

**Board of Conservation and Recreation
January 6, 2023
Pocahontas State Park, Chesterfield, Virginia**

TIME AND PLACE

The meeting of the Board of Conservation and Recreation took place at 10:00 a.m. on Thursday, May 12, 2023, at Pocahontas State Park in Chesterfield, Virginia

BOARD OF CONSERVATION AND RECREATION MEMBERS PRESENT

Danielle Heisler, Chair	John W. Inge IV
Dexter C. Hurt, Vice Chair	Kat Maybury
Chief Walt “Red Hawk” Brown	Cisco Minthorn
Hon. James Cheng	Camilla Simon
COL. Eric Hoggard	Ross Stewart
Hunter H. Ihrman	

BOARD OF CONSERVATION AND RECREATION MEMBERS NOT PRESENT

Esther M. Nizer

DCR STAFF PRESENT

Andrew Smith, Chief Deputy Director
Frank Stovall, Deputy Director for Operations
Laura Ellis, Deputy Director for Administration and Finance
Melissa Baker, Director, Division of State Parks
Derrick Bolen, Special Assistant for Policy
David Bryan, State Parks Planner
Anne Chazal, Chief Biologist
Nathan Clark, Manager, Pocahontas State Park
Whitten Cluff, Executive Assistant for Operations
Michael Fletcher, Board and Constituent Services Liaison
Veronica Flick, Chief of Business Administration, Virginia State Parks
Kelly McClary, Director, Division of Planning and Recreation Resources
David Neudeck, Director, Public Communications and Marketing
Sharon Partee, Director of Finance
Timothy Shrader, Eastern Field Operations Manager
Samantha Wangsgard, Chief Environmental Planner

ESTABLISHMENT OF A QUORUM

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

CALL TO ORDER AND INTRODUCTIONS

Chairman Heisler called the meeting to order at 10:01 a.m. She welcomed members to Pocahontas State Park and called for introductions.

WELCOME TO POCAHONTAS – *Nathan Clark, Park Manager, Pocahontas State Park*

Mr. Clark welcomed members to Pocahontas State Park. With 7,919 acres, Pocahontas is the largest park in the State Park system.

Pocahontas was purchased for recreation in 1934 by the National Park Service. Most of the recreation area was completed during the summer of 1937 by the Civilian Conservation Corps. Pocahontas opened as a state park in June of 1946. The park hosts the Civilian Conservation Corps Museum which is dedicated to the Depression-era workers who helped build the state park system.

APPROVAL OF MINUTES FROM MAY 12, 2022

Ms. Maybury moved that the minutes from the May 12, 2022, meeting of the Board of Conservation and Recreation be approved as submitted. Mr. Minthorn seconded, and the motion carried.

DIRECTOR'S REPORT – *Andrew Smith, Chief Deputy Director, DCR*

Mr. Smith gave the Director's report on behalf of Director Matt Wells who was unable to attend due to another commitment. Mr. Smith gave the following highlights from the last year at DCR.

Land Conservation

- The Virginia Land Conservation Foundation awarded a record \$14.9 million in land conservation grant awards which will help protect over 14,000 acres.
- DCR finalized the acceptance of a gift of nearly 7,400 acres in Halifax County. This first ever joint project between the Natural Heritage Program and Virginia State Parks will be managed for biodiversity conservation and ultimately for public outdoor recreation that is compatible with the sensitive natural resources at the site.
- Northern Virginia Conservation Trust aided DCR in acquiring a 59-acre property.

State Parks

- 280 acres of land was acquired in Loudoun County for the development of Sweet Run State Park. This brings the size of Sweet Run State Park to 880 acres.
- In June, Governor Glenn Youngkin dedicated Seven Bends State Park in Shenandoah County. The park consists of 1,066 acres situated on the North Fork of the Shenandoah River.
- In April a new trail system at site of the future Mayo River State Park was opened in Henry County.
- The Inn at Foster Falls, located in the middle of New River Trail State Park, is nearing completion.
- Lt. Governor Winsome Sears unveiled a Virginia historical highway marker at Group Camp 7 at Pocahontas State Park, recognizing the camping area created for African Americans during the late 1930s.
- In February, Virginia State Parks launched a new reservation system.

Natural Heritage

- More than 78 acres of forest land on Poor Mountain has been conserved and added to the adjacent natural area preserve.
- Thanks to a donation from The Nature Conservancy, 258 acres along the Clinch River is now part of the Pinnacle Natural Area Preserve in Russell County.
- In 2019 and 2020, DCR worked closely with the Nature Conservancy and the Virginia Department of Environmental Quality to secure a \$208,000 grant to clean up the Russell tract adjacent to the Cedars Natural Area Preserve.

Planning and Recreation Resources

- The Division of Planning and Recreation Resources has begun work on the 2023 Virginia Outdoors Plan, working with VCU to implement the Virginia Outdoors Survey. The plan is expected to be completed by the end of the year.

INTRODUCTION TO AGENCY AND BOARD – *Frank Stovall, Deputy Director for Operations, DCR*

Mr. Stovall provided an introduction to the Department of Conservation and Recreation (DCR) and to the Board of Conservation and Recreation (Board).

DCR – Mission, Vision, and Values

The Department of Conservation and Recreation (DCR) is the state's lead natural resource conservation agency. DCR protects what Virginians care about – natural habitat, parks, clean water, dams, open space, and access to the outdoors.

What We Do

- DCR enables and encourages people to enjoy and benefit from Virginia's natural and cultural resources.

What We Value

- DCR values diversity of nature, culture, and communities to a sustainable and equitable future for recreational access and a healthy environment for all Virginians to enjoy.

How We Do It

- DCR accomplishes its mission through funding, expertise, education, acquisition, and improved access.

Powers and Duties of the Board

- Advise DCR's director on State Park master plans and substantial amendments.
- Review requests for grants or loans pertaining to outdoor recreation and trail development.
- Conduct fund-raising activities for the State Parks Project Fund and advise DCR's director on expending those funds.
- Review designations proposed for scenic rivers, scenic highways and Virginia byways.
- Advise the governor and director regarding protection of the Virginia Scenic River System.
- Help DCR as requested in duties and responsibilities pertaining to the DCR's programs.

DCR Leadership

DCR Director Matthew Wells is appointed by the governor.

There are four Deputy Directors:

- Andrew Smith, Chief Deputy Director
 - Public Communications and Marketing Office
 - Policy and Planning
- Frank Stovall, Deputy Director for Operations
 - Virginia State Parks
 - Division of Natural Heritage
 - Real Property Office
 - Planning and Recreation Resources/Design and Construction
 - Land Conservation
- Laura Ellis, Deputy Director for Administration and Finance
 - Finance
 - Information Technology
 - Risk Management
 - Procurement and General Services
 - Human Resources
- Darryl Glover, Deputy Director for Dam Safety, Floodplain Management, and Soil and Water Conservation
 - Soil and Water Conservation
 - Dam Safety and Floodplain Management

Mr. Stovall provided an overview of the Governor Youngkin's budget proposals.

Chief Brown noted that a proposal in front of the General Assembly would allow for members of the National Guard to enter parks without having to purchase a pass. He also noted that Fort Picket would be renamed for Colonel Barfoot on March 24, 2023. This is the first base to be named for a Native American.

Mr. Stovall noted in the proposal \$3,000,000 for the replacement of underground storage tanks. Ms. Maybury asked how many tanks this would cover.

Mr. Stovall replied that there were tanks in about twenty-five parks that needed to be replaced. He also advised that these tanks were for vehicle fuel, diesel, and gasoline, and noted that, currently, electric vehicles could not perform the necessary tasks for park maintenance.

FREEDOM OF INFORMATION ACT – *Michael Fletcher, Board and Constituent Services Liaison, DCR*

Mr. Fletcher provided an overview of the Freedom of Information Act (FOIA) regarding Board activity.

FOIA basically states that the public has a right to know what public business is being transacted.

Mr. Fletcher noted that a knowing violation of FOIA could carry a penalty of up to \$2,000 for the individual, not the agency or Board.

The two pillars of FOIA are:

- Public Records
- Meetings

Public records are:

- Documents, printed/electronic (including emails)
- Recordings
- Minutes (including draft minutes)

DCR maintains all official meetings, records, agendas, materials, and minutes. However, documents and emails for the purpose of transacting Board business are subject to FOIA.

Meetings

What constitutes a meeting?

- A formal meeting, such as today
- Meetings of designated subcommittees
- A meeting, informal or not, of three or more members of the body (or less than three if designated as a subcommittee)
- Email correspondence.

What DCR does:

- Establish time and location
- Post notice to website, Townhall, etc.
- Make agenda and materials available to the public
- Record and make available minutes, to include electronic recordings
- Post draft minutes within 10 business days
- Post final minutes within 3 business days following approval

Meetings are required for any vote, and for any official business.

Electronic meetings are generally prohibited, however, there are some exceptions.

Electronic meetings may be held if the Governor has declared a state of emergency (such as COVID)

- Members may participate electronically under certain circumstances
- A physical quorum must be present
- The member must not be able to attend the meeting due to illness, either personal or that of a family member
- The Board must adopt a policy to allow electronic participation

What else is considered a meeting?

- Email between more than two members
- Social Media (Facebook, Twitter, etc.)
- Chat Rooms

DCR will provide guidance regarding any electronic participation. Mr. Fletcher will coordinate and answer relevant questions.

FINANCIAL REPORT – Sharon Partee, Director of Finance

Ms. Partee gave an overview of the agency financial report.

**Department of Conservation and Recreation
 General Fund Appropriation and Expenditures
 Fiscal Year 2023**

FY2023 Legislative Appropriation	<u>\$ 431,138,368</u>
Appropriation Transfers and Adjustments	
Water Quality Improvement Fund Transfers	(315,596,531)
SWCD Dam Repair	(900,000)
Dam Safety/Flood Prevention & Protection	(10,732,147)
Land Conservation Fund Transfers	(16,000,000)
Central Appropriation Adjustments*	2,888,865
Discretionary Reappropriated Amounts**	102,500
	(340,237,313)
FY 2023 Total GF Appropriation Available for Operations	<u>\$ 90,901,055</u>

Division	Division Targets	YTD Actual <small>(As of November 30, 2022)</small>	Target vs Actual - %
Soil & Water Conservation	\$ 18,986,508	\$ 8,604,151	45.3%
Dam Safety	1,879,037	606,000	32.3%
Natural Heritage	4,426,908	1,840,458	41.6%
Land Conservation	2,058,388	960,463	46.7%
State Parks (Incl Breaks)	29,338,503	25,843,310	88.1%
PRR (Incl Design & Construction)	18,224,319	738,923	4.1%
Director's Office - Admin- Finance	13,098,527	4,656,073	35.5%
Grand Total	<u>\$ 88,012,190</u>	<u>\$ 43,249,378</u>	49.1%

* Adjustments for central service items approved in Virginia Acts of Assembly, Chapter 2, 2022 Special Session I. Pending allocation a
 Amounts obligated by the agency, but not expended by the end of the prior fiscal year.
 ** Mandated Balance carry forward, pursuant to section 4-1.05 1.b of Chapter 2, 2022 Acts of Assembly, Special Session I

**State Park Operating Revenues
 July 1, 2022 - November 30, 2022
 Fiscal Year 2023**

	FY23 Estimate	YTD Actual <small>(Through November 30, 2022)</small>	Prior Year YTD Actual <small>(Through November 30, 2021)</small>
Grand Total	<u>\$ 31,598,956</u>	<u>\$ 16,799,052</u>	<u>\$ 18,528,539</u>

**State Parks Project Fund
 Cash Balance
 As of November 30, 2022**

Project	Cash Balance November 30, 2022
USDA VA Tree Clean Water	\$ 300,072
Library of Virginia	67,364
Round Up Donations	126,130
Daniel Boone Wilderness Trail Interpretive Center	208,755
Garden Club YCC Supplies FY2019	6,242
Dupont MitgSuppt SR Watershed	4,690
Garden Club of VA - YCC	6,299
VA Serv & Conserv Corps	148,854
Wilderness Rd Cell Tower-Hist	20,000
Leesylvania Living Shoreline	8,647
Kiptopeke State Park- Vcenter	1,541
Dan River Basin Assoc Mayo Riv	17,500
Unobligated Balance	7,811
New River Fitness Trail	9,074
New River Trail Equestrian	9,172
Southwest Virginia Museum Slemo Interest Earnings	39,479
Southwest Virginia Museum Slemo Donations for Exhibits	14,717
Southwest Virginia Museum Slemo Donations for Collections Management	30,781
Southwest Virginia Museum Slemo Donations for Operational Support	4,871
Smith Mountain Lake Fishing Project	18,303
Grand Total	\$ 1,050,300

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

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

PRR Division Composition

- 16 Staff
- 4 Section Chiefs
- Manages over \$100 Million
 - Design and Construction (DAC)
 - Federal/State Grants

Program Areas

- Master Planning
- EIR and NEPA Processes
- Federal Grants, LWCF, RTP, ABPP
- Virginia Outdoors Plan
- Design and Construction
- Scenic Rivers and Statewide Trails

Master Plans/Scenic Rivers/Statewide Trails

Samantha Wangsgard, Chief Environmental Planner, DCR

Code Required State Park Master Plans

- 10-year Updates
 - Existing parks; reviewed and updated no less frequently than once every 10 years
- New Parks
 - Following substantial acquisition of land (for a new park)
- Out-of-Turn Amendments/Revisions
 - Following a substantial acquisition of land (\$500k+ land value)
 - Prior to undertaking substantial (\$500+) improvements to state parks
 - Other updates not specified in Code

Ms. McClary noted that there were no Master Plans before the Board at this meeting. The plan is to bring forward new plans at the Spring meeting.

Master Planning Study

- Review of the State of Planning at Virginia State Parks
- Benchmarking the State of the Profession
- Review of Industry BMPs and Standards
- SWOT Analyses of Subplans
- Development of New Planning Framework, Process, Product and Schedule
- Completion of Report

DCR Scenic Rivers Program

- Attention to rivers was originally mentioned in the 1965 “Virginia’s Common Wealth”
- Identify and protect significant river resources
- Va. Code “superior natural and scenic beauty, fish and wildlife, and historic, recreational, geologic, cultural, and other assets”
- Celebrated 50th anniversary in 2020

Benefits of the Scenic Rivers Program

- Encourages
 - Protection and preservation of Virginia rivers
 - Closer review of projects by state and local agencies – locality makes the request
- Requires:
 - DCR to administer
 - Local participation
 - General Assembly authorization
 - BCR Board approval
- Enhances opportunities for funding

Design and Construction

Doug Covington, Chief Project Manager, PRR

Construction Updates

- Total Projects: 45
 - Total Cost Value: \$85 Million
 - Maintenance Reserve: 19 Projects, \$3 Million of the total
 - ARPA Funds: \$25 Million

New Funds from 2022 General Assembly

- \$97 Million Total Funds
- \$45 Million Deferred Maintenance Various Parks
- \$5 Million Green Pastures
- \$1.9 Million Staunton River Dam
- \$22 Million State Park Shoreline Erosion Project

Completed Projects in 2020-2022

- Pocahontas Cabins
- Staunton River Cabins
- Seven Bends Development
- Natural Tunnel Lovers Leap
- Foster Falls Hotel
- Lake Anna Bathhouse

Major Projects Under Construction in 2023

- Westmoreland Shoreline Project
- Douthat and Fairy Stone Cabins
- Twin Lakes Dams
- Widewater Boat Ramp and ADA Paddle Launch
- Various Utility Projects at FS, CL, & BC
- Campgrounds at Bear Creek, Claytor Lake, First Landing, and Westmoreland
- New River Trail Bridges

At this time the Board recessed for lunch.

DIVISION OF NATURAL HERITAGE – *Anne Chazal, Chief Biologist, DCR*

Anne Chazal gave the Division report for Natural Heritage on behalf of Division Director, Jason Bulluck, who was unable to attend.

DCR's Natural Heritage Program

- Mission: Conserving Virginia's biodiversity through inventory, data and information sharing, environmental review, protection, and stewardship.
- Focus on:

- Rare plants and animals
- Rare and exemplary natura communities
- Significant caves and karst features

Virginia Natural Heritage Program Structure

- Inventory
- Karst Specialists
- Ecologists
- Protection
- Stewardship
- Environmental Review
- Information Management
 - Conservation Lands Database: analysis, mapping and modeling for conservation planning and data distribution

Inventory

- Botanists, zoologists, cave/karst scientists, and ecologists
- Find and document natural heritage resources
- Comprehensive, statewide inventory effort

Distribution of Natural Heritage Resources

- Tracked elements (1,978):
 - 189 vertebrates
 - 622 invertebrates
 - 730 plants
 - 436 natural communities
 - 1 geological feature
- Element occurrences (10,602)
 - 3,837 rare animal populations
 - 4,485 rare plant populations
 - 1,900 natural communities
 - 380 significant geologic features

Information Management

- Manages data
- Develops and maintains conservation planning tools
- Data sharing

ConserveVirginia

- Codified statewide land conservation map, identifying Virginia's highest priority lands for protection.

- Twenty-four priority data layers contributed from state and federal agencies and conservation organizations.
- The “ConserveVirginia Map” is a summary of all seven category inputs and can be used as an initial screening to determine if a potential land protection project qualifies as a ConserveVirginia priority.

Environmental Review

- Assess potential impacts of development projects and providing guidance for conservation projects (e.g., easements)
- Review – 3,000 projects a year

Most Natural Heritage Resources do not have legal protection

- DNH tracks 532 G1 and G2 species and communities (critically imperiled or imperiled), 313 plants and animals, 219 communities
- The 219 communities do not have any federal or state listing
- 26 plants and animals are not federally listed but are state listed
- This leaves 544 G1 – G2 natural heritage resources unlisted
- 107 of the non-listed G1 – G2 species and communities are known from 2 or 3 locations
- 154 of the non-listed G1 – G2 species and communities are known only from one location
- Without our role in environmental review, and if review were focused only on listed species, hundreds of species could go extinct with just one uninformed construction project

Natural Area Protection

Protect habitat through:

- Landowner education
- Support for resource management efforts
- Conservation easements
- Support for land conservation funding
- Acquisition of land through gift or purchase

Virginia Natural Area Preserve System

- Currently (2023) there are 66 preserves; 60,286 acres protected.
- Habitats for federally-listed species, state-rare plants and animals, and outstanding examples of Virginia’s natural communities.
- 44 preserves are DCR-owned and managed, 22 are owned by variety of landowners including TNC, VOF, ODU, DOF, Newport News, Fairfax County, and various private individuals.

1989 – Virginia Natural Area Preserves Act

- Established Virginia Natural Heritage Program (DCR – Division of Natural Heritage)
- Established a statewide system of Natural Area Preserves (NAPs) to be managed for the NHRs
- Authorized legal instrument (*Deed of Dedication*) to protect NAPs in perpetuity

- Defines “*Natural heritage resources*” (NHRs) as “...*the habitat of rare, threatened, or endangered plant and animal species, rare or state significant natural communities or geologic sites, and similar features of scientific interest benefiting the welfare of the citizens of the Commonwealth.*”
- Stipulates that Natural Area Preserves are to be managed in a manner consistent with the continued preservation of the NHRs they support
 1. Protect habitat for rare species and best examples of Virginia’s natural communities
 2. Research and education
 3. Compatible public outdoor recreation

Natural Heritage FY23 Operations Budget (personnel and non-personnel)

General Funds - \$4.4M

Non-General Funds - \$2.2M (competitive contracts and grants)

Natural Heritage Staff (48 FTE)

Administration – 4

Inventory – 13

Information Management – 6

Environmental Review – 4

Protection – 2

Stewardship – 19

Chief Brown commented on his connections and collaborations with with the Natural Heritage stewardship section regarding longleaf pine restoration and management.

Ms. Simon asked about tracking migratory populations of birds or monarchs. Ms. Chazal noted that, yes we have some information on these as elements including a migratory bird conservation site. But there are migratory corridors that are not in the DCR database.

Mr. Ihrman asked if DCR tracked invasive species. Ms. Chazal replied that DCR has an Invasive Species Biologist but that she was not familiar with the tracking process. She will follow up and provide the information.

Mr. Inge asked about volunteer opportunities for Natural Heritage. Ms. Chazal noted that several of the Natural Area Preserves have Friends groups that do volunteer service for us. Some volunteers assist with data processing. Getting volunteers coordinated to assist with field work has always been problematic.

DIVISION OF STATE PARKS – *Melissa Baker, Ph.D., Director, Virginia State Parks*

Dr. Baker gave the review of Virginia State Parks. She reviewed the Virginia State Parks Mission and noted that park staff are dedicated to that mission.

To conserve the natural, scenic, historic and cultural resources of the Commonwealth and provide recreational and educational opportunities consistent with the good stewardship of these lands, waters and facilities that leave them unimpaired for future generations.

History

- 1936 Virginia opens a system of six state parks
- 1940s through 1980s – a steady procession of new parks acquired and developed
- 1992 and 2002 Bond Referendums added new parks and development
- 2020s – Increasing support from the General Assembly for new parks and an aging system

Parks by the Numbers – Resources

- 41 State Parks
- 76,892 acres
- 33 sites on the National Register of Historic Places
- 2 National Historic Landmarks
- 2 National Natural Landmarks

Parks by the Numbers – Infrastructure

- 1,692 campsites
- 1,427 buildings
 - 313 cabins
 - 99 picnic shelters
 - 50 yurts
- 703 miles of trails
- 3 Marinas

*Parks by the Numbers – Visitation (2021)**

- 7,926,344 Visitors
- 16,198 interpretation programs
 - 237,638 attendees

*Dr. Baker noted that visitation numbers for 2022 were not yet available.

Parks by the Numbers – Public Safety (2021)

- 100 sworn Law Enforcement Rangers
- 7,947 calls for service
 - 170 medical and mental health assistance calls
 - 55 missing persons/search and rescue calls

Parks by the Numbers – Economic Impact

- \$323 Million
- For every \$1 in general tax revenue provided for state park operations, \$14.46, on average was generated in fresh money.
- Support 4,511 state and local jobs

Organization – Staffing

- 318 FTE positions
- 1,654 wage positions
- 214,522 volunteer hours
 - Equivalent to more than 103 full time employees

Strategic Initiatives

- State Park Planning
- Data Driven Decisions
 - GIS
 - Asset Management
 - RAPID project assessment
- Public Safety and Law Enforcement Accreditation
- Succession Planning
- Process Improvement

Mr. Hurt asked how the jurisdiction over state parks was divided between the Division of State Parks and the Division of Planning and Recreation Resources.

Dr. Baker noted that the divisions work well together. She advised that it was unique to Virginia to have planning and capital resources in a separate division.

Mr. Minthorn asked if there were issues with attracting staff.

Dr. Baker responded that the General Assembly keeps staff levels at a certain threshold. The addition of full-time staff must be approved by the legislature. She noted that DCR and the Division of State Parks regularly seek additional positions but noted that any request must be balanced with Department needs balanced with the Office of Management and Budget and the Governor's agenda.

Mr. Hurt asked about marketing aspects for State Parks.

Mr. Neudeck noted that DCR partners with the Virginia Tourism Corporation. He noted that marketing was reduced somewhat during the pandemic and advised that during that time many parks were already at capacity and sometimes turning away visitors.

A new marketing plan is being developed for the Spring and members should start seeing the results of that in the near future.

ELECTION OF OFFICERS

BOARD ACTION

Ms. Maybury nominated Mr. Hurt to serve as Vice Chairman of the Board. Chief Brown seconded. There were no further nominations and Mr. Hurt was elected unanimously.

Mr. Ihrman nominated Ms. Heisler to serve as Chair. Ms. Maybury seconded. There were no further nominations and Ms. Heisler was elected unanimously.

PUBLIC COMMENT

There was no public comment.

NEW BUSINESS

There was no new business.

NEXT MEETING

Mr. Stoval advised that DCR staff was developing plans for a spring meeting that would allow members to visit one of the new parks in the system. He advised that staff poll the Board regarding dates.

ADJOURN

There was no further business and the meeting adjourned at 1:46 p.m.