

**Virginia Land Conservation Foundation Board of Trustees
Monday, November 13, 2023
West Reading Room, Patrick Henry Building, Richmond, Virginia**

TIME AND PLACE

The meeting of the Virginia Land Conservation Foundation Board of Trustees took place at 2:30 p.m. on Monday, November 13, 2023, in the West Reading Room of the Patrick Henry Building in Richmond, Virginia.

VIRGINIA LAND CONSERVATION FOUNDATION BOARD OF TRUSTEES MEMBERS PRESENT

The Honorable Travis Voyles, Secretary of Natural and Historic Resources
Deputy Secretary Beth Green for The Honorable Matthew Lohr, Secretary of Agriculture and Forestry
The Honorable David W. Marsden
Mary-Carson Stiff, Vice Chair
Elizabeth Andrews
Glenda C. Booth
Leslie Cockburn
Jay Ford
Samantha Vargas Poppe
Lisa Kesner Quigley
Bruce Vlck
Krystina E. White
Matthew S. Wells, DCR Director, *ex officio*

VIRGINIA LAND CONSERVATION FOUNDATION BOARD OF TRUSTEES MEMBERS NOT PRESENT

The Honorable Richard H. Stuart
Susan E. Donner
Dr. James F. Casey
ONE VACANCY
Andrew C. Jennison
Sonya Powell
Woodie Walker

STATE AGENCY STAFF PRESENT

Ryan Brown, DWR
Derrick Bolen, DCR
Suzan Bulbulkaya, DCR
Sherry Buttrick, VOF
Linda Crowe, DCR
Lore De Astra, VTAX
Gina DiCicco, DCR
Laura Ellis, DCR
Emi Endo, DCR
Michael Fletcher, DCR
Brian Fuller, DCR
Becky Gwynn, DWR
Rich Mahevich, OAG
Charles Marston, DCR
Larry Mikkelson, DCR
Karri Richardson, DHR
Andrew Smith, DCR
Frank Stovall, DCR

OTHERS PRESENT

Parker Agelasto, CRLC
Kathy Baker, Stafford County
Jamie Craig
Bill Kittrell, TNC
Nikki Rovner, TNC
Mikaela Ruiz-Ramón, TNC

ESTABLISHMENT OF A QUORUM

With twelve (12) members of the Board present, a quorum was established.

WELCOME

Secretary Voyles called the meeting to order at 2:33 p.m. and asked for introductions.

BUSINESS AND FINANCIAL MATTERS

Approval of Board Meeting Minutes from May 16, 2023

BOARD ACTION

Ms. Cockburn moved that the minutes of the May 16, 2023, meeting of the Virginia Land Conservation Foundation Board of Trustees be approved as submitted. Ms. Stiff seconded and the motion carried.

Financial Update, Virginia Land Conservation Fund, Sharon Partee, Director of Finance, DCR

Ms. Partee gave the financial update.



Fund Statement

VIRGINIA LAND CONSERVATION FOUNDATION
 Fund Statement
 As of October 31, 2023

OBLIGATED FUND BALANCE- June 30, 2022	\$16,287,778
INCOME	
FY22 Stewardship Funds	\$2,124,370
FY23 Stewardship Funds*	\$1,667,123
FY23 Appropriation - Chapter 2	\$16,000,000
FY24 Appropriation - Chapter 1*	\$16,000,000
FY23 Interest*	\$506,071
FY24 Interest*	\$354,124
TOTAL INCOME	\$36,651,688
DISBURSEMENTS	
FY23 Stewardship Fund Disbursements	\$2,124,370
FY24 Stewardship Fund Disbursements	\$0
FY23 Grant Payments*	\$5,507,148
FY24 Grant Payments*	\$1,225,937
FY23 Open Space Preservation (VOF) Payments	\$4,000,000
FY24 Open Space Preservation (VOF) Payments*	\$0
FY23 Administrative Expenses*	\$122,897
FY24 Administrative Expenses*	\$10,677
TOTAL DISBURSEMENT	\$12,981,029
<small>* Changes since last report</small>	
OBLIGATED FUND BALANCE- October 31, 2023	\$39,948,437

LAND PRESERVATION TAX CREDIT PROGRAM

Update from Department of Taxation – Lore DeAstra, Land Preservation Tax Credit Analyst, Virginia Department of Taxation

Ms. De Astra gave the update on the Land Preservation Tax Credit (LPTC) Program. She noted that the Virginia Department of Taxation (VTAX) continues to work with public and private organizations for land conservation initiatives.

Ms. De Astra reported that the Virginia Tax LPTC program exceeded a monumental milestone in December 2022.

Ms. De Astra reviewed three components of the program.

- 1. Donations
- 2. Transfer Fee Revenues
- 3. Litigation

Donations

Donations History Data			
Tax Year	# of Credits	# of Acres	Credit Amt Issued
2000-2008	2,035	414,574	\$939,125,062
2009-2014	1,296	312,618	\$504,623,179
2015	182	42,362	\$48,625,672
2016	162	30,981	\$59,968,175
2017	200	49,127	\$75,000,000
2018	165	35,384	\$50,533,208
2019	193	34,677	\$75,000,000
2020	156	37,975	\$75,000,000
2021	183	41,859	\$75,000,000
2022	160	31,365	\$75,000,000
2023	99	18,124	\$40,360,059
Grand Total	4,831	1,049,046	\$2,018,235,355

* Through October 19, 2023



Transfer Fee Revenue

Transfer Fees FY22 8

Land Preservation Transfer Fees

Revenue	FY 2023	FY 2022
Revenue Collected - Cardinal VGLR001 - fund 0216 RSC 02740	3,304,034	3,736,966
Less: Transfer to GF, Chapter 2, Item 3 -101 paragraph 5	-466,600	-466,600
Net Revenue	2,837,434	3,270,366
Expenses		
Less: DCR Expenses	434,400	482,949
Less: TAX Expenses	686,911	633,047
Total Expenses	1,170,311	1,115,996
Revenue Less Expenses	1,667,123	2,124,370
Transfer Amount	1,667,123	2,124,370



Transfer Fee Revenue 9

Virginia Tax Expenses

Description	Amount
Staff Salary and Benefits	404,692
Office of the Attorney General-Salary and Benefits	237,653
Non-personal Services (Appraisal etc.)	44,566
Total	686,911



Litigation

Ms. De Astra advised that she was happy to report no pending litigation.

LPTC Program Transfer Fee Revenues – Gina DiCicco, Land Conservation Specialist, DCR

Ms. DiCicco reviewed the LPTC Program Transfer Fee Revenues.

2023 Virginia Land Conservation Foundation Stewardship Fund				
	AGENCY NAME	NUMBER OF DONATIONS	% OF TOTAL DONATIONS	AMOUNT OF FUNDS
1	Blue Ridge Foothills Conservancy	1	0.23%	\$3,763.26
2	Broad Water Innovations	1	0.23%	\$3,763.26
3	Capital Region Land Conservancy Inc	9	2.03%	\$33,869.32
4	Central Virginia Battlefields Trust	1	0.23%	\$3,763.26
5	Chesapeake Conservancy	1	0.23%	\$3,763.26
6	City of Chesapeake	1	0.23%	\$3,763.26
7	City of Franklin	1	0.23%	\$3,763.26
8	City of Hampton	1	0.23%	\$3,763.26
9	County of Albemarle	19	4.29%	\$71,501.89
10	County of Chesterfield	1	0.23%	\$3,763.26
11	County of Clarke	2	0.45%	\$7,526.51
12	County of Fauquier	10	2.26%	\$37,632.57
13	County of Loudoun	0.5	0.11%	\$1,881.63
14	County of Stafford	2	0.45%	\$7,526.51
15	County of Warren	3	0.68%	\$11,289.77
16	Eastern Shore Land Trust	1	0.23%	\$3,763.26
17	Enrichmond Foundation	1	0.23%	\$3,763.26
18	Ever Green Team	71	16.03%	\$267,191.27
19	Friends of Dragon Run	1	0.23%	\$3,763.26
20	Historic Virginia Land Conservancy	15	3.39%	\$56,448.86
21	Land Savers United	21	4.74%	\$79,028.40
22	Land Trust of Virginia	37.5	8.47%	\$141,122.15
23	Living River Restoration Trust	2	0.45%	\$7,526.51
24	Middle Peninsula Chesapeake Bay Public Access Authority	1	0.23%	\$3,763.26
25	New River Conservancy	1	0.23%	\$3,763.26
26	New River Land Trust	2	0.45%	\$7,526.51
27	Northern Neck Land Conservancy	5	1.13%	\$18,816.29
28	Northern Virginia Conservation Trust	8.5	1.92%	\$31,987.69
29	Old Dominion Land Conservancy, Inc.	50	11.29%	\$188,162.87
30	Outdoors Preservation Foundation	3	0.68%	\$11,289.77
31	Piedmont Environmental Council	5	1.13%	\$18,816.29

32	Potomac Conservancy	1	0.23%	\$3,763.26
33	Shenandoah Valley Battlefield Foundation	3.5	0.79%	\$13,171.40
34	The 500-Year Forest Foundation	7	1.58%	\$26,342.80
35	The Conservation Fund	1	0.23%	\$3,763.26
36	The Nature Conservancy	5	1.13%	\$18,816.29
37	The Town of Lovettsville	1	0.23%	\$3,763.26
38	Valley Conservation Council	23	5.19%	\$86,554.92
39	Virginia Department of Conservation & Recreation	2	0.45%	\$7,526.51
40	Virginia Department of Forestry	7	1.58%	\$26,342.80
41	Virginia Department of Historic Resources	3	0.68%	\$11,289.77
42	Virginia Department of Wildlife Resources	1	0.23%	\$3,763.26
43	Virginia Outdoors Foundation	110	24.83%	\$413,958.31
	TOTALS	443	100.00%	\$1,667,123.00

* US Navy co-holds ½ interest in one easement, but is ineligible to receive payment, per §58.10513 of the Va. Code.

Ms. DiCicco advised that staff recommendation was to hold the payment to the Enrichment Foundation until such time that the ownership of the parcel is settled, and the parcel is placed under a conservation easement. She noted that staff recommended the issue be revisited in 2024.

BOARD ACTION

Ms. Quigley moved that the Virginia Land Conservation Foundation Stewardship Funds be approved as submitted by staff. Mr. Ford seconded, and the motion carried unanimously.

VLCF GRANT PROGRAM

FY24 Grant Round

Grant Round Overview – Suzan Bulbulkaya, Land Conservation Manager, DCR

Secretary Voyles called on Ms. Bulbulkaya to present the grant round overview. He noted that one application, the Department of Wildlife Resources’ Highlands Lonesome Pine application would be considered as a separate action item due to the complexity of the grant proposal to place an open-space easement on more than 44,000 acres of reclaimed coalfield.

Ms. Bulbulkaya introduced the Grant Round. She noted that there were forty project applications and staff was recommending twenty-nine for the Board to consider. She also noted that since the Board approved the fiscal plan in May 2023, there were a few applications that were withdrawn and additional projects that were completed under budget. She noted no separate action was needed as the adjustment would be considered as part of the final approval.

Ms. Bulbulkaya presented the Proposed Revised GRANT FUNDING PLAN FOR FY24 as follows:

FUNDING CATEGORIES		FY23 Budget Bill Chapter 2, Item 375 A.1. \$16,000,000	Approved May 16, 2023 Reallocation of Unspent Grant Funds	Subtotal	Additional Unspent Grant Funds to be Approved & Reallocated	TOTAL Available for Grant Round
1.	I. VOF Open-Space Lands Preservation Trust Fund (25% per § 10.1-1020 C)	\$4,000,000				
2.	II. Grant Program					
3.	(i) Farmland Preservation	\$2,400,000	\$300,000	\$2,700,000	\$278,750	\$2,978,750
4.	(ii) Forestland Conservation	\$2,400,000	\$0	\$2,400,000	\$0	\$2,400,000
5.	(iii) Historic Area Preservation	\$2,400,000	\$69,075	\$2,469,075	\$242,170	\$2,711,245
6.	(iv) Natural Area Protection	\$2,400,000	\$1,756,314	\$4156,314	\$177,788	\$4,334,102
7.	(v) Open Spaces and Parks	\$2,400,000	\$0	\$2,400,000	\$0	\$2,400,000
TOTAL		\$16,000,000	\$2,125,389	\$14,125,389	\$698,708	\$14,824,097
<i>Summary of Additional Unspent Grant Funds</i>						
Farmland Preservation		\$278,750	<i>Withdrawn:</i> FY21R1I Piedmont Environmental Council, Protected Farmland along the Rappahannock River \$208,000 ; FY21R1I Virginia Outdoors Foundation, Morse Brothers Farm \$70,750 .			
Forestland Conservation		\$0				
Historic Area Preservation		\$240,170	<i>Withdrawn:</i> FY21 Shenandoah Valley Battlefields Foundation, Stoner Keller \$242,170 .			
Natural Area Protection		\$177,788	<i>Unexpended Remainder:</i> FY21R1I DCR-DNH, Crow's Nest NAP Addition – Accokeek Bottomlands \$68,921 ; FY22 DCR-DNH, Poor Mtn. NAP – NE Addition \$54,703 ; FY23 Virginia Outdoors Foundation, Bull Run Mtns Eastern Overlook \$54,164 .			
Open Spaces and Parks		\$0				

Presentation of Recommended Grant Applications from the Interagency Task Force

Farmland Preservation: Genette Harris, Farmland Preservation Coordinator, Department of Agriculture and Consumer Services

Ms. Harris presented the recommendations for the Farmland Preservation category:

Amount of funding available: \$2,978,750.

1. Piedmont Environmental Council; Farmland Protection near Barboursville; easement on 545 acres in Orange County; **total project cost:** \$2,300,000; **grant request:** \$605,000; **recommend:** \$605,000
2. The Trust for Public Land; Lower Potomac River Corridor; easement on 320 acres in Westmoreland County; **total project cost:** \$2,955,000; **grant request:** \$585,000; **recommend:** \$585,000
3. Virginia Outdoors Foundation; East West Creek Farms LLC; easement on 720 acres in Mecklenburg County; **total project cost:** \$1,536,500; **grant request:** \$610,000; **recommend:** \$610,000
4. Stafford County; AP Legacy, LLC Farm; easement on 73 acres in Stafford County; **total project cost:** \$496,900; **grant request:** \$248,450; **recommend:** \$248,450

5. Piedmont Environmental Council; Farmland Protection along Rapidan River Tributaries; easement on 229 acres in Greene County; **total project cost:** \$1,010,000; **grant request:** \$282,500; **recommend:** \$282,500

6. Virginia Outdoors Foundation; Nottoway 186; easement on 186 acres in Southampton County; **total project cost:** \$1,362,000; **grant request:** \$537,500; **recommend:** \$537,500

7. Virginia Outdoors Foundation; Panamint Farm; easement on 533 acres in Louisa County; **total project cost:** \$1,017,500; **grant request:** \$550,000; **recommend:** \$110,300

Ms. Stiff asked if additional points were awarded for projects that fall within a PDR (Purchase of Development Rights) program.

Ms. Bulbulkaya advised that the issue could be addressed in the next revision of the grant manual.

Director Wells asked Ms. Stiff to email concerns to DCR staff for consideration at the next meeting.

Forestland Preservation: Terry Lasher, Assistant State Forester, Department of Forestry

Mr. Lasher presented the recommendations in the Forestland Preservation category.

Amount of funding available: \$2,400,000.

1. The Nature Conservancy, Clinch Mountain, Pinnacle Rock; fee acquisition of 680 acres in Washington County; **total project cost:** \$1,134,500; **grant request:** \$567,250; **recommend:** \$567,250.

2. Virginia Dept. of Wildlife Resources, Eastern Shore Forest Conservation Initiative III; fee acquisition of 762 acres in Accomack County; **total project cost:** \$1,637,300; **grant request:** \$450,000; **recommend:** \$450,000 (\$441,300 from Forestland Conservation and \$8,700 from Open Spaces & Parks).

3. Rappahannock Tribe of Virginia, Acquiring Rappahannock Tribe's Ancestral Homelands Phase III; fee acquisition of 964 acres in Richmond County; **total project cost:** \$3,752,850; **grant request:** \$2,000,000; **recommend:** \$1,716,166 (\$450,000 from Forestland Conservation and \$1,266,166 from Historic Preservation).

4. Virginia Dept. of Forestry, Taylors Mill Farm Conservation Easement, Additional Funding; easement on 1,145 acres in Greensville County; **total project cost:** \$1,352,000; **grant request:** \$45,000; **recommend:** \$45,000.

5. Land Trust of Virginia, Huff Rock; easement on 660 acres in Wise County; **total project cost:** \$383,000; **grant request:** \$182,000; **recommend:** \$182,000.

6. Virginia Dept. of Forestry, Poplar Hollow Conservation Easement, Additional Funding; easement on 611 acres in Shenandoah County; **total project cost:** \$1,163,500; **grant request:** \$250,000; **recommend:** \$250,000.

7. Virginia Dept. of Wildlife Resources, Eastern Shore Forest Conservation Initiative II; fee acquisition on 476 acres in Accomack County; **total project cost:** \$1,081,150; **grant request:** \$300,000; **recommend:** \$300,000.

8. Virginia Dept. of Forestry, Southampton 900; easement on 900 acres in Southampton County; **total project cost:** \$1,603,500; **grant request:** \$750,000; **recommend:** \$164,450.

Historic Areas Preservation: Karri Richardson, Easement Program Specialist, Department of Historic Resources

Ms. Richardson presented the recommendations in the Historic Areas Preservations category.

Amount of funding available: \$2,711,245.

1. American Battlefield Trust; Whitby Tract at Second Deep Bottom Battlefield; fee acquisition of 8.87 acres in Henrico County; **total project cost:** \$605,615; **grant request:** \$300,215; **recommend:** \$300,215.
2. American Battlefield Trust; Welch-Penden Tract at Glendale Battlefield; fee acquisition of 12.46 acres in Henrico County; **total project cost:** \$441,550; **grant request:** \$219,433; **recommend:** \$219,433.
3. American Battlefield Trust; Brandy Rock Farm I Tract at Brandy Station Battlefield; an easement on 100 acres in Culpeper County; **total project cost:** \$1,048,255; **grant request:** \$271,660; **recommend:** \$271,660.
4. Shenandoah Valley Battlefields Foundation; Stanley Hall at New Market Battlefield; fee acquisition of 9.54 acres in Shenandoah County; **total project cost:** \$607,543; **grant request:** \$303,771; **recommend:** \$303,771.
5. Shenandoah Valley Battlefields Foundation; French Tract at Fisher's Hill Battlefield; fee acquisition of 146 acres in Shenandoah County; **total project cost:** \$1,648,518; **grant request:** \$350,000; **recommend:** \$350,000.

Historic Area Preservation Totals: **acres:** 277; **project costs:** \$4,351,481; **recommend:** \$1,445,079.

*Remaining Historic Preservation funds: \$1,266,166 are recommended for the Rappahannock Tribe of Virginia project in the Forestland Conservation category.

Natural Heritage Protection – Jason Bulluck, Director, Virginia Natural Heritage Program, DCR

Mr. Bulluck presented the recommendations in the Natural Heritage Protection category.

Amount of funding available: \$4,334,102.

1. Dept. of Conservation & Recreation - Div. of Natural Heritage (DCR - DNH), Buffalo Mountain Natural Area Preserve – LCI Addition, fee acquisition of 1,000 acres in Floyd County; **total project cost:** \$3,617,677; **grant request:** \$3,617,677; **recommend:** \$3,617,677.
2. DCR – DNH, Pedlar Hills Addition – Supplemental Funding, fee acquisition of 156 acres in Montgomery County; **total project cost:** \$65,000; **grant request:** \$65,000; **recommend:** \$65,000.
3. DCR – DNH, Grassy Hill Natural Area Preserve – Anderson Addition, fee acquisition of 48 acres in Franklin County; **total project cost:** \$250,000; **grant request:** \$250,000; **recommend:** \$250,000.

4. DCR – DNH, Difficult Creek Natural Area Preserve – Browne Farm Easement, easement over 45 acres in Halifax County; **total project cost:** \$250,000; **grant request:** \$250,000; **recommend:** \$250,000.

Open Spaces and Parks: Kelly McClary, Director of Planning and Recreation Resources, DCR

Ms. McClary presented the recommendations in the Open Spaces and Parks category.

Amount of funding available: \$2,400,000

1. Washington County, Abrams Creek Property Addition to Mendota Trail, fee acquisition of 220 acres in Washington County; **total project cost:** \$1,295,200; **grant request:** \$241,100; **recommend:** \$241,100.

2. Middle Peninsula Planning District Commission, Bushy Park Farm Acquisition, fee acquisition of 118 acres in Middlesex County; **total project cost:** \$2,448,255; **grant request:** \$750,000; **recommend:** \$750,000.

3. Franklin Parks Foundation, Deer Creek, a fee acquisition of 96 acres in Southampton County; **total project cost:** \$1,178,300; **grant request:** \$180,000; **recommend:** \$180,000.

4. Virginia Dept. of Wildlife Resources, Highlands-Lonesome Pine, easement on 44,327 acres in the Dickenson County; **total project cost:** \$7,024,275; **grant request:** \$1,000,000; **recommend:** \$1,000,000.

5. Wildlife Foundation of Virginia, Marshland on the Mattaponi River, fee acquisition of 482 acres in King William County (Town of West Point); **total project cost:** \$480,200; **grant request:** \$220,200; **recommend:** \$220,200.

BOARD ACTION

Mr. Ford moved that the Virginia Land Conservation Foundation Board of Trustees approve the list of project recommendations as presented by staff, with the exception of the Highlands Lonesome Pine application from the Department of Wildlife Resources.

Ms. Carson seconded, and the motion carried with Ms. Cockburn abstaining from voting on any project associated with the Piedmont Environmental Council.

Secretary Voyles noted that, with regard to the Highlands Lonesome Pine project for a conservation easement on 44,327 acres, the Department of Wildlife Resources (DWR) was seeking a waiver of boundary right survey requirements and severed subsurface mineral rights.

Ms. Bulbulkaya advised that the Nature Conservancy, the current landowner, only owns the surface rights, while subsurface rights are owned by a coal company. The DWR easement would not encumber any subsurface rights for mining. Additionally, there are currently some active mining permits.

Ms. Gwynn noted that while the property in question contains 44,000 acres, about 3,000 are being used for active mining.

Ms. Andrews inquired about timber rights.

Mr. Brown noted that the surface owner of the property retains the timber rights.

Ms. Stiff asked if fracking might possibly occur on the site.

Mr. Kittrell noted that the type of gas extraction on the property is coal-based methane, which does not use fracking.

BOARD ACTION

Senator Marsden moved that the Virginia Land Conservation Foundation Board of Trustees grant to DWR consistent with the recommendation of the inter-agency task force, waiving the required boundary survey in lieu of a boundary exhibit that meets the requirements of the Office of the Attorney General and the Department of General Services, and the acknowledging that the grant will not place an easement or require sub-surface mining rights on the property and that the grant be approved as recommended by staff.

Ms. Green seconded, and the roll call vote was as follows:

AYE: Andrews, Booth, Cockburn, Ford, Poppe, Quigley, Vlk, Marsden, Green, Voyles

NAY: Stiff, White

The motion carried.

RECENTLY COMPLETED VLCF GRANT PROJECTS – *Larry Mikkelson, Land Conservation Specialist, DCR*

Mr. Mikkelson gave an overview of recently completed projects:

The following six VLCF grants successfully closed since the last VLCF Board meeting on May 16, 2023.

1. Middle Peninsula Chesapeake Bay Public Access Authority – **Hoskins Creek Waterfront Land Acquisition in Tappahannock (FY2021 Round II)**

The Middle Peninsula Chesapeake Bay Public Access Authority was awarded a grant for \$200,000 to assist the Town of Tappahannock in the fee acquisition of seven acres on Hoskins Creek for a public access project. The project provides public access to the creek and the nearby Rappahannock River, increases passive outdoor recreation opportunities (walking, fishing, wildlife viewing and bird watching), conserves an undeveloped coastal area, and protects a wetland marsh. Plans are in place to construct a kayak/boat launch and raised interpretive walkways through the marsh - all part of a new family outdoor gathering area.

Grant Award: \$200,000. **Payment Amount:** \$200,000. **Match:** \$351,270 Town of Tappahannock.

[Project closed: September 2023]

2. Dept. of Conservation and Recreation – Natural Heritage Division – **Difficult Creek North Addition – Life Estate (FY2022)**

The Natural Heritage Division received a FY22 VLCF grant for \$50,153 to acquire a 1.5-acre inholding within the Difficult Creek Natural Area Preserve in Halifax County near Scottsburg. The parcel is within the Protected Landscapes Resilience and Natural Habitat & Ecosystem Diversity ConserveVirginia layers. The Difficult Creek preserve supports a high number of significant natural heritage resources, many of which are fire-adapted. Acquisition of this inholding improves the ability to implement prescribed fires that are necessary to adequately restore and manage the vegetation and habitat. DCR acquired the property with the current owners/residents retaining a life estate.

Grant Award: \$50,153. **Payment amount:** \$50,153. **Match:** \$30,064 DCR-DNH. [**Project closed:** June 2023]

3. Upper Mattaponi Indian Tribe – Conservation of Ancestral Lands – Upper Mattaponi Tribe’s Return to the River (FY2023)

The Upper Mattaponi Indian Tribe was awarded a VLCF grant in November 2022 to help enable its acquisition of an 853-acre property in King William County. The property has more than 12,000 feet of shoreline along the Tribe's namesake River, the Mattaponi. With additional financial assistance from the National Oceanic and Atmospheric Administration, the Tribe was able to purchase the property that includes a former sand & gravel mine. The Va. Dept. of Wildlife Resources and the U.S. Fish and Wildlife Service will help the Tribe develop a comprehensive vision for restoring habitat of culturally significant fish, wildlife and plant populations and establishing a fish hatchery. A forest stewardship plan will guide future restoration efforts and limited site development for the fish hatchery, retention of 550 acres of forestland, and nature-based public recreational opportunities, including access to the river and a trail network.

This is one of the first VLCF grants awarded to a Virginia federally recognized Indian Tribe and the first to close. With significant assistance from the OAG, a notice of grant agreement document was agreed upon with the tribe and recorded immediately after the deed of acquisition. The notice includes acknowledgments by the tribe that "the property was acquired for the purpose of perpetual conservation of land and natural resources, culturally significant species restoration, passive recreational usage, and ecotourism consistent with the Tribe's indigenous knowledge and practices (the "Conservation Purposes") and agrees not to undertake activities that would impair the Conservation Purposes, such as dividing, subdividing, or partitioning the Property for sale, or engaging in commercial, residential, or industrial development."

Grant Award: \$310,000. **Payment amount:** \$310,000. **Match:** \$3,164,923 NOAA. [**Project closed:** July 2023]

4. Clarke County – **Newfound Farm (FY2023)**

Clarke County Conservation Easement Authority was awarded an FY2023 VLCF grant for \$100,150 to help acquire an open space easement on 60 acres of primarily forested land in Berryville. The dominant forest stand on the property, encompassing 95% of the property, is oak and hickory. The easement prohibits subdivision of the property and protects more than half a mile of frontage on Opequon Creek, a designated impaired waterway, by requiring 100-foot-wide forested riparian buffers. The buffers also provide suitable habitat for wood turtles. Approximately five acres of land in the floodplain will remain as open space, and the landowner is in the process of removing invasive species, including autumn olive and Ailanthus, from the area.

Grant Award: \$100,150. **Payment amount:** \$100,150. **Match:** \$116,636 Landowner donation. [**Project closed:** August 2023]

5. Capital Region Land Conservancy. – **Haskins Farm at New Market Heights (FY2023)**

Capital Region Land Conservancy (CRLC) acquired and conserved 49 acres of critically threatened battlefield land in the core area of the 1864 Battle of New Market Heights in Henrico County utilizing a VLCF FY2023 grant for \$600,000. A historic preservation and open-space easement held by the Va. Board of Historic Resources now protects the property's 650 linear feet of the "New Market Line" earthworks that the US Colored Troops (USCT) seized in their victory for which 14 Medal of Honors were awarded. The county's comprehensive plan had identified the property as future "concentrated commercial use" threatening the battlefield that Preservation Virginia had designated as one of the most threatened historic sites in Virginia. CRLC is working with local and national partners to establish an area of approximately 350 acres within the New Market Heights Battlefield to be interpreted and

open for public access. Many have placed an even greater emphasis on preserving the few sites pertinent to the USCT. Several descendants of USCT enlisted men are also engaged in these preservation efforts.

Grant Award: \$600,000. **Payment amount:** \$600,000. **Match:** \$624,725 American Battlefield Protection Program. [**Project closed:** August 2023]

6. Virginia Outdoors Foundation – **Bull Run Mountains NAP Addition – Eastern Overlook (FY2023)**

The Virginia Outdoors Foundation (VOF), in collaboration with DCR's Division of Natural Heritage, received a VLCF grant to cover the fee-simple purchase of 10.13 acres as an addition to Bull Run Mountains Natural Area Preserve (BRMNAP) in Prince William County. This preserve is owned by VOF and managed in partnership with DCR-DNH as a Natural Area Preserve. Situated atop the easternmost ridge of the Bull Run Mountains adjacent to BRMNAP, this new addition enhances VOF and DCR's protection of key visual and ecological buffers overlooking the heavily developed Piedmont towards Washington, DC. Conservation of this parcel prevents incompatible development on a fragile ecosystem and protects critical habitat, benefitting BRMNAP's biodiversity hotspots and wetlands. This area provides critical food and habitat for numerous species of conservation concern. The property falls within two categories of *Conserve Virginia*: Natural Habitat and Ecosystem Diversity and Protected Landscapes Resilience.

Grant Awards: \$500,000. **Payment amount:** \$445,836. **Match:** \$0. [**Project closed:** May 2023]

Mr. Mikkelson noted that the three grant projects were withdrawn since the Board's last meeting. He noted that in the action above, these funds were redistributed to current applicants.

1. Shenandoah Valley Battlefields Foundation – **Stoner-Keller (FY2021)**

This project was destined to place an easement over the 120-acre Stoner-Keller property in Shenandoah County held by the Virginia Board of Historic Resources. The property is entirely within the core of the Fisher's Hill Battlefield and the study area of the Cedar Creek Battlefield. This project intersected with ConserveVirginia in the Cultural and Historic Preservation and Water Quality Improvement layers.

Grant Award: \$242,170. **Note:** This project is no longer viable because the landowner changed their mind. They did, however, agree to donate a conservation easement over 103 acres of agricultural land with the historic structures excluded to Shenandoah Valley Battlefields Foundation without the use of state funds.

2. Piedmont Environmental Council – **Protected Farmland along the Rappahannock River (FY2021 Round II)**

Piedmont Environmental Council sought grant funds to help secure a conservation easement to protect a family farm, comprised of 732 acres in Culpeper County, and located along over 1-mile of the Rappahannock River, a Virginia Scenic River. The property intersected the Cultural and Historic, Scenic Preservation, and Water Quality Improvement layers of ConserveVirginia.

Grant Award: \$208,000. **Note:** This project was withdrawn because the landowners changed their minds after undergoing estate planning. They were not ready to move forward with a conservation easement and requested the grant be withdrawn.

3. Virginia Outdoors Foundation – Morse Brothers Farm (FY2021 Round II)

Two brothers, third-generation African American farmers in Nelson County, had planned to place an open-space easement held by Virginia Outdoors Foundation in partnership with the US NRCS Agricultural Land Easement program on 111 recently purchased acres adjacent to their family farm. They also envisioned a venue where people from the Capital region could enjoy the out-of-doors and visit a working farm. The brothers have been working with the US Natural Resources Conservation Service to establish pastures and fence the streams so that they can showcase livestock production best-management practices.

Grant Award: \$70,750. **Note:** The landowners withdrew their grant due to different factors, including challenges with their lender and loan subordination together with increasing interest rates for future farm plans, and timing issues and delays with the NRCS easement process.

Mr. Mikkelson gave the following summary of Open VLCF Grants.

- There are five open grants in each of the FY21 and FY21 Round II grant rounds.
- For the FY22 grant round, 18 of the 30 grants originally awarded are still open.
- For the FY23 grant round, 33 of the 40 grants awarded are open.
- Currently, we are managing a total of 61 open grants with a total value of \$18,527,567.

PUBLIC COMMENT

Secretary Voyles called for public comment.

Mr. Craig of the Beechtree Group thanked the Board for approving the projects. He expressed concerns over the survey method for grant applications. He noted that the current requirements were costly and advised that there were few available surveyors in the Commonwealth. He asked that the staff take this issue under consideration and bring it back to the spring meeting for possible revisions to the grant manual.

ADJOURN

There was no further business, and the meeting adjourned at 4:56 p.m.