

Virginia Land Conservation Foundation Board of Trustees
Wednesday, June 19, 2019
East Reading Room, Patrick Henry Building
Richmond, Virginia

TIME AND PLACE

The meeting of the Virginia Land Conservation Foundation Board of Trustees took place at 11:00 a.m. on Wednesday, June 19, 2019 in the East Reading Room of the Patrick Henry Building, Richmond, Virginia.

MEMBERS PRESENT

The Honorable Matthew J. Strickler, Secretary of Natural Resources, Chair
Terry Lasher, Deputy State Forester for Secretary of Agriculture and Forestry Bettina Ring
Jason Powell for The Honorable Emmett W. Hanger, Jr.
Glenda C. Booth
Jay C. Ford
Valerie Hubbard
Anna Lawson
Julian T. Ottley
The Honorable Albert C. Pollard, Jr.
Bruce VlK
The Honorable John Paul Woodley, Jr.

MEMBERS ABSENT

Byron M. Adkins, Jr.
Steven Apicella
Susan E. Donner
Robert Lazaro, Vice Chair
Russell Vern Presley, III
The Honorable Paul V. Milde
The Honorable Jill Vogel

STATE AGENCY STAFF PRESENT

Joshua Saks, Deputy Secretary of Natural Resources
Clyde E. Cristman, DCR
Suzan Bulbulkaya, DCR
Jason Bulluck, DCR
Linda Crowe, DCR
Rob Evans, DCR
Michael Fletcher, DCR
Kimberly Freiburger, DCR
Brian Fuller, DCR
Jett Johnson, DCR
Bernadette LeMasters, Virginia Management Fellow
Martha Little, VOF
Lisa McGee, DCR
Larry Mikkelson, DCR
Sharon Partee, DCR
Jen Perkins, VDACS
Danette Poole, DCR
Karri Richardson, DHR
Mike Santucci, DOF
Isaac Sarver, DCR
Tom Smith, DCR
Deb Van Duzee, DGIF
Emily White, VOF

OTHERS PRESENT

Parker Agelasto, CRLC
Nikki Rovner, The Nature Conservancy
John Hutchinson, SBVF
Ellen Shepard VaULT

ESTABLISHMENT OF A QUORUM

With eleven (11) members of the Board of Trustees present, a quorum was established.

CALL TO ORDER AND INTRODUCTIONS – *Matt Strickler, Secretary of Natural Resources*

Secretary Strickler called the meeting to order at 11:00 and asked for member introductions.

APPROVAL OF MINUTES FROM MARCH 14, 2019 BOARD MEETING

Ms. Lawson moved that the minutes from the March 14, 2019 meeting of the Virginia Land Conservation Foundation (VLCF) Board of Trustees be approved as submitted. Ms. Booth seconded and the motion carried unanimously.

UPDATES ON SETTLEMENT GRANT GROUNDS**Dominion Surry-Skiffes Creek** – *Linda Crowe, Land Conservation Specialist, DCR*

Ms. Crowe gave the following update:

VLCF Surry-Skiffes Creek Mitigation Funds:	\$12,500,000
Total Awarded in November 2017 (9 grants):	\$12,390,600
Unallocated Funds: \$109,400	

The following projects have closed:

Capital Region Land Conservancy – Malvern Hill

These funds assisted with the fee-simple acquisition of the 871-acre Malvern Hill Farm, a site in Charles City and Henrico Counties that served as an important antecedent to the Revolutionary War Battle of Yorktown, and was associated with both the War of 1812 and the American Civil War.

Grant Award:	\$200,000
Payment Amount:	\$200,000
Match:	\$5,000,000
Status:	Closed 6/13/2018

Civil War Trusts – Battlefield Bluffs

The grant helped fund the fee-simple acquisition and interpretation of the 53-acre Battlefield Bluffs property, which has historical associations with both the Revolutionary War and the American Civil War.

Grant Award:	\$3,600,000
Payment Amount:	\$3,600,000
Match:	\$2,232,961
Status:	Closed 3/25/2019

The following projects are still underway.

- *Virginia Outdoors Foundation – Chickahominy on the Powhatan*
 - Grant Award: \$3,450,000
- *Newport News Parks and Recreation – Endview Plantation Interpretive Program*
 - Grant Award: \$115,000
- *Ft. Eustis – 3D Laser Scan of Fort Crafford*
 - Grant Award: \$275,600
- *Virginia Outdoors Foundation – Belmead on the James*
 - Grant Award: \$750,000
- *DCR/Division of Natural Heritage – Yorktown Civil War Battlefield Protection*
 - Grant Award: \$3,600,000
- *Civil War Trust – Egger Track at the Williamsburg Battlefield*
 - Grant Award: \$300,000
- *Civil War Trust – Colonial Williamsburg Tract*
 - Grant Award: \$100,000

Clyde noted that the grant to VOF for the Belmead on the James project is likely to be pulled in the next VLCF meeting due to a change of scope in the original project.

VOF Forest CORE (Community Opportunities for Restoration and Enhancement) Fund for the Mountain Valley Pipeline – Emily Nelson White, Conservation Program Administrator, Virginia Outdoors Foundation

Ms. White reviewed the Forest CORE Fund accomplishments and the plan for moving forward.

ACP (Atlantic Coast Pipeline) Region

- \$24.6 million
- No funds received to date
- Prepared to proceed with program when funds are received

MVP (Mountain Valley Pipeline) Region

- Intent to fully fund mitigation at the earliest stage of clearing and grubbing activities
- Funds available tied to percentage of clearing and grubbing completed
- 48% clearing and grubbing completed by November 2018
- \$3 million made available in 2018, an additional \$3 million planned for 2019

Origin of Funding

- Memorandum of Agreement between Commonwealth and MVP Pipeline, LLC
- Mitigation Agreement between Commonwealth and Mitigation Partners

Mitigation Partners

- Forest Mitigation Partners
 - Virginia Outdoors Foundation
 - \$15 million
 - US Endowment for Forestry and Communities

- \$5 million
- Water Quality Mitigation Partners
 - Virginia Association of Soil and Water Conservation Districts
 - \$3.85 million
 - Virginia Environmental Endowment
 - \$3 million

MVP Region 2018 Timeline

- May through August – Community outreach, agency collaboration, and gathering of public feedback
- August – VOF Board of Trustees approves grant program and announces request for proposals
- October 31 – Project proposal submission deadline
- November – Proposed review meetings: Environmental Justice Advisory Panel, Technical Committee, VOF Special Forestry Committee
- December 5 – VOF Board of Trustees approves grant proposals

2018 Status Report

- 14 applications
 - 10 Fee-Simple Acquisition, 3 Easement, 1 Purchase of Timber Conversion Rights
 - Most contain elements of afforestation and/or restoration
- 2 State agencies, 2 localities, 2 non-profits, 1 land trust
- \$10,483,500 requested

Scoring and Review

- Technical Committee
- Environmental Justice Advisory Panel
- Special Forestry Committee
- VOF Board of Trustees

2018 Projects Funded

2018 Projects Funded									
Project Name	Applicant	Project Type	Locality	Acres	Requested Funds	Percentage Funded	Funding Approved	Notes	
Chestnut Ridge	DCR-NH	Fee Simple	Giles	808	\$915,500.00	100.00%	\$915,500.00		
Poor Mtn Greenways	DCR-NH	Fee Simple	Roanoke County	279	\$500,000.00	100.00%	\$500,000.00		
Brush Mountain	NRLT	Fee Simple	Blacksburg/Montgomery	553	\$1,205,800.00	100.00%	\$1,205,800.00	Technical Committee recommended funding at \$613,000 for one parcel.	
AT Viewshed	ATC	Fee Simple	Botetourt	243	\$376,500.00	100.00%	\$376,500.00		
Mystic	VOF	Easement	Rockbridge	185	\$360,000.00	100.00%	\$360,000.00		
Explore Park	Roanoke County	Fee Simple	Roanoke County	34.1	\$435,950.00	38.15%	\$165,450.00	Parcels C, D, E (no dwellings)	
Wayside Park	Pittsylvania County	Timber Harvesting Restriction	Pittsylvania	37	\$290,600.00	55.86%	\$166,460.00	Expense of appraisal and trail installation	
Total Acreage Protected				2139	Total Funding Recommended				\$3,629,710.00

2019 Program Administration

- Funding Available
 - +/- \$3 million available
- Balance goals of program:
 - Ecologically significant
 - Community supported
- No less than 20% set aside for community projects
- Outreach
 - Landowner Resources
 - Community Listening Sessions
- Assistance
 - Aid in proposal development, finding partners
 - Application prescreening and review
 - Resources for evaluating Environmental Justice (EJSCREEN)

2019 Timeline

- March 28 – VOF Board of Trustees approves grant program
- April 10 – Request for proposals announced
- May 8 – Workshop for interested applicants
- June 28 – Project proposal submission deadline
- August 8 – Technical Committee and Environmental Justice Panel meeting
- August 27 – VOF Special Forestry Committee meeting
- September 26 – VOF Board of Trustees approves grant proposals

Ms. Booth inquired about the forest mitigation projects and whether the replacement was one for one. She noted that when trees are planted they also require monitoring. The goal of the program is to protect other large tracts of land to ensure that they are not also divided.

Ms. White responded that the funding was brought to the state for forest fragmentation. The damaged resources are lost and could not be replaced one for one.

Mr. Powell asked how VOF was defining community support.

Ms. White advised that community support was gaged from letters of support and significant interest in the property. The same scoring sheets are used regardless of the category. If a project is not competitive on an ecological level but has a large amount of community support that will be considered.

UPDATE ON COMPLETED VLCF GRANT AWARDS – *Suzan Bulbulkaya, Land Conservation Manager, DCR*

Ms. Bulbulkaya noted that the following eleven (11) VLCF grants successfully closed since the September 25, 2018 Board meeting.

The Nature Conservancy – South Quay – Somerton Creek (FY2015)

Natural Area Protection funds were utilized by TNC to acquire 166 acres in Suffolk adjacent to the 2,882-acre South Quay Sandhills Natural Area Preserve.

Grant Award:	\$70,000
Payment Amount:	\$70,000
Match:	\$136,000

The Nature Conservancy – Lee County Cave Isopod Habitat (FY2015)

This Natural Area Projection grant enabled the acquisition of three properties in the Powell River/Cedars area that support the federally-listed Lee County cave isopod, as well as habitat for other rater animals and plants.

Grant Award:	\$160,000
Payment Amount:	\$121,157
Match:	\$301,023
<i>Reallocated Grant Funds</i>	<i>\$38,843</i>

City of Richmond – Vauxhall Island (FY2015)

This Open Space and Parks grant assisted the City of Richmond in acquiring and ensuring the long-term conservation of this unique 2.93-acre island that lies within the falls of the James River, an area of the James designated as a State Scenic River.

Grant Award:	\$75,000
Payment Amount:	\$75,000
Match:	\$82,599

Department of Conservation and Recreation – The Cedars Natural Area Preserve Addition (FY2016)

DCR's Natural Heritage Program was awarded a grant to acquire five properties (121 acres) in Lee County to be added to The Cedars Natural Area Preserve. Three properties (67 acres) were successfully purchased and the balance of the grant was returned.

Grant Award:	\$221,700
Payment Amount:	\$149,599
Match:	\$0
<i>Reallocated Grant Funds</i>	<i>\$72,101</i>

Chesterfield County – James River Conservation Area (FY2016)

Grant funds from the Historic Preservation category assisted in the purchase of 110 acres with 4,600 linear feet of frontage on the James River, at the confluence of the river with Fall Creek, southeast of Richmond.

Grant Award:	\$302,000
Payment Amount:	\$302,000
Match:	\$448,000

The Conservation Fund – Flintshire Farm (Phase II) Easement (FY2017)

Farmland and Forestry Conservation funds contributed to the successful conservation of a 370-acre farm in Caroline County under an open-space easement held by Virginia Outdoors Foundation.

Grant Award:	\$400,000
Payment Amount:	\$400,000
Match:	\$2,606,500

Virginia Department of Forestry – Pleasant Grove Easement (FY2017)

The Farmland and Forestland Conservation grant funded the partial purchase of an open-space easement on 1,000 acres of land in Halifax County, 1,000 acres of which are in working forest and farmland.

Grant Award:	\$230,000
Payment Amount:	\$230,000
Match:	\$1,076,500

Shenandoah Valley Battlefields Foundation – Lyon Farm (FY2018)

An open-space easement held by the Virginia Board of Historic Resources now protects a 62-acre property acquired by SVBF.

Grant Award:	\$154,283
Payment Amount:	\$154,283
Match:	\$520,717

City of Franklin – Riverview Walk Park (FY2018)

The City of Franklin utilized a VLCF grant in the Open Spaces and Parks category to acquire 16.19 acres along the Blackwater River for use as a public park.

Grant Award:	\$45,500
Payment Amount:	\$26,047
Match:	\$201,000
<i>Reallocated Grant Funds</i>	<i>\$19,453</i>

Department of Conservation and Recreation – Magothy Bay Natural Area Preserve Addition (FY2018)

DCR's Natural Heritage Program acquired two parcels totaling 159 acres near the southern end of the Delmarva Peninsula, as an addition to the Magothy Bay Natural Area Preserve.

Grant Award:	\$398,400
Payment Amount:	\$330,304 plus pending due diligence costs
Match:	\$500,471 (Federal CSM funds)

New River Land Trust – Camp Branch Wetlands Natural Area Preserve Addition (FY2018)

Grant Award:	\$100,000
Payment Amount:	\$100,000
Match:	\$183,381

There are currently 14 open grants from the FY17 and FY18 grant rounds. The four from FY17 have until November 1, 2019, to close before they expire.

Director Cristman noted that the reallocated funds would be applied to the next grant round.

VLCF FINANCIAL UPDATE – Sharon Partee, Director of Finance, DCR

Ms. Partee provided the following financial update.

VIRGINIA LAND CONSERVATION FOUNDATION
Fund Statement
As of May 31, 2019

OBLIGATED FUND BALANCE – June 30, 2017 **\$7,197,007**

INCOME

FY17 Stewardship Funds	\$872,836
FY18 Stewardship Funds	\$1,418,289
FY19 Stewardship Funds	\$0
FY18 Appropriation – Chapter 836	\$4,500,000
FY19 Appropriation – Chapter 2	\$0
FY18 Interest	\$108,526
FY19 Interest	\$99,366
TOTAL INCOME	\$6,999,017

DISBURSEMENTS

FY18 Stewardship Fund Disbursements	\$872,836
FY19 Stewardship Fund Disbursements	\$1,418,289
FY18 Grant Payments	\$3,719,811
FY19 Grant Payments	\$2,274,776
FY18 Open Space Preservation (VOF) Payments	\$900,000
FY19 Open Space Preservation (VOF) Payments	\$0
FY18 Personnel expenses paid from Interest	\$40,743
FY19 Personnel expenses paid from Interest	<u>\$92,267</u>
TOTAL DISBURSEMENT	\$9,318,722

Ms. Partee noted that she would be able to report the FY19 Stewardship Funds at the next meeting.

RESTRICTED FUND STATEMENT

OBLIGATED FUND BALANCE – June 30, 2017 **\$0**

INCOME

FY19 Mitigation Funds Received – Dominion (Skiffes Creek)	\$12,500,000
FY18 Mitigation Administrative Funds Received (Dominion (Skiffes Creek))	\$625,000
FY18 Interest	\$147,674
FY19 Interest	<u>\$149,867</u>
TOTAL INCOME	\$13,422,541

DISBURSEMENTS

FY18 Grant Payments	\$200,000
FY19 Grant Payments	\$3,850,620
FY18 Administrative Expenses	\$14,193
FY19 Administrative Expenses	<u>\$7,444</u>
TOTAL DISBURSEMENT	\$4,073,257

OBLIGATED FUND BALANCE – May 31, 2019 **\$9,349,284**

Ms. Partee presented the following recommended resolution.

Request for Administrative Funding

The Virginia Land Conservation Foundation Board of Trustees approves the request from the Department of Conservation and Recreation to expend up to \$150,000 in FY2020 for use consistent with the legislative authority on the use on interest generated by the Fund. *Code of Virginia § 10.1-1020.G.*

FY2020 \$150,000

Address existing administrative, web-related and grant management expenses incurred by the Department of Conservation and Recreation in support of Virginia Land Conservation Foundation related activities. Specifically the funding will be used in support of staff working to assist with grant management, tracking and stewardship to include acquisition assistance, site inspections of VLCF projects, development of a grants database to better monitor and report on grants, and land conservation database support of the Foundation's mission.

BOARD ACTION

Mr. Woodley moved that the Virginia Land Conservation Foundation Board of Trustees approve the resolution as submitted. Mr. Ottley seconded and the motion carried.

FY20 GRANT EXPENDITURE PLAN DISCUSSION AND APPROVAL – *Suzan Bulbulkaya*

Ms. Bulbulkaya presented the following funding summary plan for 2019.

FUNDING SUMMARY PLAN FOR 2019 (FY20) GRANT ROUND

FUNDING CATEGORIES	FY20 Budget Bill Chapter 854, Item 363 (\$4.5 M)	Proposed Reallocation of Unspent Grants	TOTAL
<i>I. VOF Open-Space Lands Preservation Trust Fund</i>	\$1,125,000		\$1,125,000
II. VLCF Grant Program			
(i) Farmland and Forest Preservation	\$843,750	\$170,412*	\$1,014,162
(ii) Historic Area Preservation	\$843,750	\$200,000	\$1,043,750
(iii) Natural Area Protection	\$843,750	\$880,159	\$1,723,909
(iv) Open Space and Parks	\$843,750	\$650,553	\$1,494,303
TOTAL GRANT FUNDS	\$3,375,000	\$1,901,124	\$5,276,124
* = Forest Preservation Category			

DISCUSSION AND APPROVAL OF THE FY20 GRANT ROUND SCHEDULE – *Suzan Bulbulkaya*

Ms. Bulbulkaya presented the following proposed grant round schedule.

Proposed FY20 VLCF Grant Schedule	
June 19, 2019	VLCF Board meeting to approve grant manual and initiate the grant round request for proposals (RFP).
Week of June 24, 2019	Announce official opening of grant round (update website and send emails).
July 10, 2019	Grant Workshop: orientation for grant applicants and staff presentations of the different grant categories (Charlottesville)
Thursday, August 29, 2019	Deadline for application submittal.
Mid-September 2019	Interagency taskforce meetings to score projects – usually takes two meetings.
First week of October 2019	SNR and Director’s review of top-scoring projects.
Mid October 2019	VLCF Board meeting. Approval of grant awards.
By November 1, 2019	Grant agreements sent to grant recipients. Projects have two years to close.

BOARD ACTION

Mr. Woodley moved that the Virginia Land Conservation Foundation Board of Trustees approve the proposed FY20 VLCF Grant Schedule as presented by staff. Ms. Hubbard seconded and the motion carried.

APPROVAL OF FY20 GRANT MANUAL – *Larry Mikkelson, Land Conservation Specialist, DCR, and Suzan Bulbulkaya*

Mr. Mikkelson reviewed the proposed DRAFT FY20 Grant Manual. He noted that the draft had been sent to members earlier in the month.

Mr. Mikkelson noted the following changes to the manual:

- The Governor’s Conserve Virginia initiative was included.
- Areas were revised to strengthen how the program addresses water quality.
- The manual was rearranged into four major sections. These were not substantive changes, but a reorganization of material.
 - Grant program overview
 - Applying for the grant program
 - Application review and grant award section
 - Application

Mr. Mikkelson noted that the revisions were intended to aid applicants in understanding the program and the application process.

Specific changes included:

- For Open Space and Parks, two different models are used to come up with twenty (20) points. These models include recreation resources in an area as well as scenic or protected spaces.
- For the purposes of water quality, a minimum 35 ft. buffer would be required on all perennial streams and shorelines. Additional points may be awarded for wider buffers or forest buffers.
- Additional points may be awarded for the presence of wildlife. A larger number would be awarded if the wildlife included rare or endangered species.

Mr. Pollard proposed the following grammatical edit on Page 7 of the manual.

2. Historic Area Preservation Category – contact and Easement Program staff member at the Virginia Department of Historic Resources (DHR). (804) 367-2323, with questions. Additional information may be found on DHR’s website, www.dhr.virginia.gov. We encourage applications for projects that conserve historic lands associated with underserved populations. Those projects that also provide public educational opportunities and share untold stories to advance historic equity are particularly encouraged.

BOARD ACTION

Mr. Pollard moved that the Virginia Land Conservation Foundation approve the amendment to the draft manual as proposed, allowing staff edits for clarity. Mr. Ford seconded and the motion carried.

Mr. Pollard proposed that the second paragraph on page 12 of the draft be amended to read. “Visual access means the applicant can demonstrate the scenic value of the property and that the project will protect the integrity of *the public’s scenic view.*”

BOARD ACTION

Mr. Pollard moved that the Virginia Land Conservation Foundation approve the amendment to the draft manual as proposed. Mr. Woodley seconded and the motion carried.

BOARD ACTION

Mr. Woodley moved that the Virginia Land Conservation Foundation approve the DRAFT FY20 Grant Manual as presented by staff and as amended by Board action. Ms. Lawson seconded and the motion carried.

BOARD MEMBER COMMENT AND DISCUSSION

Mr. Ford inquired about the process of notifying the Board if a particular grant is amended or withdrawn.

Director Cristman advised that, in the grant approval process, DCR has some discretion regarding negotiations. DCR cannot change the requirements of the approved grant manual, but must work to ensure that the projects are proceeding according to guidelines and in accordance with the intent of the approved grant. He advised that if there were a major issue, the Board would be informed prior to staff action.

PUBLIC COMMENT

There was no public comment.

Director Cristman advised that the next meeting of the Board would be in October, in accordance with the approved grant round schedule. Staff will poll the Board for dates in mid-October.

ADJOURN

There was no further business and the meeting adjourned at 12:53 p.m.