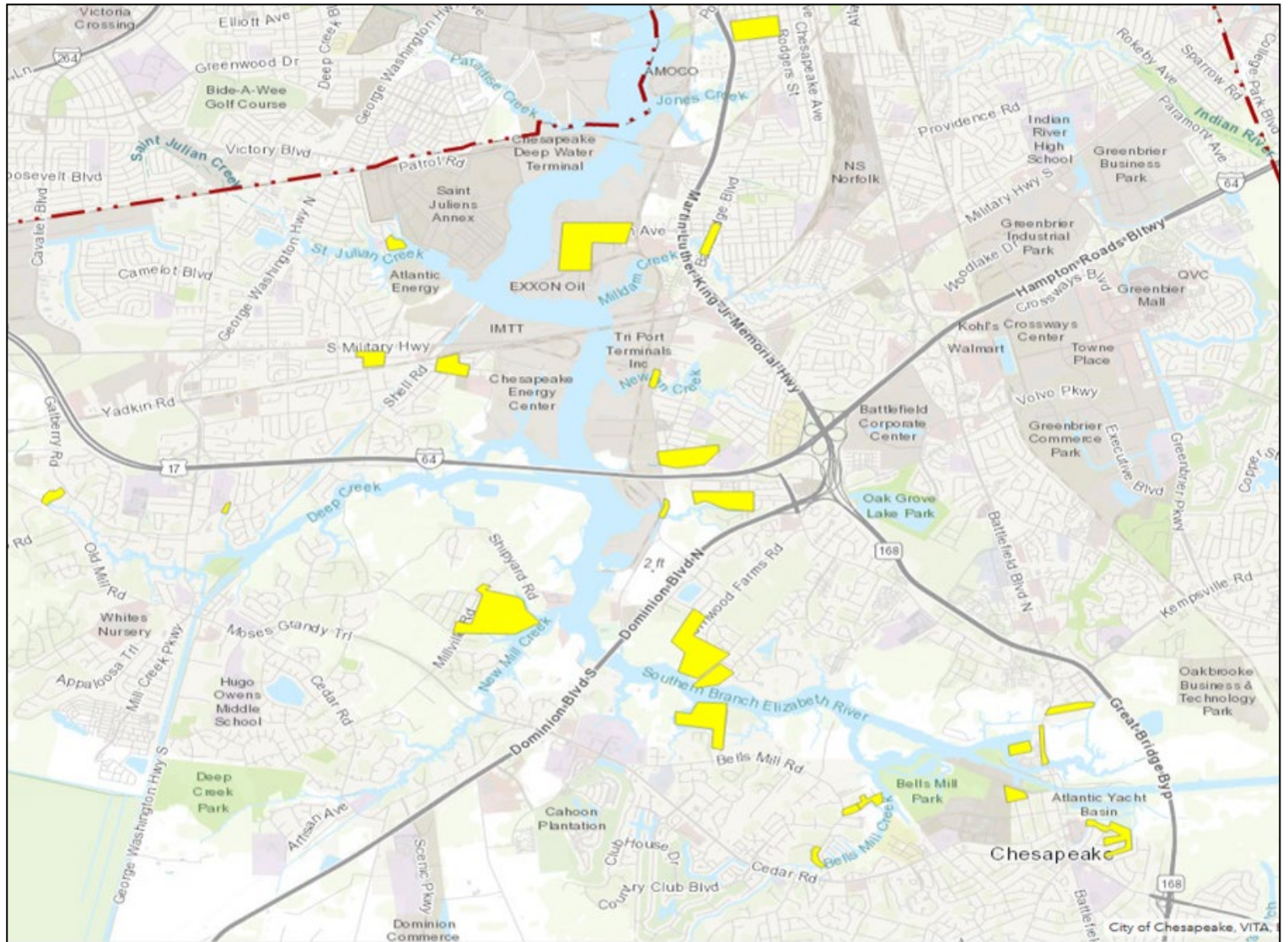


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CITY OF CHESAPEAKE: NEIGHBORHOOD FLOOD RISK



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CITY OF CHESAPEAKE PILOT PROJECT

Background

- Chesapeake's FEMA hazard mitigation grant acquisition program has 36 open space lots checker-boarded in City
- Under the FEMA grant, structures must be removed, residents relocated, and the lot must be left open in perpetuity via deed restriction – City reports to FEMA
- City staff approached LRT about transferring parcels from City to LRT to reduce cost of mowing lots (\$2,378 per parcel per year → \$85,608 annual cost)
- City proposed 5 contiguous open shoreline parcels as pilots

Project Goal

- Determine whether a land trust could and should accept land acquired through the FEMA acquisition program

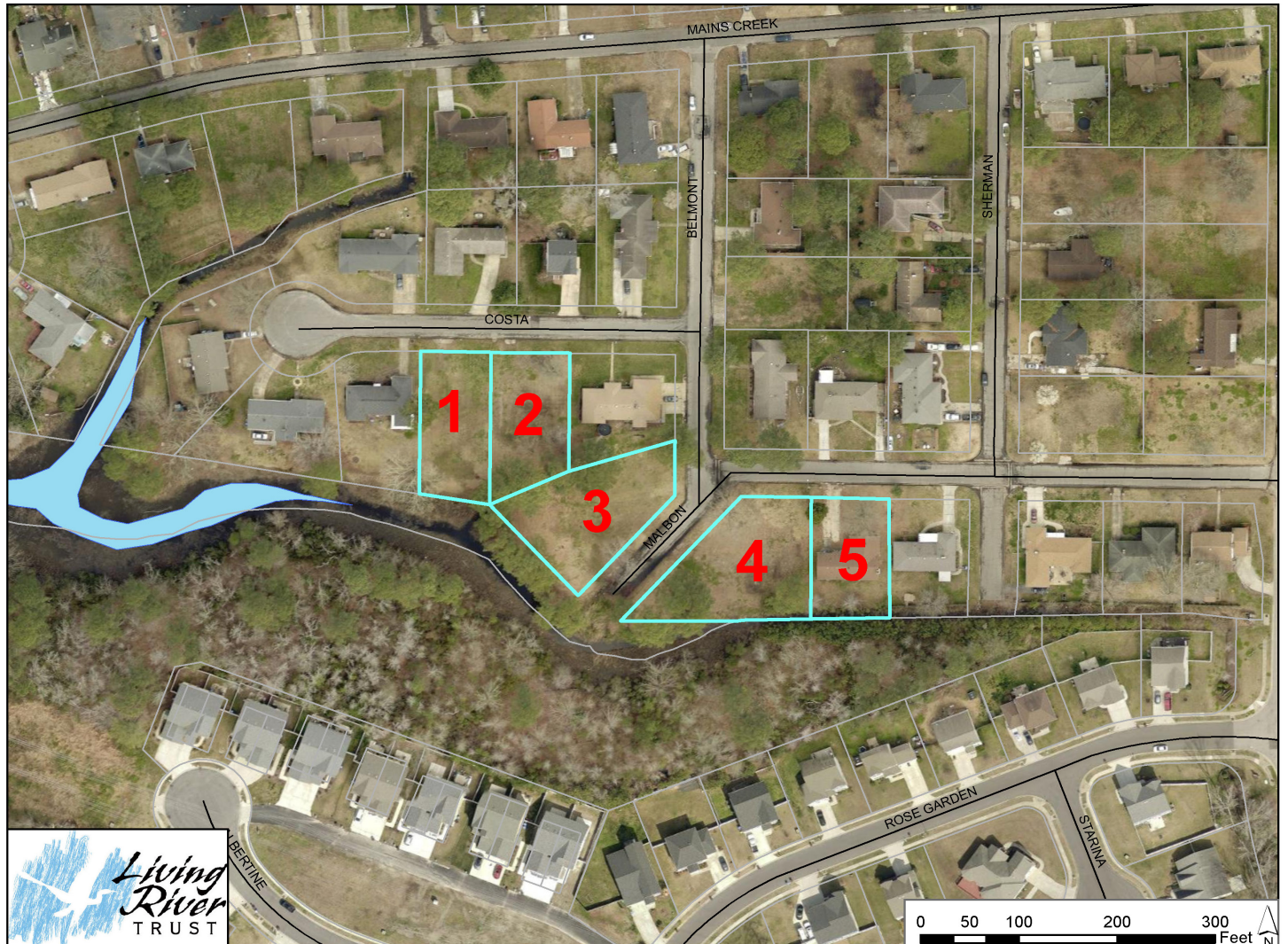


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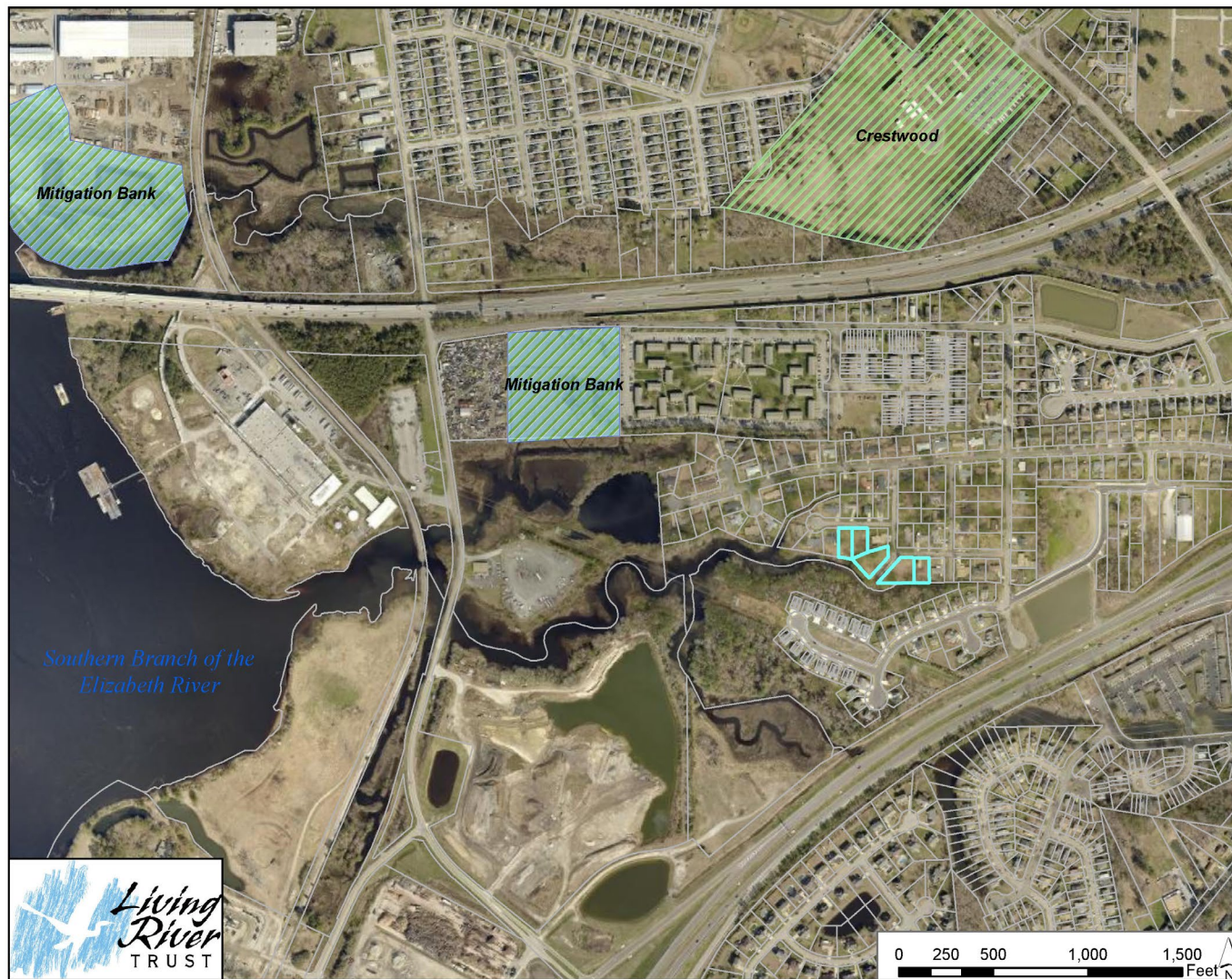


CITY OF CHESAPEAKE PILOT: 5 PARCELS



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CITY OF CHESAPEAKE PILOT: 5 PARCELS, ZOOM OUT



CITY OF CHESAPEAKE PILOT PROJECT: TO DO

- FEMA approval of transfer – no private land conservation org holding/owning acquisition parcels other than quasi-state VT Housing & Conservation Board (holder). **ANY OTHERS?**
- What are the concerns of City, LRT, FEMA, & neighborhood?
- Permitted uses of parcels? Restoration allowed, but what other benefits could be derived from shoreline projects?
- Want to promote ***adaptive land management strategies***
 - Regulatory Benefit: Flood or stormwater retention
 - Credits Benefit: TMDL, MS4, CRS, mitigation, etc.
 - Neighborhood Benefit: Reduced nuisance flooding, increased aesthetic features, increased habitat
 - Academic Benefit: Test beds for shoreline migration



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CHESAPEAKE PILOT PROJECT DELIVERABLES

- Deed restrictions template for acquisition parcels – transferable elsewhere in US
- Adaptive land management strategies list for acquisition parcels
- Property transfer plan for land trusts owning/holding acquisition parcels



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CITY OF NORFOLK VISION 2100 PLAN'S VISION AREAS

Designing New Urban Centers

Green areas are at low-risk of coastal flooding and have great potential for high density, mixed-use and mixed income development. These areas are prime opportunities for creating walkable, bikeable, transit-rich communities. The City should encourage transformational development in these areas.

Enhancing Economic Engines

Red areas are home to key economic assets that are essential to the city's future. Land use policy and infrastructure investments to protect these areas should encourage additional dense mixed-use development in these areas.

Adapting to Rising Waters

Yellow areas are established neighborhoods that experience more frequent flooding. The City should explore new and innovative technologies to help reduce flood risk and focus on investments on extending the resilience of key infrastructure.

Establishing Neighborhoods of the Future

Purple areas are established neighborhoods at less-risk of coastal flooding. The City should make investments that improve connections between these areas and key economic assets to ensure that these neighborhoods continue to thrive.



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CITY OF NORFOLK PILOT PROJECT

Background

- Zoning ordinance includes point system (“resilient quotient program”) option for developers to meet City resilience standards
- Developers earn points for extinguishment of each development right in coastal resilience overlay through purchase of easements
- If parcel is developed, residents get life rights to stay, BUT structure is removed if 50% damaged (can be more restrictive)
- The resilient quotient program points option incentivizes private sector investment to move people out of harms way



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Project Goal

- Determine how this innovative program works in practice and adjust zoning ordinance to reflect costs & practicality



CITY OF NORFOLK PILOT PROJECT: TRANSACTION

Developer wants to build or rebuild in the high elevation, low-risk area in City

Developer must meet resilience standards in new zoning ordinance

Developer elects extinguishment of development rights option to earn required resilience points

Developer earns resilience points for extinguishing development rights in high-risk areas in City

Check goes to LRT to finance voluntary easements in the low elevation, high-risk areas in City

Developer writes check for desired resilience points value (varies based on development)

LRT matches check \$\$ with cost of transaction based on a list of volunteer property owners

(1) Buy out + demo – conservation donation to LRT OR (2) Remove development rights – rolling easement

Structure demolished at trigger point included in rolling easement → conservation donation



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CITY OF NORFOLK PILOT PROJECT: TO DO

- How does this work in practice?
- Identifying 4 sample parcels to run through the transaction processes, start to finish
- Are resilience points weighted correctly to reflect actual transaction costs?
- What are the financial benefits to property owners for rolling easement donation & conservation donation enough?
- Do developers want to buy resilience points via this program?
- Do we have a good template for rolling easements? We want to strengthen the 50% standard - what are the trigger points?



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What adaptive land management strategies turn abandoned neighborhood parcels from presenting as negative to positive (social, economic, environmental)



NORFOLK PILOT PROJECT DELIVERABLES

- Rolling easement template
- Adaptive land management strategies list for neighborhood abandoned parcels
- Adaptive management plan for land trusts working with local incentive programs to remove flood risk



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PROJECT WORKING GROUPS

1. FEMA Acquisition Program
2. Rolling Easement
3. Tax & Valuation Issues
4. Adaptive Land Management Strategies
5. *Resilient Zoning Ordinance*
6. *Community Engagement*



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FEMA ACQUISITION PROGRAM WORKING GROUP

GOAL

- Develop a FEMA approved deed restriction template usable by land conservation organizations everywhere

GROUP ASK

- Connect team with appropriate professionals
- Identify issues, problems, and concerns
- Document review

TIMELINE

- 2-3 webinar meetings in 2020



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ROLLING EASEMENT WORKING GROUP

GOAL

- Develop a template rolling easement with a list of trigger points property owners can select, based on their interests

GROUP ASK

- Identify issues, problems, and concerns
- Language development
- Document review

TIMELINE

- 2-3 webinar meetings in 2020



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TAX & VALUATION ISSUES WORKING GROUP

GOAL

- Determine benefits to property owners electing to participate in zoning ordinance program

GROUP ASK

- Review impacts of tax credits & federal deductions
- Identify solution(s) to valuation problem of urban parcels under easements with structures
 - How do we value a current development right that goes away in the future?
- Connect team with appropriate professionals
- Identify issues, problems, and concerns

TIMELINE

- 2-3 webinar meetings in 2020



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ADAPTIVE LAND MANAGEMENT STRATEGIES WORKING GROUP

GOAL

- Develop strategy for turning abandoned parcels from negative drains on the community to positive assets (social, economic, environmental)

GROUP ASK

- Brainstorm what's feasible on open parcels
 - What are the benefits? What are the strongest drivers? How do we stack credits?
- Connect team with appropriate professionals
- Identify issues, problems, and concerns

TIMELINE

- 2-3 webinar meetings in 2020



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RESILIENT ZONING ORDINANCE WORKING GROUP

GOAL

- Adjust points in Resilient Quotient program to incentivize buyout program

GROUP ASK

- Connect team with appropriate professionals
- Identify issues, problems, and concerns
- Specific tasks are dependent on conversations with the development community, scheduled for 2020

TIMELINE

- Webinars to begin in late 2020, early 2021



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COMMUNITY ENGAGEMENT WORKING GROUP

GOAL

- Develop a plan for walking adaptive land management strategies into neighborhoods with current or future buyout parcels

GROUP ASK

- Connect team with appropriate professionals
- Identify issues, problems, and concerns
- Provide feedback from experts on what works and doesn't work in communities
 - What are the current/future pushbacks & barriers?
What language is good v. bad? Lessons learned?

TIMELINE

- Webinars to begin in late 2020, early 2021



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NEXT STEPS

Follow up emails

- Webinar recording
- Survey for working group selections

Working Group webinars will begin in early April to introduce issues

Thank you for your participation!

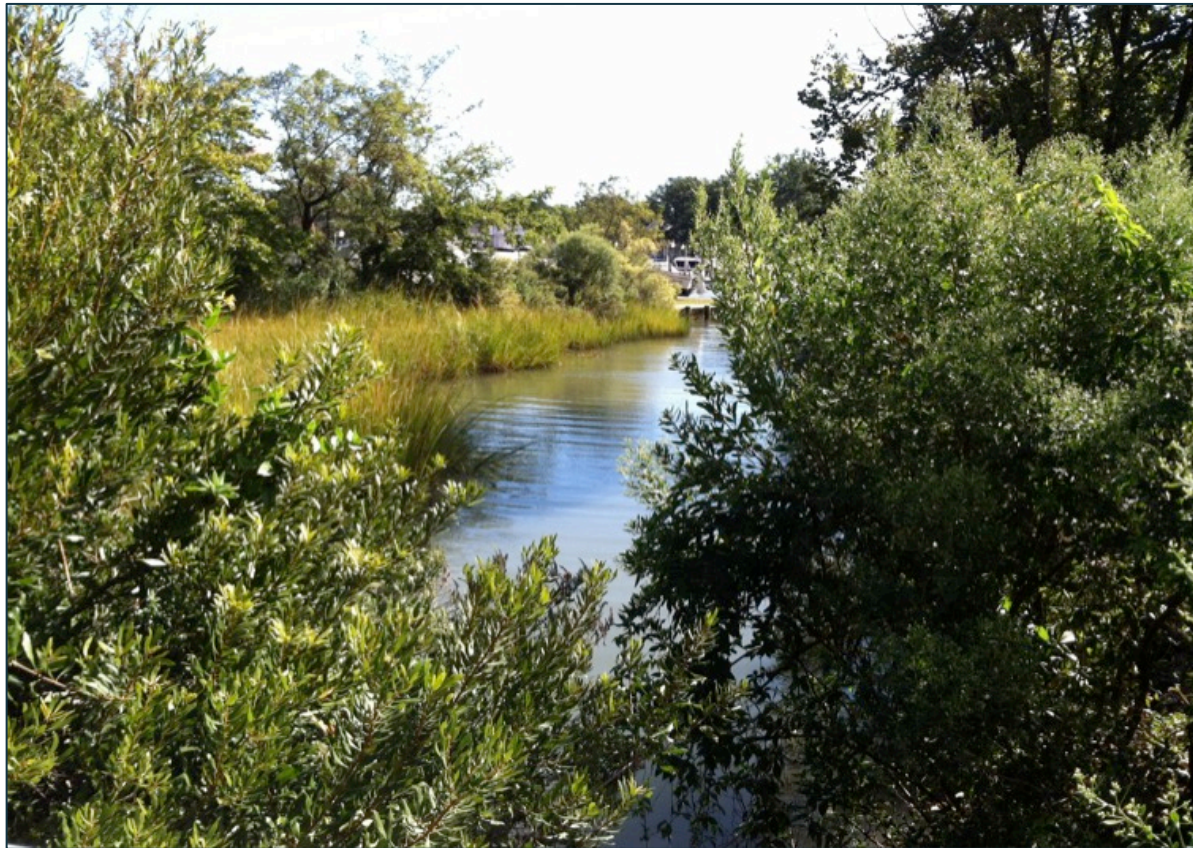


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QUESTIONS?



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If you have additional questions, please email
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