Virginia Land Conservation Foundation
Board of Trustees
Monday, October 20, 2014
Senate Room 3, The State Capitol, Richmond, Virginia

MINUTES

Virginia Land Conservation Foundation Board of Trustees Members Present

The Honorable Molly Ward, Secretary of Natural Resources
Byron M. Adkins, Jr.
R. Brian Ball
Susan E. Donner
Joan Fenton
The Honorable Emmett W. Hanger, Jr.
Robert W. Lazaro
The Honorable Albert C. Pollard, Jr.
Kevin Schmidt for The Honorable Todd Haymore
Clyde E. Cristman, Executive Secretary
Steven L. Apicella
R. Brent Blevins, Jr.
Herbert L. Dunford, Jr.
Jay C. Ford
Ollie W. Kitchen, Jr.
Mary Helen Morgan
The Honorable John Paul Woodley, Jr.

Virginia Land Conservation Foundation Board of Trustees Members Not Present

Alexandra Liddy Bourne
The Honorable Jill Holtzman Vogel
Anna Lawson

Agency Staff Present

David Dowling, Department of Conservation and Recreation
Suzan Bulbulkaya, Department of Conservation and Recreation
Michael Fletcher, Department of Conservation and Recreation
Matthew Gooch, Office of the Attorney General
Kerry Hutcherson, Virginia Outdoors Foundation
Julie Langan, Department of Historic Resources
Danette Poole, Department of Conservation and Recreation
Sarah Richardson, Department of Conservation and Recreation
Mike Santucci, Department of Forestry
Tom Smith, Department of Conservation and Recreation
Andy Sorrell, Virginia Department of Agriculture and Consumer Services
Elizabeth Tune, Department of Historic Resources
Deb Van Duzee, Department of Game and Inland Fisheries

Others Present

Rex Linville, Piedmont Environmental Council

Nikki Rovner, The Nature Conservancy

Call to Order

Secretary Ward called the meeting to order and declared a quorum present.

Welcome and Introductions

Secretary Ward welcomed members and staff and called for member introductions.

Secretary Ward said that the Governor's land conservation goals were slightly different from the previous two administrations which had established goals of preserving 400,000 acres. While Governor McAuliffe is equally committed to conserving land, his focus is looking at smaller, more significant parcels. The Department of Conservation and Recreation is administering this effort looking for a "treasure a day".

Approval of Minutes of October 3, 2013 Meeting

MOTION: Mr. Lazaro moved that the minutes of the October 3, 2013 meeting of the Virginia Land Conservation Foundation Board of Trustees be approved as submitted.

SECOND: Mr. Dunford

DISCUSSION: None

VOTE: Motion carried with Ms. Fenton abstaining

VLCF Board Briefing and Overview

Ms. Richardson, Ms. Bulbulkaya and Mr. Fletcher gave an overview of the Board responsibilities and logistical information for Board members. A copy of their presentation is available from the Department of Conservation and Recreation.

VLCF Grants Projects Update

Ms. Richardson gave an update regarding VLCF grant projects. The following projects have been closed:

- Arkfield Farm/Clarke County Conservation Easement Authority. $40,000 VLCF grant for the purchase of a conservation easement on 200 acres in Clarke County. The total project cost was $480,000 and included funds from the NRCS Farm and Ranchland protection program, the Virginia Department of Agriculture and Consumer Services, the Clarke County PDR program, the Piedmont Environmental Council and the landowner. The project closed in November 2013.

- Moore & Dorsey Farm I/Clarke County Conservation Easement Authority. $80,000 VLCF grant for the purchase of a conservation easement on 151 acres in Clarke County. The total project cost was $875,000 and included funds from the NRCS Farm and Ranchland Protection program, the Virginia Department of Agriculture and Consumer Services, the Clarke County PDR program, the Piedmont Environmental Council and the landowner. The project closed November 2013.
- Pitchers for the Public!/Meadowview Biological Station. $56,000 VLCF grant for the acquisition of 17 acres adjacent to Fort AP Hill in Caroline County to serve as Meadowview's Central Virginia Preserve. Final amount $50,000. The total project cost was $114,000 which included funds from cash donations and principal paid on three acres already purchased.
- Island Farm at Cedar Creek Battlefield/Shenandoah Valley Battlefields Foundation. $238,967 for easement on over 174 acres within the core of the Cedar Creek Civil War Battlefield. Total project cost was $2,539,000 which included funds from Shenandoah County, the Town of Strasburg, the American Battlefield Protection Program, the Virginia Wetlands Restoration Trust Fund, private donations, and owner financing. The project closed October 2014.
- Gilbert's Corner Regional Park/Northern Virginia Park Authority. $200,000 VLCF grant to expand Gilbert's Corner Regional Park by 68 acres. Total project cost: $1,766,101. Project closed November 2013.
- Roanoke River Greenway/City of Salem Planning Department. $33,825 VLCF grant to acquire 8 acres for right of way. Final amount $19,616. Total project cost was $134,000 which included funds from cash and real property. Project closed December 2013
- Whitehall Trail Easement/Spotsylvania County. $24,762 VLCF grant to acquire a public access recreational trailway easement along a two-mile portion of the abandoned Virginia Central Railroad right-of-way. Total project cost $138,874. Project closed June 2014.
- Sundance Properties/Virginia Department of Forestry. $151,750 VLCF grant to help fund the purchase of a conservation easement on 206 acres of forestland in Rockingham County. Total project cost $642,000 which included a match from a bargain sale by the landowner. Project closed January 2014.
- Chapman Farm/Clarke County Easement Authority. $75,000 VLCF grant to purchase an easement on a 140-acre farm in the core area of the Cool Springs Battlefield in Clarke County. Total project cost $500,000 which included funds from Clark County, Land/Real property donation by owner, Virginia Department of Agriculture and Consumer Services and Piedmont Environmental Council. Actual VLCF grant $98,604. Project closed November 2013.
- Jackson House at Ball's Bluff/Northern Virginia Regional Park Authority. $175,000 VLCF grant to purchase a 3.22-acre parcel of land in the core area of Ball's Bluff Battlefield that will project the Jackson House. Total project cost $500,000 which included a match from the Civil War Trust. Project closed June 2014.
- Crew House Tract at Malvern Hill/Civil War Trust. VLCF Grant $122,129 for fee simple acquisition of a 1-acre property located within the core area of the Malvern Hill Battlefield in Henrico County. Total project cost $344,470 which included funds from the Civil War Trust. Project closed May 2013.

Ms. Richardson said that the following projects were due to close by January 2015.

APPLICANT'S NAME	PROJECT NAME	ACRES	LOCATION OF PROJECT	ACQUISITION OR EASEMENT	VLCF GRANT AWARD
Farmlands					
Clarke County Easement Authority	Dorsey Orchard Tract	68	Clarke County	Easement	$61,250
Historic Resources					
Shenandoah Valley Battlefield Foundation	Prillaman Farm	92	Rockingham County	Easement	$102,871
Natural Areas					
Virginia Outdoors Foundation	Cornflower Habitat – Milton II	165	Montgomery County	Easement	$169,250
The Nature Conservancy	Clinch River – Cleveland to Artrip	100	Russell County	Acquisition	$120,000
Parks and Open Space					
Northern Virginia Conservation Trust	Belmont Bay Farm, Phase I	115	Fairfax County	Easement	$250,000

Financial Report

Mr. Dowling gave the Financial Report. Mr. Dowling reviewed the following September 30, 2014 fund statement:

Fund Balance – September 30, 2013	**$1,544,164**
INCOME	
FY14 Stewardship Funds	$1,236,939
FY15 Stewardship Funds	$1,088,822
FY14 Appropriation – Chapter 3	$1,000,000
FY15 Appropriation – Chapter 806	$1,000,000
TOTAL INCOME	$4,325,761
DISBURSEMENTS	
FY14 Stewardship Fund Disbursements	$1,258,638
FY15 Stewardship Fund Disbursements	$ 0
FY14 Grand Payments	$ 834,978
FY15 Grant Payments	$ 238,967
FY14 Open Space Preservation (VOF) Payments	$ 250,000
FY15 Open Space Preservation (VOF) Payments	$ 0
TOTAL DISBURSEMENT	$2,582,583
FUND BALANCE – September 30, 2014	**$3,287,342**

Discussion of FY15-16 Grant Round Schedule

Ms. Richardson presented the proposed grant round schedule.

Proposed timeline for 2014 VLCF grant round	
Late July, mid-August	**Interagency taskforce meetings** to discuss changes to scoring and grants manual.
Monday, October 20, 2014	**VLCF Board meeting** to approve grant round and transfer fee distribution.
By October 24, 2014	**Announce** official opening of grant round (emails, postcards)
Wednesday, November 12, 2014	**Workshop** for grant applicants (1:00 PM to 4:00 PM, DOF Fire Training Room, Charlottesville)
Friday, November 21, 2014 at 4:00 PM	**Deadline** for application submittal – three copies plus electronic submission required
December 3 and 10, 2014	**Interagency taskforce meetings** to score projects.
Mid-December	**SNR review** of top-scoring projects.
Tuesday, January 6, 2015	**VLCF Board meeting**. Approval of grant awards.
By January 31, 2015	**Grant agreements signed**. Projects have two years to close.

It was requested that a copy of the announcement be sent to the Board.

Mr. Woodley asked about the short announcement time and the deadline for applicants. He suggested moving the deadline for applications to Monday, November 24, 2014. Staff agreed to do so.

Grant Round Funding Grant Approval

Mr. Dowling reviewed the following summary plan for the October 2014 grant round.

FUNDING CATEGORIES	Prior Project Balances	Withdrawn Project Balances	Potential Cash Balance Reduction in Accordance with HB5010	CHAPTER 2 (FY15) APPROPRIATION ACT	CHAPTER 2 (FY16) APPROPRIATION ACT	TOTAL	ROW
VOF				250,000	250,000	500,000	1
Open Space and Parks	14,207		(14,207)	187,500	187,500	375,000	2
Natural Area Protection	80,232	305,000	(207,022)	187,500	187,500	553,210	3
Historic Area Preservation	1,396	70,875	(72,271)	187,500	187,500	375,000	4
Farmland and Forest Preservation	6,500		(6,500)	187,500	187,500	375,000	5

TOTAL	102,335	375,875	(300,000)	1,000,000	1,000,000	2,178,210	
Amount reserved for Grant Program = $1,678,210							

Open Space and Parks	14,206	[Unexpended: FY12 (September 2011) City of Salem Planning Dept.: Roanoke River Greenway for $14,207]
Natural Area Protection	385,232	[Unexpended FY10 (January 2009) The Nature Conservancy: Lower Blackwater for $305] [Unexpended: FY12 (September 2011) The Nature Conservancy: South Quay Natural Area Preserve for $56,677] [Withdrawn: FY12 (September 2011) Cheroenhaka (Nottoway) Tribe: Cheroenhaka Protected Land for $150,000] [Withdrawn: FY14 (December 2012) The Nature Conservancy: South Quay Natural Area Preserve Project, Phase II for $155,000] [Unprogrammed: FY14 (December 2012) for $23,250]
Historic Area Preservation	72,271	[Withdrawn: FY12 (September 2011) The County of Spotsylvania: "Stonewall" Jackson Amputation Site and Surrounding Area for $70,875] [Unexpended: FY14 (December 2012) Clarke County Easement Authority: Chapman Farm for $1,396]
Farmland and Historic Preservation	6,500	[Unexpended: FY12 (September 2011) Meadowview Biological Research Station: Pitcher for the Public for $6,500]
TOTAL	478,210	

FUNDING CATEGORIES	FY15 FUNDS AVAILABLE	FY16 FUNDS AVAILABLE	TOTAL AVAILABLE
Open Space and Parks	187,500	187,500	375,000
Natural Area Protection	365,710	187,500	553,210
Historic Area Preservation	187,500	187,500	375,000
Farmland & Forest Preservation	187,500	187,500	375,000
TOTAL	928,210	750,000	1,678,210

NOTE: Grant Funding available for this round is the sum of rows 2 through 5 which equals $1,678,201. This represents a combination of FY15 and 16 funds and a portion of prior unobligated balances not allocated to cash balance reductions.

NOTE: Contracts for grants awarded FY16 funds will need to contain language indicating that funding for the grant is contingent on the continued availability of these funds in FY16.

Item 358 D of Chapter 2 of the 2014 Virginia Acts of Assembly Special Session 1 (HB5002)
D.1. Included in the amount for Preservation of Open Space Lands is $1,000,000 the first year and $1,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund. § 10.1-1020, Code of Virginia. Of these funds, after Virginia Outdoors Foundation's Open-Space Lands Preservation Trust Fund statutory distribution obligations have been satisfied, no less than 50 percent of the remaining appropriations are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia [Grant Funds]

2. Included in the amounts for Preservation of Open Space Lands is $2,000,000 the first year and $2,000,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia. [Stewardship Funds]

§ 10.1-1020. Virginia Land Conservation Fund; purposes of Foundation.

C. In any year in which the Fund contains less than $10 million in new deposits on September 1, and after an allocation for administrative expenses has been made as provided in subsection G, the remaining unrestricted funds in the Fund shall be allocated as follow:

1.Twenty-five percent shall be transferred to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust Fund to be used as provide in § 10.1-1801. 1; and

2. Seventy-five percent shall be divided equally among the following four grant uses: (i) natural area protection; (ii) open spaces and parks, including but not limited to, land for public hunting, fishing or wildlife watching; (iii) farmlands and forest preservation; and (iv) historic area preservation. Of the amount allocated as provided in this subdivision, at least one third shall be used to secure easements to be held or co-held by a public body.

MOTION: Mr. Kitchen moved that the Grant Round Funding Plan be approved as submitted by staff.

SECOND: Mr. Blevins

DISCUSSION: None

VOTE: Motion carried unanimously

<u>Approval of Grant Manual and Scoring Criteria</u>

Ms. Richardson gave an overview of the suggested revisions to the Grant Manual and Scoring Criteria. A copy of the approved, revised manual is available from DCR.

Ms. Richardson noted the following changes:

Page 1: Addition of budget item that requires at least 50 percent of VLCF grants to go to projects with public access.

Page 8: Addition of requirement that applicants in the Natural Area category provide a site visit to the property prior to scoring of grant applications.

Page 11: Modification of BMP criterion: asking the applicant to note existence or initiation of farm management plans that specify BMPs.

Page 12: Additional points for permanent vegetated buffers at least 35' wide. Additional points for full public access to the property (more than 50 percent of the calendar year).

Page 14: Addition of "projects with public access" to factors considered in grant review.

Page 17: Modification of question about public access, and addition of question about length of streams and water bodies on the property.

Page 18: Revision of questions for the Forestry and Farmlands categories.

Page 29: Modification of criteria for Natural Areas category.

Page 31: Modification of criteria for Farmlands category.

Page 32: Modification of criteria for Forests category.

Page 33: Modification of additional criteria pertaining to water quality and public access

Mr. Apicella asked what would happen if the requirement for 50% public access is not met.

Ms. Richardson said that the task force believed those projects with sufficient public access would rise to the top of the selection process.

Mr. Ball asked if there was a definition of what public access might mean.

Ms. Richardson said that the task force had decided to award points according to whether the property was open for public access more than 50% of the year, less than 50% of the year, or was only available for scenic access.

It was suggested that on the change on Page 12 the term shorelands or wetlands be added to the description of the buffer.

Mr. Pollard expressed a concern regarding the requirement to list Congressional, Senate, and House district information. He said that could unintentionally politicize the process.

It was suggested that the information regarding political districts be moved to the project location part of the application. Staff agreed to make that change.

Ms. Fenton suggested that the potential applicants be given a specific list of the proposed changes.

At this time the Board recessed for lunch.

Approval of Distribution of VLCF Stewardship Fund

Ms. Bulbulkaya presented the 2014 VLCF Stewardship Fund balance and list of recipients. A two percent fee is charged on the transfer or sale of land preservation tax credits, which is the source of funding for the VLCF Stewardship Fund. For 2014, the Board of Trustees approved the distribution of the fund balance, $1,088,822 to 47 agencies and organizations. The funds are to be used to support monitoring and enforcement of conservation purposes of the donated land interests they hold.

2013 Virginia Outdoors Plan Update

Ms. Poole gave a review of the 2013 Virginia Outdoors Plan. Members received a print copy of the Executive Summary as well as a flash drive containing the entire plan.

Election of Vice Chairman

Secretary Ward said that the election of a Vice Chairman would be postponed.

Agency Updates

Department of Agriculture and Consumer Services

Mr. Schmidt turned to Andy Sorrell, from the Office of Farmland Preservation to provide the VDACS update.

Mr. Sorrell said that VDACS had added 21 easements. For these easements, $7 million had been provided in state funds, $9.5 million in local funds, and an additional $4.9 came from other sources.

Mr. Sorrell said that the current VDACS grant round would close in early November. He said that there was $1.5 million available in funding for the current year.

Department of Conservation and Recreation

Mr. Cristman gave the update for the Department of Conservation and Recreation. He noted that he had joined the Department as Director on March 31st.

Mr. Cristman noted that Joe Elton was serving as Deputy Director of Operations.

Mr. Cristman said that the most recent audit of the Department had raised numerous concerns and that the Department was moving forward with addressing those. He also noted that the Department, like other state agencies, was facing budget challenges.

Department of Forestry

Mike Santucci gave the report for the Department of Forestry. He said that DOF focuses land conservation efforts through their agency's conservation division. He noted that last year, DOF had their 100th easement.

Mr. Santucci said that Bettina Ring had been named as the new State Forester.

Department of Game and Inland Fisheries

Ms. Van Duzee said that DGIF owns over 200,000 acres of state land which provide access to wildlife, lakes, and boating. She said that the agency is looking at an additional 2,800 acres for potential acquisition.

A member asked if DGIF was available for VLCF grants. Ms. Van Duzee said yes and noted that the agency has applied on several occasions.

Department of Historic Resources

Ms. Langan said that the Department of Historic Resources managed 583 easements that protect more than 38,700 acres. Those acres include significant historical buildings.

Ms. Langan noted that DHR continues their emphasis on battle field preservation. The agency is still focusing on the Sesquicentennial observation of the Civil War.

Virginia Outdoors Foundation

Mr. Hutcherson noted that the Virginia Outdoors Foundation holds some 3,700 acres in easements. He noted that about 95% of all Virginians live within 10 miles of a VOF easement.

Public Comment

There was no public comment.

Other Business

Mr. Dowling noted that, as discussed earlier in the meeting, the Board Bylaws were out of date. He said that staff would work towards bringing proposed revisions to a spring meeting of the Board.

Next Meeting

The next meeting of the Virginia Land Conservation Foundation Board of Trustees will be held on Tuesday, January 6, 2015 in the West Reading Room of the Patrick Henry Building in Richmond.

Adjourn

There was no further business and the meeting was adjourned.

Respectfully submitted,

The Honorable Molly Ward
Secretary of Natural Resources

Clyde E. Cristman
Executive Secretary