

**Board of Conservation and Recreation
December 15, 2009
Sailor's Creek Battlefield State Park**

Board of Conservation and Recreation Members Present

Mark E. Smith, Chair
Gwen Mason
David Watts
W. Bruce Wingo

Steven Murray, Vice Chair
Jennifer C. Wagner
Robert L. Wilkerson

Board of Conservation and Recreation Members Not Present

Alan D. Albert
Linda Crandell
Sheryl W. Swinson

Joy Antoinette Cooley
Richard Formato

DCR Staff Present

Joseph H. Maroon
John R. Davy
Michael R. Fletcher
Robert Munson
Thomas L. Smith

Chris Calkins
Joe Elton
Chris Joiner
Zoe Rogers
Jennifer Wampler

Others Present

Bill Tanger
Sandra Tanner
Don Briggs

Call to Order

The Chairman called the meeting to order and declared a quorum present. He thanked Chris Calkins, Park Manager and provided him with an opportunity to give remarks.

Mr. Calkins welcomed the Board to Sailor's Creek. He recognized park staff Zoe Rogers, Chris Joiner and Ken Townsend.

Mr. Calkins said that Sailor's Creek Battlefield Historical State Park used to be associated with Twin Lakes State Park, but became a stand alone park in July of 2008. He said that the Visitor's Center where the Board was meeting had been opened in October of 2009. He said that after the meeting the Board would have the opportunity to visit the Hillsman House. The Hillsman House was used as a hospital during the Battle of Sailor's Creek.

Mr. Calkins said that the Visitor's Center is planned to become a Civil War museum and would house a library of some 2,500 volumes and thousands of Civil War artifacts.

Mr. Watts asked if the land acquisition was complete.

Mr. Calkins said that it was not. He said that the Battle of Sailor's Creek was actually three separate engagements. They included the Hillsman Farm and the Lockett Farm. He said the park had significant land to tell those stories. There was also a crossroads battle for which the park hoped to acquire land in the future.

Mr. Watts asked who managed the easements.

Mr. Calkins said that the easements are managed by the Department of Historic Resources.

Mr. Watts asked if there was a revenue stream for the park.

Mr. Calkins said that at this time the park did not charge fees.

Approval of Minutes from August 20, 2009

MOTION: Ms. Mason moved that the minutes of the August 20, 2009 meeting of the Board of Conservation and Recreation be approved as submitted by staff.

SECOND: Mr. Murray

DISCUSSION: None

VOTE: Motion carried unanimously

Statewide Trails Network

Ms. Wampler gave a presentation regarding the Statewide Trails Network. A copy of Ms. Wampler's full presentation is available from DCR.

Why develop a statewide trail network now?

- Land loss (much easier now than later)
- Provides access to natural areas
- Demand for trails is up and rising
- Economic development
- Funding for trails available

- Pollution (congestion mitigation, environmental awareness and protection)
- Education (environmental, outdoor skills, history)
- Communities are doing it (models, dots to connect)
- Connection to larger trails raises profile
- Greenways movement
- Quality of life

What is DCR's Role

- Legislation passed in 1972 authorized DCR to establish and administer a state-wide system of non-motorized, scenic, recreational and connecting side trails. § 10.1-204
- Implementation of the *Virginia Outdoors Plan*, developed to help all levels of the private and public sector meet the needs of outdoor recreation, land conservation and open space planning

Why should DCR play a role?

2006 Virginia Outdoor Survey (VOS) Ranking of Outdoor Recreational Activities

<u>Rank</u>	<u>Activity</u>	<u>% Population Participating</u>
1	Walking for Pleasure	69%
2	Driving for Pleasure	54%
3	Visiting Historic Sites	50%
4	Swimming	40%
5	Visiting Nat. Areas, Parks	40%
6	Sunbathing on Beach	32%
7	Fishing	25%
8	Picnicking	25%
9	Using a playground	25%
10	Boating	23%
11	Jogging	22%
12	Bicycling	19%
13	Visiting Gardens/Arboretums	18%
14	Camping	16%
15	Hiking/Backpacking	14%
16	Basketball	12%
17	Golf	12%
18	Fitness Trail	10%
19	Soccer	8%
20	Snow Skiing/Boarding	7%
21	Tennis	7%
22	Hunting	7%

2006 VOS Survey Results

WHAT are the most needed outdoor recreation opportunities in Virginia?

Public Access to state waters	49%
Trails for hiking, walking, bicycling	47%
Access to Natural areas/parks	40%

Why Build a Trail

- Positively influence economic and community development
- Encourage physical activity
- Protect the environment
- Improve community living
- Provide a non-motorized means for commuting to work, school, or errands

The Burden of Physical Inactivity

- The Problem
 - 1 in 4 adults are sedentary (VA = 21%)
 - Over two-thirds do not achieve recommended dose
- The Public Health Burden
 - 64% overweight 31% obese (VA = 61/25)
 - Physical inactivity is a primary factor in over 200,000 deaths annually.
- The Economic Burden
 - Medical costs associated with physical inactivity/poor diet exceed \$78.5 billion annually.
 - **Virginia = \$375M annually**

Data Sources: 2006 BRFSS, 2000 NHANES, McGinnis 2004, Pratt 2003

Potential Users

- Bicyclists
- Hikers
- Paddlers/floaters/polers
- Birders
- Fishermen/women
- Equestrians
- History buffs/Historians
- Tourists
- School children/youth
- Local citizens
- Outdoor enthusiasts
- Naturalists
- Researchers
- Film crews
- Fundraisers

Program Mission

- *The Virginia Greenways and Trails Program provides assistance and education to encourage the development, maintenance and promotion of attractive, sustainable and connected trails throughout the state.*

***Vision:** Active communities and open space linked by trails and greenways that connect individuals, children and their families to nature and to each other.*

DCR Staff Support

- Increase visibility
- Improve communication

National Trails in VA

- Appalachian Trail-2,174 miles
- Potomac Heritage National Scenic Trail-990 miles
- Overmountain Victory Nat'l Historic Trail-300 miles
- Cap. John Smith Chesapeake Nat'l Historic Trail-3000 miles
- Washington-Rochambeau Revolutionary Route-180 miles

Potomac Heritage NST DCR's Contribution

Demonstrate state support

Comment on state park master plan updates

Comment on regional transportation plan updates

Support projects with RTP grant funding if possible

Work towards coordinated signage system

Assist with fundamental planning document

Existing Statewide Trail: Appalachian National Scenic Trail

- Great biodiversity
- Managed by National Park Service
- Foot traffic only

DCR Role: Coordination with state and local governments, advocacy

The James River Heritage Trail

- The James River Heritage Trail has been identified as a proposed trail in the *Virginia Outdoors Plan* for 30 years.

- Various segments exist
- Need a coordinated approach to planning and developing the entire 340-mile corridor

DCR's Contribution

Held a series of regional meetings and stakeholder meetings for input on a conceptual plan that will

- Highlight the optimum user experience
- Include maps of proposed routes
- Locate visitor services
- Identify destinations

The Great Eastern Trail

A premier hiking experience

- Link existing trails for a long-distance mountain footpath
- Primitive conditions for users seeking solitude
- Stretching from Alabama to New York
- Approximate 400-mile corridor in Virginia

DCR's Contribution

- Held a summit at Breaks Interstate Park to select a route through the “gap” between Burke’s Garden and Breaks
- Comment on studies by Southwestern Regional Recreation Authority
- “Statewide trail” status has been extremely beneficial to effort

East Coast Greenway

- Traffic-free path
- Links East Coast cities
- Maine to Florida
- Primarily serving bike/pedestrians
- Approximate 300 mile split corridor in Virginia

DCR's Contribution

- Held a series of regional meetings for input on the interim on-road bicycle route
- Administering a TE grant for a printed “Travelers Guide” for wayfinding

Beaches to Bluegrass Trail

- Cumberland Gap to Eastern Shore
- Links existing trails

- Hikers, bicyclists, equestrians
- Approximate 600-mile corridor

DCR Role: Advocacy, encourage communication between local governments and trail proponents

Building capacity within local trails organizations to help get sections of B2B developed and managed.

Trunkline Trails Initiatives

Beaches to Bluegrass Trail

Ms. Sandra Tanner, of the Virginia Tourism Council and President of the Roanoke River Rails to Trails gave an overview of the Beaches to Bluegrass Trail.

Ms. Tanner noted that the economic impact of tourism in the Southern Virginia Region was about \$411 million annually and provided about 4,898 jobs.

Ms. Tanner said that the proposed Beaches to Bluegrass Trail would connect Cumberland Gap to the Chesapeake Bay. This is a braided system of water trails and multi-use trails that transverse through the Southern Region enhancing the eco enthusiast experience.

Ms. Tanner said that the projected cost to complete the trail was \$60 million.

Potomac Heritage National Scenic Trail

Mr. Don Briggs, Superintendent of the Potomac Heritage National Scenic Trail gave an overview of the proposed trail system.

The Potomac Heritage National Scenic Trail is a partnership to develop a braided network of natural surface footpaths, on-road bicycling routes, multi-use facilities and water routes for non-motorized outdoor recreation, education and transportation – between the mouth of the Potomac River and the Forks of the Ohio.

Mr. Briggs said that the trail is part vision, part reality. In Virginia, 230 miles of land trails and routes are recognized as part of the trail network. Among other criteria, each trail segment must provide the opportunity for at least one form of non-motorized travel.

State Parks Trails Initiatives

Mr. Elton gave the following presentation regarding State Parks Trails Initiatives.

Leveraging \$2 Million into \$15,230,500 in Trail Construction Opportunities

- The passage of the \$119 million 2002 Parks and Natural Areas Bond Referendum included \$2 million for statewide trail improvements.

- Another \$850,000 for trail improvements at New River Trail from the 2002 GOB.
- Over the past ten years, Virginia State Parks was awarded over \$900,000 in Recreational Trails Program funds.

High Bridge Trail State Park

- \$743,000 from 3 TEA-21 Grants
- \$1 million Capital Outlay – approved FY08
- \$7.5 million Sale of Public Building Authority Bonds – approved FY09
- \$2 million Federal Stimulus Funding 2009 (High Bridge and associated facilities)
- \$237,500 Transportation, Community and System Preservation Program 2009 (TCSP Grant)

Virginia State Trail System Objectives

- Various types of trails and/or usage, to be provided on lands where appropriate; i.e. hiking, biking, equestrian.
- Existing trails to be maintained to stated standards.
- At least one self-guided interpretive trail per park to be provided.
- At least one accessible trail per park to be provided.
- Trail information should be available at a central location.
- Trails are to be signed properly—trail head, trail junction.
- Each trail has a designated color, difficulty rating, and is properly signed.

Prototype Designs

- State parks has coordinated with DAC and BCOM to develop prototype designs of trail related structures. To date, approved plans have been completed for trail bridges and trail head kiosks. The next design to be prepared will be trail boardwalks.
- Following the internal agency permitting process, individual parks can use these prototype designs versus each project requiring the preparation of stamped and sealed drawings for every stream or drainage crossing.

Virginia Outdoors

- All park information currently on the kiosk
- Virtual Trail Tours
- Dynamic web page, regularly changing with new information
- Podcast downloads for various park sites
- Enhanced content and articles
- Seasonal and special event content updates

- Backyard Classroom Curriculum
- Redesigned virginiaparks.org web site

A copy of Mr. Elton's presentation is available from DCR.

HB 2088 Rails with Trails Study Update

Mr. Munson gave an overview of the HB 2088 Rails with Trails Study.

The Executive Summary of the Study Report read as follows:

The 2009 Session of the General Assembly, through HB 2088 stated the following: "No later than December 1, 2009, the Department of Rail and Public Transportation, the Department of Game and Inland Fisheries, and the Department of Conservation and Recreation shall develop a process to coordinate and evaluate public recreational access and safety issues directly related to new railroad projects, if appropriate, that are funded in whole or in part by the Commonwealth, and shall send a report to the Chairmen of the House and Senate Transportation Committees communicating the results."

The Virginia Department of Rail and Public Transportation (DRPT), the Virginia Department of Conservation and Recreation (DCR) and the Virginia Department of Game and Inland Fisheries (DGIF) developed these recommended processes and procedures. In order to accomplish this, staff from the respective departments held stakeholder meetings with representatives from CSX Transportation (CSX), Norfolk Southern (NS), the Virginia Railroad Association (VRA), Bike Walk Virginia, Virginia Bike Federation, Float Fishermen of Virginia, Friends of the Rivers of Virginia, Richmond Area Bicycling Association, local governments and other recreational user groups to gain input on the proposed process to address recreational and safety issues and consider public recreation access to new railroad projects.

In addition, the departments consulted the Virginia Department of Transportation (VDOT) and the United States Department of Homeland Security, Transportation Safety Administration (TSA) for technical guidance on infrastructure design and safety parameters. In collaboration with the stakeholders above, the departments determined that a reference guide of design practices together with a process to identify and establish a recreational interface with rail lines would be an appropriate approach to the legislative mandate. The agreed upon process for communication between the departments, host railroads and trail stakeholders is detailed in Section 2. This process establishes two opportunities for incorporating trails or pedestrian crossings. The first is through a trail proposal submitted to DCR who will then coordinate with the host railroad. The second is through identifying proposed Rail Enhancement Fund projects and cross-referencing with existing trail proposals, as identified by DCR.

This report was developed to fulfill the requirements of HB2088. The report was reviewed by the various stakeholder groups and provides project development and design

considerations for Rails with Trails/Pedestrian Crossings (RWT/PC) along the active right-of-way (ROW) of railroads, with more specific considerations given toward the development of these trails in Virginia. Recreational advocate groups have stated that RWT/PCs and public access alongside or adjacent to active rail lines in the Commonwealth of Virginia could serve as a link to a growing interconnected system of trails that run along the East Coast and through the Commonwealth. Railroad operators, however, have expressed concerns about the safety impacts to rail operations, liability of RWT/PC public access and the impact of liability in the design and decision process. Trail advocate groups believe that Virginia Code §29.1-509 (Virginia Landowner Liability Law) could provide indemnification to the railroads for RWT/PCs. The railroads do not necessarily share the trail advocates' confidence in the liability law. Outside the purview of this document the Virginia landowner liability law discussion will continue in the future.

The design considerations and proposed process for incorporating recreational uses into new railroad projects presented in this report are for generic application only and intended as conceptual tools to be utilized by recreational or trail advocates, state agencies and host railroads to identify and consider possible applications of public access along active rail lines. No specific right-of-way, train frequencies or speeds are assumed. In addition, this report does not consider potential financial and/or political constraints, or legal and liability issues related to the development of trails along operating railroad ROW. However, the report does discuss in general Virginia's landowner liability law, Virginia Code §29.1-509, and compares to other states with similar provisions.

Mr. Munson said that the report was submitted to the General Assembly on December 1, 2009. He agreed to provide members with a final copy of the full report.

Mr. Smith asked what official role the Board had with regard to the study.

Mr. Munson said that this was for informational purposes only.

Public Comment

Mr. Bill Tanger, Board Chair of the Friends of the Rivers of Virginia said that his group represents over two dozen other conservation and recreation groups. He said the groups have a personal interest in the trails issue.

Mr. Tanger said that boaters are traditionally on the wrong side of the tracks and trespass on a daily basis for water access. He said that many people cross railroad tracks in unauthorized locations.

Mr. Tanger expressed concern regarding the funding restrictions as outlined in the report.

State Parks Project Fund

MOTION: Ms. Mason moved that the Board of Conservation and Recreation approve the following State Park Project Fund request:

Project 09-01 New River Trail State Park

Request to establish an ongoing project for Foster Falls Festival of Lights.

Park is requesting to set up a project that will allow them to raise and spend funds collected in support of the Foster Falls Festival of Lights. The park has already raised \$1,679.45 for the 2009 Festival.

SECOND: Mr. Wingo

DISCUSSION: None

VOTE: Motion carried unanimously

Natural Area Preserve Showcase Open House Report

Mr. Tom Smith gave the following report.

Report on Fall 2009 Natural Area Preserve Open House Events

Natural Area Preserve System Facts and Figures

- 59 Natural Area Preserves
- \$71,365,839 (54% State, 46% Other)
- 49,531 acres
- Smallest: 22 ac (Unthanks Cave)
- Largest: 7000 ac (Parramore I.)
- NLR 3,440; Crow's Nest 2,900
- 562 Rare Plant, Rare Animal and Exemplary Natural Community Occurrences
- 22 preserves with public access
- System has doubled in size since 2001 (19,825 acres)
- 8 GF NAP field staff
- 1 GF NAP manager
- Personnel budget: \$600K
- Non-personnel budget: \$30K?
- Equipment budget: \$0
- Down from 13 GF positions and \$250K non-personnel in 2002

NAP Communications Plan

Goal: Do a better job of telling the "Natural Heritage Story"

Strategies:

- Promote “Showcase” Preserves with existing public access
- Develop a new NAP System guide brochure
- Work with local Master Naturalist chapters, universities, etc. to establish new and strengthen existing volunteer stewardship groups
- Enhance directional and on-site interpretive signage
- Conduct special “open-house” events at the Showcase NAPs

Showcase NAP Open House Events – Fall 2009

Savage Neck Dunes (Northampton Co.) – Oct. 10

Pinnacle (Russell Co.) – Oct. 21

Buffalo Mountain (Floyd Co.) – Oct. 24

Dameron Marsh/Hughlett Point (Northumberland Co.) – Oct. 27

Grassy Hill (Franklin Co.) – Oct. 31

Crow’s Nest (Stafford Co.) – Nov. 7

Event Overview

- A welcome to the Preserve of the day, but really to “Your” Natural Area Preserve System
- Overview of the Preserve, thank you and certificates for key volunteers
- Overview of the Preserve System
- Some examples of the issues we face today:
 - North Landing River, once our Flagship, now our Ghostship
 - Zero dollars for trucks, equipment
 - One Operations Steward for 30 Eastern VA Preserves
 - Two Mountain Stewards manage 17 Preserves from NC to the Maryland-WV Line
 - Crow’s Nest remains closed.
- Introduction to the hike for the day

Savage Neck Dunes Event

- Saturday, October 10, 2009
- Organized by Eastern Shore Steward, Dot Field
- 9:00 AM to 2:00 PM
- Small turnout due to competing fall events/festivals
- 12 participants

Pinnacle Event

- Organized by Claiborne Woodall, Southwest Region Steward
- Wednesday, October 21, 2009
- 9:00 AM to 2:00 PM
- Good turnout, perfect fall weather

- 50 participants, including Del. Bud Phillips, Russell County Administrator Gillespie, and BCR member Jennifer Wagner
- Dedication of plaque to TNC's Don Gowan
- Guided hike
- Covered by Joe Tennis of the Bristol Herald Courier

Buffalo Mountain Event

- Organized by Claiborne Woodall, Southwest Region Steward
- Saturday, October 24, 2009
- 9:00 AM to 3:00 PM
- Weather: Rain ended morning just before event
- 80 participants, including Sen. Roscoe Reynolds and Floyd County BOS member Fred Gerald
- Certificate of Appreciation to BM Volunteer Stewardship Committee Chair, Jack Price
- Guided hike to mountain summit
- No press coverage

Dameron Marsh / Hughlett Point Event

- Organized by Rebecca Wilson, Chesapeake Bay Region Steward
- Tuesday, October 27, 2009
- 10:00 AM to 3:00 PM
- Weather: Overcast, but no rain
- 50 participants including Kilmarnock Town Manager Tom Saunders, Del. Albert Pollard and Albert's mom
- Certificates of Appreciation to Volunteer Stewardship Committee members
- Guided hikes to both preserves (11:00 AM; 1:00 PM)
- Rappahannock Record press coverage

Grassy Hill Event

- Organized by Bryan Wender, Mountain Region Steward
- Saturday, October 31, 2009
- 9:00 AM to 12:00 Noon
- Weather: Overcast, rainy
- 10 participants, rainy weather caused poor turnout
- Certificates of Appreciation to Volunteer Stewardship Comm. members
- Guided hike up Grassy Hill
- No press coverage

Crow's Nest Event

- Organized by Rick Myers, Natural Areas Manager
- Saturday, November 7, 2009

- 9:00 AM to 4:00 PM
- Weather: Perfect sunny fall day
- 100 participants, including Stafford BOS member Paul Milde and Free Lance Star publisher Nick Cadwallender
- Unveiling of commemorative plaque
- Four guided hikes
- Press - Jonas Beals, Free Lance Star

Chairman Smith thanked Mr. Smith for the presentation. He asked if the next round would be the same areas or would focus on different Natural Area Preserves.

Mr. Smith said that had not been decided. He said that in terms of staffing and capacity not many events could be added.

Director's Report

Mr. Maroon gave the Director's report.

Mr. Maroon said that the Sailor's Creek facility was one of nine new park visitor centers being added to the system. These centers were built with General Obligation Bond funds. He noted that the Sailor's Creek building was a LEED Certified Silver building. He asked Mr. Davy to speak to that.

Mr. Davy said that this was the third certified building that DCR had completed, but was the first silver building. He noted that all of the windows were high performance solar glass. The roof is a metal reflective roof. The building is designed and oriented to maximize sun exposure in the winter and reduce heat in the summer.

Mr. Davy noted that there had been very little ground disturbing activity on the site.

Mr. Maroon said that the state was about 35,000 acres away from Governor Kaine's land preservation goal of 400,000 acres. He said that the indications were that those final acres would be recorded before Governor Kaine left office. He said that DCR made significant contributions towards that goal.

Ms. Mason thanked Mr. Maroon for DCR's efforts toward the goal. She said that the significance could not be overstated.

Mr. Maroon noted that in 2008 the General Assembly allocated \$30 million towards land acquisition. Those funds helped with obtaining the Crow's Nest property.

Mr. Maroon said that DCR also acquired land in Henry County for a future state park along the Mayo River and bordering North Carolina. The Virginia park will adjoin a North Carolina park.

Mr. Maroon said that the Master Planning process had begun for the Middle Peninsula State Park.

Mr. Maroon said that at the August meeting, the Board approved a resolution both commending and encouraging the Department of Transportation to complete the remaining ten miles of trail between High Bridge and Burkeville. He said that unfortunately VDOT was no longer an option for this work. He said that DCR would have to either work through the competitive bid process or encourage another public entity to complete this work.

Mr. Maroon noted that at a previous meeting staff had given a review of several state park regulations and made recommended changes. He said those changes were currently before the Governor for review.

Mr. Maroon said that the Governor would be releasing his proposed budget later in the week. He said that DCR had already sustained about \$10 million in cuts this year. He said that it affected every division of the Agency. He said that DCR had lost 15 full time positions, which included 13 layoffs. This also included enhanced retirements.

Mr. Maroon said that DCR had one Agency bill to move forward in the upcoming session. That bill dealt with the establishment of cultural heritage sites. He said that the Agency expected to see more legislation that would relate to Agency programs as the session neared.

Public Comment

Chairman Smith asked if there was additional public comment.

Mr. Tanger said that he was concerned about the work of the Invasive Species Working Group. He said that it appeared nothing had been done. He said that the work was very important.

Mr. Maroon said that the Invasive Species Working Group had met in early December and took specific actions, particularly in regard to beach vitex.

Other Business

There was no other business.

Adjourn

There was no further business and the meeting was adjourned.

Respectfully submitted,

Mark E. Smith
Chair

David A. Johnson
Director