

**Board of Conservation and Recreation
May 12, 2022
Natural Tunnel State Park**

TIME AND PLACE

The meeting of the Board of Conservation and Recreation took place at 10:30 a.m. on Thursday, May 12, 2022, at Natural Tunnel State Park in Duffield, Virginia.

BOARD OF CONSERVATION AND RECREATION MEMBERS PRESENT

Patricia A. Jackson, Chair
Danielle Heisler, Vice Chair
Kat Maybury
Esther M. Nizer
Clayton Spruill
Ross Stewart

BOARD OF CONSERVATION AND RECREATION MEMBERS NOT PRESENT

Angela Henderson, Ph.D.
Vivek Shinde Patil, Ph.D.
Camilla Simon

BOARD OF CONSERVATION AND RECREATION MEMBERS PARTICIPATING ELECTRONICALLY

Dexter C. Hurt
Cisco Minthorn

DCR STAFF PRESENT

Matthew S. Wells, DCR Director
Frank Stovall, Deputy Director for Operations
Laura Ellis, Interim Deputy Director for Administration and Finance
Sharon Partee, Director of Finance
Michael Fletcher, Board and Constituent Services Liaison
David Collett, Western Field Operations Manager
Robert Chapman, Manager, Natural Tunnel State Park
Sharon Buchanan, Southwest Region Manager

ESTABLISHMENT OF A QUORUM

With six (6) members of the Board present, a quorum was established.

CALL TO ORDER AND INTRODUCTIONS

Chairman Jackson called the meeting to order at 10:38 a.m. She welcomed members to Natural Tunnel State Park and noted it had been almost a year since the Board had been able to meet. She called for introductions.

MOTION TO AUTHORIZE ELECTRONIC PARTICIPATION

Ms. Maybury moved the following:

In accordance with § 2.2-3708.2 of the Code of Virginia, the Board of Conservation establishes a policy to allow electronic participation by members who are unable to attend due to illness or personal. Members participating electronically may vote on Board actions provided a physical quorum is established.

Ms. Heisler seconded and the motion carried.

ELECTION OF OFFICERS

Chairman Jackson reported that Nancy Davidson had moved out of state and had resigned from the Board. She advised that while Board elections were normally held at the beginning of the year Ms. Davidson's departure left a vacancy. She noted that the normal Board process would be to appoint a nominating committee.

Ms. Nizer nominated Ms. Heisler to serve as Vice Chair. Ms. Maybury seconded and the motion carried unanimously.

APPROVAL OF MINUTES FROM JUNE 24 2021

Ms. Maybury moved that the minutes of the June 24, 2021 meeting of the Board of Conservation and Recreation be approved as submitted. Ms. Nizer seconded and the motion carried.

DIRECTOR'S REPORT – Matthew S. Wells, DCR Director

Director Wells thanked Ms. Jackson for the introduction and welcomed members to Natural Tunnel State Park.

Director Wells expressed appreciation for the leadership of Clyde Cristman as DCR Director for many years. He commented that Mr. Cristman left DCR in fantastic shape.

Director Wells gave some biographical information, noting that he was originally from South Carolina, but had family roots in Southwest Virginia. A distant ancestor had traveled with Daniel Boone.

Director Wells gave the following DCR update:

Virginia State Parks

Director Wells advised that operating a State Park system in the middle of a pandemic was challenging but the State Parks team rose to the challenge.

In 2021:

- 7.9 million people visited Virginia State Parks

- State parks generated \$33 million in revenue
- The State Park system had an economic impact on the Commonwealth of \$324 million in 2021

Director Wells advised that, due to maintenance and safety issues that could not be addressed prior to the opening of the summer season, swimming pools at Natural Tunnel State Park, Chippokes State Park, and Staunton River State Park would not open for the season. Further the pool at Westmoreland State Park is permanently closed.

In addition:

- Clinch River State Park opened in the summer of 2021
- Acquisitions were completed for the future Sweet Run State Park in Loudoun County and the future Mayo River State Park in Henry County
 - Sweet Run is accessible thanks to a partnership with the Blue Ridge Center for Environmental Stewardship
 - Three miles of trails were recently opened on the Mayo River.

Planning and Recreation Resources

Planning and Recreation Resources staff have worked to finalize four master plans to present at this meeting. PRR staff is currently working with State Parks staff to review the Master Planning process.

Natural Heritage

Since the last meeting, DCR has dedicated the 66th Natural Area Preserve at Piney Grove Flatwoods. This is located in Sussex County and is part of an extensive conservation area encompassing the greater Piney Grove Preserve, Big Woods State Forest, and Big Woods Wildlife Management Area.

The Nature Conservancy, along with key agency partners to include DCR, the Department of Wildlife Resources, the Department of Forestry, and the U.S. Fish and Wildlife Service are working to restore much of the 10,000-acre area to resemble the pre-Colonial forest landscape of southeastern Virginia.

Falkland Farms

DCR has taken ownership of a nearly 7,400-acre site in Halifax County donated to the Commonwealth for permanent conservation. The tract, known as Falkland Farms, adjoins Difficult Creek Natural Area Preserve and Staunton River State Park. This will be the largest DCR-owned property.

These lands are also contiguous with other federal and state-owned conservation lands. The project results in a 40,000-acre contiguous landscape. DCR Natural Heritage and State Park staff plan to restore much of the property to pre-European settlement conditions. The property is significant for biodiversity conservation in the Virginia Piedmont and beyond.

Legislative Issues

Director Wells noted that members had been provided with a Legislative Update. A copy of that update is included as Attachment #1. He noted the following items:

- There were several Scenic River designations.
- Legislation directed State Parks to develop and post appropriate signage concerning lyme disease prevention.
- Senate bill 31 directs the Virginia Land Conservation Fund to work with federally recognized tribes. This includes adding a member of the Virginia Land Conservation Foundation Board of Trustees to be an officially recognized tribal member.
- The legislature passed a commending resolution honoring Clyde Cristman.

Director Wells noted that Executive Order 17 deals with single use plastic and is designed to promote and encourage recycling. DCR will be preparing a report to the Secretary of Natural and Historic Resources regarding a plan to enhance recycling capacity in State Parks.

Financial Issues

In the previous fiscal year DCR was allocated \$152.5 million to support agency operations efforts, and after required deposits and transfers, the agency was left with \$71 million to fund Operations.

Director Wells noted that Ms. Partee would give a more detailed financial update.

Director Wells advised that, while there has been significant change at DCR since the prior Board meeting, the mission and purpose of DCR has not changed. He affirmed that he, along with DCR staff are committed to:

- Protecting the rich natural and cultural heritage of the Commonwealth
- Building a best in class park system
- Expanding outdoor recreation opportunities for citizens and visitors
- Continuing to work with the Board to move DCR forward

FINANCIAL REPORT – *Sharon Partee, Director of Finance*

Ms. Partee gave an overview of agency finances through the end of March, 2022.



Financial Report

- General Fund Appropriation and Expenditures as of March 31, 2022
- State Parks Revenue SFY22
- State Parks Project Fund as of March 31, 2022



Department of Conservation and Recreation
 General Fund Appropriation and Expenditures
 Fiscal Year 2022

FY2022 Legislative Appropriation	<u>\$ 152,531,045</u>
Appropriation Transfers and Adjustments:	
Water Quality Improvement Fund Transfers	(72,433,531)
SWCD Dam Repair	(900,000)
Dam Safety/Flood Prevention & Protection	(732,147)
Land Conservation Fund Transfers	(10,000,000)
Central Appropriation Adjustments*	1,305,264
Discretionary Reappropriated Amounts**	237,104
Capital to Operating GF Transfer***	<u>1,000,000</u>
	(81,523,250)
FY 2022 Total GF Appropriation Available for Operations	<u>\$ 71,007,795</u>

Division	Division Targets	YTD Actual (As of March 31, 2022)	Target vs Actual - %
Soil & Water Conservation	14,252,693	11,513,881	80.8%
Dam Safety	1,704,613	839,341	49.2%
Natural Heritage	4,379,077	3,000,000	68.5%
Land Conservation	7,433,474	4,962,165	66.8%
State Parks (incl Breaks)	22,634,408	34,255,009	107.2%
PRR (incl Design & Construction)	8,570,514	2,318,105	27.0%
Director's Office - Admin-Finance	12,033,016	7,026,359	58.4%
Grand Total	<u>\$ 71,007,795</u>	<u>\$ 53,914,860</u>	<u>75.9%</u>



State Parks Revenue SFY22

Division	Fund	Account	Account Description	FY22 Estimate	YTD Actual (Through March 31, 2022)	Year Year YTD Actual (Through March 31, 2021)
State Parks	02630	4002130	Hunt/Trap/Angling Lic-Undersh	\$ -	\$ (3,366)	\$ -
State Parks	02630	4002504	Admission Receipts	-	191,455	167,264
State Parks	02630	4002502	Rental- State Parks Campsites	(7,913,700)	(7,673,889)	(7,487,442)
State Parks	02630	4002509	Parking Fees	(6,992,049)	(4,526,790)	(5,620,124)
State Parks	02630	4002510	Pre-Cabin/Camping Fees Fee	(3,244,277)	(3,629,707)	(3,555,124)
State Parks	02630	4002517	Conference Facility Fees	(215,000)	(223,584)	(79,242)
State Parks	02630	4002520	State Park Educational Fees	(237,288)	(85,448)	(18,406)
State Parks	02630	4002530	Enterprise Program Fees	(892)	(86,170)	(23,425)
State Parks	02630	4002531	Swimming- Adults	(833,406)	(282,034)	(266,365)
State Parks	02630	4002532	Mechandise Sales Revenue	(3,726,902)	(2,617,790)	(2,532,619)
State Parks	02630	4002534	Food/Bever. Items - Division Sale	(464,584)	(176,777)	(96,275)
State Parks	02630	4002536	Equipment Rental Fees	(225,613)	(222,218)	(207,471)
State Parks	02630	4002540	Fees From Riv. Concessions	(66,263)	(78,700)	(64,325)
State Parks	02630	4002542	Proceeds Sale Of Timber	-	(10,000)	(65,443)
State Parks	02630	4002543	Rental Land/Equip-Oper Leases	-	(288,082)	(72,884)
State Parks	02630	4002548	Rental Of State Parks Cabins	(6,954,718)	(6,602,060)	(7,620,202)
State Parks	02630	4002549	Rental Of Quarters	(240,000)	(184,002)	(182,427)
State Parks	02630	4002544	Rental Of Land-Oper Leases	-	(113,700)	(113,384)
State Parks	02630	4002545	Rental Of Equip-Oper Leases	(441,412)	(334,988)	(326,920)
State Parks	02630	4008130	Permit/Fees/Permit Reciprocity	(29,642)	(23,909)	(24,185)
State Parks	02630	4009060	Miscellaneous Revenues	(92,544)	(78,211)	(724)
Grand Total				\$ (29,628,288)	\$ (25,210,857)	\$ (25,690,681)



Department of Conservation and Recreation
 State Parks Project Fund
 Cash Balance
 As of March 31, 2022

Project	Cash Balance March 31, 2022
USDA VA Tree Clean Water	\$ 300,000
Chippokes General	611
Library of Virginia	75,199
New River Trail SP Repair TRES	265
Pocahontas Mountain Bike Trails	12
Round Up Donations	191,302
Garden Club YCC Supplies 2018	9
Daniel Boone Wilderness Trail Interpretive Center	219,442
Garden Club YCC Supplies FY2019	6,242
National Public Lands Day	217
DuPont Mill Support SR Watershed	5,695
Garden Club of VA - YCC	7,972
VA Serv & Conserv Corps	187,308
Wilderness Rd Cell Tower Hist	20,000
Kipopeke State Park Visitor	1,204
NRAP Living Shoreline 66 466	11
Wounded Warrior Hunt Staunton	100
Dam River Basin Assoc Mayo Riv	14,000
Unobligated Balance	7,811
New River Fitness Trail	9,074
New River Trail Equestrian	9,172
Southwest Virginia Museum Stamp Interest Earnings	37,345
Southwest Virginia Museum Stamp Donations for Exhibits	14,717
Southwest Virginia Museum Stamp Donations for Collections Management	30,781
Southwest Virginia Museum Stamp Donations for Operational Support	741
Stamp Visitor Center WR	151
Smith Mountain Lake Fishing Project	18,308
Misc Small Projects Project	794
Total	\$ 1,157,497

Ms. Nizer expressed appreciation for the opportunity to buy gift cards during the holiday season. She asked how revenue for the next fiscal year would be handled with regard to cabin rentals and other pre-paid items.

Ms. Partee advised that this would be counted as deferred revenue for the coming fiscal year.

DIVISION OF PLANNING AND RECREATION RESOURCES – *Kelly McClary, Director, Division of Planning and Recreation Resources*

Ms. McClary gave the report for the Division of Planning and Recreation Resources.

Virginia Outdoors Plan

The Virginia Outdoors Plan is required every five years as a condition of federal funding for the Land and Water Conservation Fund. The plan is developed by DCR and submitted to the National Park Service.

In 2021, DCR staff met with all of the PDCs (Planning District Commissions). These meetings included local park managers, town managers, non-profit organizations, and interested citizens.

VCU is conducting a random qualitative survey. This will be sent to 10-12,000 citizens across the Commonwealth.

Scenic Rivers

The Scenic River program is a grass roots program administered by local officials. DCR staff makes recommendations to the BCR for the approval of river designation. The final designation comes from a local request to the General Assembly.

Three rivers sections were approved in 2022.

- The Maury River
- The Middle James
- The North Fork of the Shenandoah

Ms. McClary noted that the Board had previously approved the section of the North Fork of the Shenandoah but noted that this had been approved by the General Assembly.

Additionally, the sections of the Middle James and the Maury River were approved by the General Assembly, but required approval by the Board.

BOARD ACTION

Ms. Maybury moved that the Board of Conservation and Recreation endorse the recommended section of the Maury River as a Virginia Scenic River. Ms. Heisler seconded and the motion carried.

Ms. McClary reported that the General Assembly had approved 38 miles of the Middle James River extension but did not approve the section in Cumberland County. Cumberland County has yet to request approval. She advised that staff recommended the Board approve the entire section in anticipation of future General Assembly action. The total recommended extension is 64 miles.

BOARD ACTION

Mr. Spruill moved that the Board endorse the recommended 64 miles of the Middle James River for designation as a State Scenic River. Ms. Nizer seconded and the motion carried.

State Park Master Plans

Ms. McClary presented the State Park Master Plans recommended for approval.

First Landing State Park

Ms. McClary advised that the Board had previously reviewed the plan for First Landing State Park. She noted that the park was one of the first six parks opened in 1936.

Ms. McClary read the purpose statement for First Landing State Park.

"The purpose of First Landing State Park is to preserve the unique natural environment of this historic site at the mouth of the Chesapeake Bay, while providing opportunities for low-impact outdoor recreation and strong programs of environmental education and historic presentation."

Ms. McClary gave an overview of the park.

Officially renamed First Landing State Park on April 26, 1999, the park consists of some 2,888 acres of beaches, dunes, maritime forests, salt marshes, and fresh water wetlands located at the mouth of the Chesapeake Bay in Virginia Beach, Virginia. The park is in the Hampton Roads Planning District, Region 23; this area is home to more than 1.8 million people. Access to the park is provided off of U.S. Route 60 (Shore Drive) in Virginia Beach.

The phases of the Master Plan include:

Total Cost all Phases: \$24.7 Million

Phase 1: \$17.1 Million

- Includes Cabin Renovations, new Pole Shed, and Road Upgrades

Phase 2: \$5.6 Million

- Includes Campground Upgrades, Parking Lots, and new Comfort Station

Phase 3: \$2.2 Million

- Includes Bike Paths, Playground Expansion, and new Picnic Shelter

Twin Lakes State Park

Ms. McClary noted that Twin Lakes State Park is on the National Historic Register. She advised that the park originally opened as two separate parks during segregation.

The park purpose statement reads:

“Located in the heart of Virginia at a regional and historic crossroads, Twin Lakes State Park is common ground and a gathering place to discover nature, connect with the past, and explore the meaning of freedom.”

Ms. McClary gave an introduction to Twin Lakes State Park.

Twin Lakes State Park in Prince Edward County has a unique history. The park is located in the Commonwealth Region (Region 14) in Virginia’s Piedmont region. Land for the park was acquired from local farmers in 1939. The park was developed originally as two separate parks in order to provide segregated facilities for African-Americans to recreate within the state park system. Each park consisted of a swimming and fishing lake, a camping area, and a picnic area. The parks, called Prince Edward State Park (for Negroes) and Goodwin Lake State Recreational Area, were very popular, and from their inception in 1950, saw large crowds on weekends. In 1976, the parks were combined, and in 1986, were named Twin Lakes State Park. Prince Edward State Forest land surrounds three sides of the 495-acre park.

The phases of the Master Plan include:

Total Cost all Phases: \$32.9 Million

Phase 1: \$13.9 Million

- Includes Cabin Renovations & Campgrounds

Phase 2: \$9.5 Million

- Includes Park Trail Improvements, Picnic Area Improvements, and new ADA Fishing Piers

Phase 3: \$9.4 Million

- Includes new Staff Residence, Parking Area Upgrades, and Cedar Crest Lodge Renovations

Sky Meadows State Park

Ms. McClary gave an overview of Sky Meadows State Park. She read the park purpose statement:

“The purpose of Sky Meadows State Park is: To provide in perpetuity the opportunity for visitors to peacefully enjoy an historic Piedmont farm and natural area on the slopes of the Blue Ridge and Lost Mountain while continuing the agricultural uses of a portion of its open land.”

Ms. McClary gave an overview of Sky Meadows State Park.

The park is located in the Rappahannock-Rapidan Region (Planning District 9) and consists of approximately 1,864 acres in northwestern Fauquier and eastern Clarke Counties near the intersection of Routes 17 and 50. The park, as it exists today, was formed by consolidating three parcels of land, which extend from Route 17 to the top of the Blue Ridge to the west and to the top of Lost Mountain to the east. The original parcel of 1,132 acres was a gift from the Paul Mellon Foundation in 1975. A 248-acre corridor containing over three miles of the Appalachian Trail was added in 1987. The third parcel, a 462-acre farm, known as the Maxwellton property, was donated to the Virginia Outdoors Foundation in 1988 and subsequently transferred to the Commonwealth. On March 17, 2004, Sky Meadows State Park was placed on the Virginia Landmarks Register, and on May 24, 2004, it was entered in the National Register of Historic Places.

The phases of the Master Plan include:

Total Cost all Phases: \$20.7 Million

Phase 1: \$10.2 Million

- Includes Stabilization of Historic Buildings, new Maintenance Shop, and Rework Roads

Phase 2: \$8.6 Million

- Includes new Visitor Center, new Contact Station, and new Roads

Phase 3: \$1.8 Million

- Includes new Staff Residence, and Resurfacing Roads

Ms. Maybury inquired about the agricultural use of the park.

Mr. Collett responded that a significant part of the interpretation at the park was agricultural history. The park cooperates with the Department of Corrections to actively graze cattle. The park also works with the American chestnut foundation to produce hybrid chestnuts. The park also has chickens, vegetable gardens and more that are actively maintained by the friends group. Sky Meadows hosts visits from many school children to learn about agriculture and history.

Seven Bends State Park

Ms. McClary reported that Seven Bends has about 1066 acres near Woodstock, Virginia and is considered to be the gateway to the heart of the Shenandoah Valley. She noted that a prerequisite for much of the recommended work is the rebuilding of a low water bridge by VDOT. This must be done before other development can be started.

The purpose statement of Seven Bends reads:

“The purpose of Seven Bends State Park, the gateway to the heart of the Shenandoah Valley, is to provide water and land based outdoor recreational and educational opportunities while protecting and interpreting the spectacular scenic viewshed and the unique geological, natural, and historical resources of the storied seven bends area of the North Fork of the Shenandoah River in Virginia.”

Ms. McClary gave an overview of the Seven Bends State Park.

Seven Bends State Park is located in east-central Shenandoah County near the Town of Woodstock. The park consists of 1,066 acres situated in the geographically unique seven bends area of the North Fork of the Shenandoah River. The majority of the park was assembled from donated land. The Town of Woodstock donated almost 85 acres of what had been the town reservoir site. Dr. James R. Myers donated the largest parcel, approximately 674 acres, which is adjacent to the reservoir site. The third parcel, more than 306 acres known as Camp Lupton, was purchased by the state from the Massanutten Military Academy.

The phases of the Master Plan include: Total Cost all Phases: \$22.7 Million

Phase 1: \$12.5 Million

- Includes Infrastructure, Staff Residence, Contact Stations, and New Visitor Center (Hollingsworth Road)

Phase 2: \$8.2 Million

- Includes new Campground, Maintenance Facility Expansion, and Staff Residence

Phase 3: \$1.9 Million

- Includes Trail System Expansion, Covered Observation Decks, and Picnic Area

BOARD ACTION

Ms. Nizer moved that the Board of Conservation and Recreation recommend approval of the updated Master Plans for First Landing, Twin Lakes, Sky Meadows, and Seven Bends State Parks as presented by staff. Mr. Hurt seconded and the motion carried.

Design and Construction

Ms. McClary gave an update regarding Design and Construction projects.

Over the last two years:

- Total Projects: 76
- Total Cost Value: \$73 Million
- Maintenance Reserve: 19 Projects \$3 Million of the total

Completed Projects in 2020-2022

- Pocahontas Cabins
- Staunton River Cabins
- Staunton River Battlefield Bridge
- Hungry Mother Bridge
- Foster Falls Hotel

Major Projects Under Construction in 2022

- Westmoreland Shoreline Project
- Douthat and Fairy Stone Cabins
- Twin Lakes Water System
- Widewater Boat Ramp and ADA Paddle Launch
- Lake Anna Bathhouse
- Campgrounds at Bear Creek, Claytor lake, First Landing, and Westmoreland

DIVISION OF STATE PARKS – *David Collett, Western Field Operations Manager, Virginia State Parks*

Mr. Collett gave the updates for Virginia State Parks.

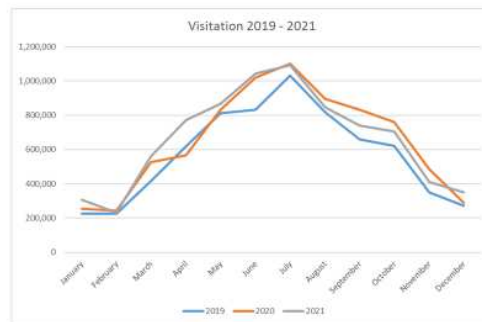
State Parks Operations – COVID 2020-21

Overnight facilities closed for 6 weeks
 Deemed an “essential government service”; never closed day-use
 Budget shortfall & staff furloughs
 Hundreds of operational changes

State Parks Visitation - 2021

Estimated 7,926,344 visits
 Increase of 1.63% over 2020
 40% increase in annual pass sales
 9.3% increase in overnight accommodations (FY 2021)
 Parks have been a tremendous asset.

VSP Visitation Trends



Virginia State Parks Annual Revenues by Source					
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Cabins	\$6,442,861	\$6,747,717	\$6,373,517	\$4,137,222	\$7,908,430
Camping	\$5,326,800	\$5,801,775	\$5,264,895	\$5,185,284	\$8,289,955
Parking	\$3,583,052	\$3,582,097	\$3,896,855	\$5,979,481	\$7,412,955
Merchandise	\$2,457,483	\$2,876,003	\$2,969,889	\$2,723,620	\$4,125,586
Swimming	\$1,123,647	\$1,022,784	\$954,424	\$700,064	\$466,331
Admission	\$996,328	\$1,044,175	\$1,117,825	\$886,902	\$688,431
Reservation Fees	\$871,535	\$1,022,786	\$1,069,360	\$848,837	\$1,979,685
Food & Bev	\$856,456	\$895,385	\$768,085	\$472,292	\$161,280
Rentals	\$411,800	\$393,239	\$373,555	\$364,530	\$417,494
Other	\$1,553,258	\$1,432,516	\$1,890,202	\$1,400,902	\$1,419,594
Total Park Revenues	\$23,623,220	\$24,818,475	\$24,678,607	\$22,699,134	\$32,869,741



Economic Impact - 2021

- \$324 million in economic impact*
- 4,511 jobs supported*
- \$178.8 million in wages & salary income*

- For every \$1 of general tax revenue provided to state parks, \$14.46, on average, was generated in fresh money*

What are we seeing now?

- Highly competitive labor market; unable to hire adequate wage staff.
- Supply chain issues for materials and equipment continue.
- Projects costs have increased dramatically; some cases we are unable to secure bidders.

2021 Highlights

- Clinch River State Park in St. Paul opened on June 16, 2021.
- Green Pastures Recreation Area in Clifton Forge opened on September 24, 2021.
- Falkland Farms in Scottsburg, Virginia was donated on April 22, 2021.
- Two new parks were added by the International Dark Sky Association (IDA) in April 2021. The addition of Sky Meadows and Natural Bridge brings the total to for Dark Sky parks.
- A new reservation and POS system - USEDirect was added.
- Law Enforcement Accreditation
 - DCR is applying for reaccreditation:
 - Virginia Law Enforcement Professional Standards Commission (VLEPSC)
 - 4 year cycle
 - 2nd renewal for the department

On the horizon:

- Sweet Run - Loudoun County
- Mayo River - Henry County
- Middle Peninsula - Gloucester County

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

Staff will research options and make recommendations for a fall meeting.

ADJOURN

There was no further business and the meeting adjourned at 12:44 p.m.

Attachment #1

May 12, 2022

2022 General Assembly / Special Session 1 – Legislative Update

New laws are effective July 1, 2022 unless the bill includes a delayed enactment or an emergency clause allowing for the law to be in effect upon the Governor’s signature.

- Natural Resources – Key Bills and Bills of Interest
- Budget Bills – Capital Outlay Plan
- House and Senate Studies and Commendations
- Freedom of Information Act and Administrative Process Act
- Executive Order 17
- Legislation Continued To 2023
- Failed Legislation

Natural Resources – Key Bills

HB28 Scenic river designation; Maury River (CH 409): Extends the portion of the Maury River previously designated as a state scenic river by an additional 23.2 miles. This bill is identical to [SB 292](#).

HB49 James River; State Scenic River (CH 175): Designates an additional 37-mile portion of the James River running through Nelson and Appomattox Counties as a component of the Virginia Scenic Rivers System. The bill also provides that nothing in the Scenic Rivers Act shall preclude the construction, use, or removal of any asset that traverses certain portions of the James River.

HB206 Small renewable energy projects; impact on natural resources (CH 688): Requires, as a condition for a permit by rule for a small energy project, that if the Department of Environmental Quality determines that there will be a significant adverse impact on wildlife, historic resources, prime agricultural soils, or forest lands, the applicant must also submit a mitigation plan with a 45-day public comment period. The main provisions of the bill do not become effective until such regulations are adopted.

HB516 Flood resiliency and protection; Implements recommendations from the first Virginia Coastal Resilience Master Plan (CH 494): The bill provides guidelines for the development of a Virginia Flood Protection Master Plan for the Commonwealth and requires that the Coastal Resilience Master Plan be updated by December 31, 2022, and every five years thereafter. This bill is identical to [SB 551](#).

HB517 Chief Resilience Officer: (Pending Governor’s Action) Clarifies the designation and role of the Chief Resilience Officer by moving the position from under the responsibility of the Secretary of Public Safety and Homeland Security to the Secretary of Natural and Historic Resources and adding provisions related to the role of the Chief Resilience Officer in creating and overseeing the implementation of a Virginia Flood Protection Master Plan and a Virginia Coastal Resilience Master Plan.

HB562 Conservation and natural resources; sections not set out; technical revisions (CH 235): Amendments for clarity sections in Title 28.2 (Fisheries and Habitat of the Tidal Waters), Title 29.1

(Wildlife, Inland Fisheries and Boating), and Title 62.1 (Waters of the State, Ports and Harbors). The bill also makes technical revisions to the description of the Historic Falls of the James State Scenic River. This bill is a recommendation of the Virginia Code Commission.

[HB850 Lyme disease; signage; instructional resources and materials \(CH 303\)](#): Requires the **Department of Conservation and Recreation** to develop and post in each state park and interstate park signage addressing the appropriate steps a visitor can take to prevent tick bites, how to identify Lyme disease, and where to seek treatment. Installation of such signage must be completed in all state parks and interstate parks by January 1, 2028. The bill also requires the Secretary of Education, in collaboration with the Secretary of Health and Human Resources and the **Secretary of Natural Resources**, to develop instructional resources and materials to assist school boards and local and regional public libraries in establishing an education and awareness program to protect children from Lyme disease and other tick-borne infections.

[HB1223 Scenic river designation; North Fork of the Shenandoah River \(CH 661\)](#). Designates an 8.8-mile portion of the North Fork of the Shenandoah River as the North Fork of the Shenandoah State Scenic River.

[HB1309 Resilient Virginia Revolving Fund. \(CH782\) Resilient Virginia Revolving Fund.](#) Creates the Resilient Virginia Revolving Fund. The bill provides guidelines for deposits, expenditures, and investments and requires an annual audit of the Virginia Resources Authority. This bill is identical to **[SB 756](#)**.

[HB1322 Living shorelines \(CH 333\)](#): Defines "other structural and organic materials" authorized to be used in a living shoreline to include a variety of natural or man-made materials.

[SB31 Virginia Land Conservation Foundation and Fund \(CH 705\)](#). Allows the Virginia Land Conservation Fund to make grants to state-recognized and federally recognized Virginia Indian Tribes and requires that at least one nonlegislative citizen member of the Virginia Land Conservation Foundation Board of Trustees be a member of a state-recognized or federally recognized Virginia Indian Tribe.

[SB292 Scenic river designation; Maury River.](#) Companion Bill to **[HB 28](#)**.

[SB508 Virginia Soil and Water Conservation Board; Virginia Community Preparedness Fund \(Pending Governor's Action\)](#) Shifts the administration of the Virginia Community Preparedness Fund from the Department of Conservation and Recreation to the Virginia Soil and Water Conservation Board (the Board). The bill expands from nine to 11 the membership of the Board.

[SB551 Flood resiliency and protection \(CH 495\)](#): Companion Bill to **[HB 516](#)**.

[SB756 Resilient Virginia Revolving Fund](#) Companion Bill to **[HB 1309](#)**.

BUDGET BILLS and Capital Outlay Plan - 2022-2024 Biennium

HB30	[Gov Proposed Budget] House and Senate Conferees Appointed - Carried over to 2022 Special Session 1
HB29	[Proposed Amend - Caboose] House and Senate Conferees Appointed - Carried over to 2022 Special Session 1
HB166	[Capital Outlay Plan] Approved by Governor - Chapter 602

House and Senate Joint Studies and Commendations

[HJ16 Study; continuing the Joint Subcommittee on Coastal Flooding; report \(HJ16ER\):](#) Continues the Joint Subcommittee on Coastal Flooding as the Joint Subcommittee on Recurrent Flooding for two additional years, through the 2023 interim. The resolution expands the review of the joint subcommittee to include riverine and stormwater flooding. The joint subcommittee is directed to recommend short-term and long-term strategies for minimizing the impact of flooding. This resolution is identical to [SJ 35](#).

[HJ354 Commending the River Basin Grand Winners of the Clean Water Farm Award \(HJ354ER\).](#) RESOLVED FURTHER, that the Clerk of the House of Delegates prepare copies of this resolution for presentation to the River Basin Grand Winners of the Clean Water Farm Award as an expression of the General Assembly's admiration for their commitment to conserving the Commonwealth's natural resources and their outstanding conservation achievements.

[SJ35 Study; continuing the Joint Subcommittee on Coastal Flooding; report \(SJ35ER\):](#) Companion to HJ16

[SJ75 Commending Clyde E. Cristman \(SJ75ER\):](#) RESOLVED FURTHER, that the Clerk of the Senate prepare a copy of this resolution for presentation to Clyde E. Cristman as an expression of the General Assembly's admiration for his outstanding contributions to the protection of Virginia's recreational and natural resources and work to enhance public safety in the Commonwealth.

Freedom of Information Act (FOIA) and Administrative Process Act (APA)

[HB307 Virginia Freedom of Information Act; estimated charges. \(CH756\) Virginia Freedom of Information Act; estimated charges.](#) Provides that a public body subject to the Virginia Freedom of Information Act shall make all reasonable efforts to supply records requested by a citizen at the lowest possible cost. The bill also requires a public body, prior to conducting a search for records, to notify the requester in writing of the public body's right to make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records.

HB444 Virginia Freedom of Information Act; meetings conducted through electronic communication means (CH 597): Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing certain public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments. *The bill has a delayed effective date of September 1, 2022.*

SB152 Virginia Freedom of Information Act and Virginia Freedom of Information Advisory Council; definition; official public government website (CH 325): Defines "official public government website" as it applies to the Virginia Freedom of Information Act and the Virginia Freedom of Information Advisory Council as any Internet site controlled by a public body and used, among any other purposes, to post required notices and other content pursuant to the Virginia Freedom of Information Act on behalf of the public body. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Office of the Governor

Executive Order 17 – Recognizing The Value of Recycling and Waste Reduction (*April 7, 2022*) – Requires DCR to report to the Secretary of Natural and Historic Resources with an assessment plan for a Virginia State Parks Campaign in accordance with the State Agency Recycling Initiative to determine the necessary resources to increase the capacity to capture recyclable materials, including increasing the recycling receptacles in Virginia’s State Parks and necessary requests for resources to implement the Virginia State Parks Plan. The campaign should be developed in partnership with the Virginia Green Travel Alliance to promote the parks’ recycling initiatives to the public.

Legislation Continued To 2023

<u>HB491</u>	Noxious Weeds
<u>HB715/SB482</u>	Consultation with federally recognized Tribal Nations; permits and reviews with potential impacts
<u>HB847/SB569</u>	Coastal Virginia Resiliency Authority; established.
<u>SB489</u>	Water quality funds; localities in fiscal stress.
<u>SB752</u>	Virginia Law Enforcement Officers’ Retirement System.

Failed Legislation

<u>HB5</u>	Establishes the Flood Relief Fund
<u>HB119</u>	Public-Private Competition Act, created.

<u>HB132</u>	State Parks; Disabled Veteran's Passport. Includes veterans with service-connected disability.
<u>HB311</u>	Native plant species; state agencies to prioritize use on state properties.
<u>HB411</u>	Military personnel; free admittance to state parks, museums, and cultural institutions
<u>HB487</u>	State park fees; Virginia National Guard and Virginia Air National Guard
<u>HB602</u>	Department of Flood Control; Commonwealth Flood Plan
<u>HB666</u>	State park fees; active duty military and veterans.
<u>HB845</u>	Resilient Revolving Loan Fund
<u>HB1035</u>	State Park Passport - National Guardsman
<u>HB1171</u>	Commonwealth Clean Energy Financing Authority and Fund;
<u>HB1301</u>	Clean Energy and Community Flood Preparedness Fund, repeals act.
<u>HJ55</u>	Study; Albemarle-Pamlico Watershed
<u>SB532</u>	Clean Energy and Flood Preparedness Act, repeals Act.
<u>SB545</u>	Registration fees for motor vehicles; state park access fee.
<u>SB504</u>	Coastal Resilience Master Plan
<u>SB506</u>	Flood Resiliency and Protection