

ADDITIONAL READING

Contents

Suggested Readings List

Virginia Wetlands Historical Summary

Informal Suggestions for Conducting a Public Hearing

Additional Readings and Resources

Anonymous. 1988. Population Growth and Development in the Chesapeake Bay Watershed to the Year 2020. The report of the 2020 panel to the Chesapeake Executive Council. 52 pp. [Available at many public libraries, Virginia Council on the Environment and the Chesapeake Bay Commission, 60 West Street, Annapolis, MD 21401.]

Badger, Curtis. 1978-79. Saltmarsh Ecology, Parts I-IV. *Virginia Wildlife* 39:(9) and 40:(1,4,8). [Available at many libraries.]

Conservation Foundation. 1988. Protecting America's Wetlands: An Action Agenda. The Final Report of the National Wetlands Policy Forum. 69 pp. [Available from the Conservation Foundation, 1250 24th Street, N.W., Washington, D.C. 20037.]

Dahl, T. E. 1990. Wetland Losses in the United States 1780's to 1980's. U.S. Department of Interior, Fish and Wildlife Service, Washington, D.C. 21 pp. [Available from U.S. Fish and Wildlife Service, National Wetlands Inventory, St. Petersburg, FL.]

Daiber, Franklin C. 1986. *Conservation of Tidal Marshes*. Van Nostrand Reinhold Company. NY, NY. 341 pp. [Available in many larger libraries and college libraries.]

Graves, Arthur G. 1955. *Illustrated Guide to Trees and Shrubs, A Handbook of the Woody Plants of the Northeastern United States and Adjacent Canada*. Revised Edition. Dover Publications, Inc. NY, NY. 271 pp.

Hardin, Garrett. 1968. The Tragedy of the Commons. *Science* 162:1243-1248. [Available at most larger libraries.]

Horton, Tom. 1991. *Turning the Tide—Saving the Chesapeake Bay*. Island Press. Washington, D.C. 327 pp. [Available from Island Press and many bookstores.]

Knobel, Edward. 1977. *Field Guide to the Grasses, Sedges and Rushes of the United States*. Revised Second Edition. Dover Publications, Inc. NY, NY. 83 pp.

Leopold, Aldo. 1966. *A Sand County Almanac: With Essays on Conservation from Round River*. Ballantine Books. NY, NY. 295 pp. [Available in many bookstores and libraries.]

Mitsch, William J. and James G. Gosselink. 1993. *Wetlands*. Second Edition. Van Nostrand Reinhold Company. NY, NY. 537 pp. [Available at college bookstores.]

Niering, William A. 1985. *The Audubon Society Nature Guides: Wetlands*. Alfred A. Knopf, Inc. NY, NY. 638 pp. [Available at most bookstores.]

Preston, R.J., Jr. and V.G. Wright. 1993. *Identification of Southeastern Trees in Winter*. North Carolina Cooperative Extension Service. Raleigh, N.C. 113 pp.

Settle, Fairfax H. 1969. Survey and analysis of changes effected by man on tidal marshes of Virginia, 1955-1969. Unpublished Master's Thesis. VPI&SU. Blacksburg. 47 pp. [Available on interlibrary loan from VPI&SU.]

Silberhorn, G. M. 1982. *Common Plants of the Mid-Atlantic Coast: A Field Guide*. The Johns Hopkins University Press. Baltimore. 256 pp. [Available from VIMS Sea Grant Office and William and Mary Bookstore.]

Siry, Joseph V. 1984. *Marshes of the Ocean Shore, Development of an Ecological Ethic*. Texas A&M University Press. 216 pp. [Available at VIMS library.]

Southeastern Virginia Planning District Commission. 1988. *The Value of Wetlands: A Guide for Citizens*. Southeastern Virginia Planning District Commission. Chesapeake, Virginia. 30 pp. [Available at Southeastern Virginia Planning District Commission, 723 Woodlake Drive, Chesapeake, VA 23320.]

Steinhart, P., T. Williams, J. Stuller, et al. 1990. The Last Wetlands. *Audubon Magazine*. July 1990. 132 pp. [Special issue available at most libraries.]

Teal, John M. and Mildred. 1969. *Life and Death of the Salt Marsh*. Ballantine Books. NY, NY. 274 pp. [Available in paperback in many bookstores.]

Tiner, Ralph W., Jr. 1984. *Wetlands of the United States: Current Status and Trends*. U.S. Fish and Wildlife Service. National Wetlands Inventory. Washington, D.C. 46 pp. [Available from U.S. Government Printing Office, Washington, D.C. 20402.]

Tiner, Ralph W., Jr. 1987. *Mid-Atlantic Wetlands: A Disappearing Natural Resource*. U.S. Fish and Wildlife Service. National Wetlands Inventory Program. Newton Corner, Massachusetts. 28 pp. [Available from U.S. Fish and Wildlife Service, National Wetlands Inventory, Newton Corner, Massachusetts 02158.]

Udall, Stuart L. 1988. *The Quiet Crisis II*. Henry Holt and Company. NY, NY. 298 pp. [An environmental history of the United States. Available in many bookstores.]

U.S. E.P.A. Chesapeake Bay Program. 1982. *Chesapeake Bay: Introduction to an Ecosystem*. 33 pp. [Available from Chesapeake Bay Program, 401 Severn Avenue, Annapolis, MD 21403.]

U.S. E.P.A. 1988. *America's wetlands: our vital link between land and water*. U.S. E.P.A., Office of Wetlands Protection. Washington, D.C. 9 pp. [Available from Office of Wetlands Protection, Washington, D.C. 20460.]

Virginia Marine Resources Commission. 1992. *Shoreline Development BMP's*. VMRC, Newport News, VA 23607. 54 pp.

Virginia Sea Grant College Program. 1989. *Virginia Marine Resource Bulletin*. Vol. 21:(1). 21 pp. [Tidal freshwater wetlands issue available from VIMS Sea Grant Office.]

White, Christopher P. 1989. *Chesapeake Bay: Nature of the Estuary, A Field Guide*. Tidewater Publishers, Centreville, Maryland. 212 pp. [Available at many bookstores.]

Virginia Wetlands Historical Summary

Background

- 1963 Massachusetts passes first wetlands protection law.
- 1966 Virginia legislature establishes special Marine Resources Study Commission.
- 1967 Study Commission recommends special study on marsh and wetlands.
- 1968 Legislature directs VIMS to conduct the wetlands study.
- 1969 VIMS publishes report (*Coastal Wetlands of Virginia, Interim Report*, Wass and Wright, Dec. 1969).
- 1970-72 Public hearings, drafting of Wetlands Act and research (Marcellus, Boon, Lynch) to determine wetlands definitions and upper limits of wetlands.
- 1972 Publication of *Tidal Datum Planes and Tidal Boundaries and Their Use as Legal Boundaries*, Boon and Lynch, 1972.
Wetlands Act enacted, to become effective 1 July 1972.
Publication of *Coastal Wetlands of Virginia, Interim Report No. 2*, Marcellus, July 1972.
First local wetlands boards established and VIMS commences training workshops for boards.
VIMS also commences wetlands inventory.
- 1973 VIMS publishes management manual for wetlands boards (*Local Management of Wetlands- Environmental Considerations*, Marcellus, Dawes, Silberhorn, June, 1973).
First county inventory published (*Lancaster County Tidal Marsh Inventory*, Silberhorn, December, 1973).
- 1974 VIMS publishes recommended wetlands guidelines (*Coastal Wetlands of Virginia, Interim Report No. 3, Guidelines for Activities Affecting Virginia Wetlands*, Silberhorn, Dawes, Barnard, June 1974).
Two more county inventories published (Mathews, York; both Silberhorn).
Wetlands Guidelines promulgated by VMRC.
Wetlands of Back Bay and the North Landing River and its Tributaries added by amendment to Wetlands Act.
- 1982 Nonvegetated wetlands added to Wetlands Act by amendment.
Boards expanded from 5 to 7 members (optional).
Grandfather Sunset Clause added.

(over)

- 1983 *Wetlands Guidelines* revised to include nonvegetated areas.
New community types added to classification system.
- 1987 Wetlands Act amended to allow reporting, site inspections, notice to comply and stop work orders.
- 1989 Wetlands Mitigation-Compensation Policy adopted by VMRC.
State non-tidal wetlands legislation dies in committee.
- 1990 Wetlands Act amended to allow court ordered civil penalties not to exceed \$25,000 for each day of violation.
In lieu of any civil penalty, civil charges of up to \$10,000 for each violation may be ordered by the Marine Resources Commission or Wetlands Board.
Restoration hearings were also authorized.
- 1991 Tidal Marsh Inventory for City of Chesapeake completed and published (last of original series). Wetlands inventories to be maintained and updated using computer-based Geographical Information System (GIS).
VIMS Wetlands Program produces “Virginia Wetlands Management Handbook” and Wetlands Educational Curriculum.
- 1992 Wetlands and Dunes Acts “streamlined,” along with other legislation, by the Division of Legislative Services.
- 1995 “Virginia Wetlands Management Handbook” is revised and updated.

Informal Suggestions for Conducting a Public Hearing

Contents

1. Arrangements prior to meeting
2. General meeting format
3. Helpful hints

Just Prior to Meeting, Staff Should:

- 1. Telephone reminder to Board Members**
- 2. Confirm availability of meeting chamber**
- 3. Check lights and speakers**
- 4. Set out name plates, pads, and pencils**
- 5. Bring appropriate area maps**
- 6. Bring state and local laws**
- 7. Bring photographs of site**
- 8. Post agendas for public**

Holding Public Meeting

1. Meeting called to order
2. Attendance recorded, quorum confirmed
3. Chair explains purpose of meeting, reads opening statement*
4. Chair states where agendas are posted
5. Chair calls for comments, questions, corrections on minutes
6. Chair inquires about old business

*Many boards choose to read the policy statement at the beginning of the Wetlands Act.

Hearing Items

1. Chair may shift hearing order, administer oaths, limit presentations and discussions
2. Chair or staff state case number and presents brief description of proposed project
3. Chair or staff read VIMS report into record
4. Applicant or representative speaks
5. Others speak
6. Chair closes hearing to public

Board Discussion

1. Chair asks for comments from Board Members
2. Record should display a consideration of:
 - A. Social concerns
 - B. Economic concerns
 - C. Physical concerns
 - D. Environmental concerns
3. Chair asks for staff evaluation/recommendation
4. Chair asks if any additional comments from VIMS
5. Chair entertains motion

*A benefits vs. detriments format is recommended

Motions may include:

1. Approval as submitted
2. Approval in modified form
3. Approval with bonding or letter of credit required
4. Denial
5. Denial without prejudice
6. Direct applicant to provide more information
7. Defer decision for up to 30 days

After Board Decision

1. Chair informs applicant and audience of appeal process
2. Time limit on permit

Helpful Hints

1. Require speaker from public to approach Board, state name/address, speak, return to audience
2. Limit speakers to issues germane to Wetlands Board
3. Allow everyone an opportunity to speak
4. Direct all public comment or questions to Board
5. Discourage interaction between audience and speaker
6. State decision rationale in benefit vs. detriment format