

**Virginia Land Conservation Foundation Board of Trustees
November 1, 2017
East Reading Room, Patrick Henry Building, Richmond, Virginia**

TIME AND PLACE

The meeting of the Virginia Land Conservation Foundation Board of Trustees took place at 10:00 a.m. on Wednesday, November 1, 2017 in the East Reading Room of the Patrick Henry Building, Richmond, Virginia.

MEMBERS PRESENT

The Honorable Molly Ward, Secretary of Natural Resources, Chair
Robert Lazaro, Jr., Vice Chair
Lindsay Reames for the Honorable Basil I. Gooden, Secretary of Agriculture and Forestry

Byron M. Adkins	Valerie D. Hubbard
R. Brian Ball	Anna Lawson
Glenda C. Booth	Julian Ottley
Susan E. Donner	The Honorable Albert C. Pollard, Jr.
Joan Fenton	Russell Vern Presley
The Honorable Emmet Hanger, Jr.	The Honorable John P. Woodley, Jr.

MEMBERS ABSENT

Steven L. Apicella	Paul V. Milde
Jay C. Ford	The Honorable Jill Holtzman Vogel

STATE AGENCY STAFF PRESENT

Clyde E. Cristman, DCR, Executive Secretary	John Mitchell, DCR
Rochelle Altholz, DCR	Angela Navarro, Deputy Secretary of Natural Resources
Suzan Bulbulkaya, DCR	Duncan Pitchford, OAG
Jason Bulluck, DCR	Jason Powell, Senate Finance Committee
Rob Evans, DCR	Sarah Richardson, DCR
Martha Little, VOF	Mike Santucci, DOF
Chris Ludwig, DCR	Tom Smith, DCR
Lisa McGee, DCR	Deb Van Duzee, DGIF
Larry Mikkelson, DCR	

OTHERS PRESENT

Rupesh Bharad, Transworld Business Advisors
Brenda Mead, Valley Conservation Council
Aaron Revere, RES
Ellen Shepard, Virginia's United Land Trusts
W. Lowrie Tucker, Conservation Services, Inc.

CALL TO ORDER

Secretary Ward called the meeting to order at 10:06 a.m. and asked for the calling of the roll.

ESTABLISHMENT OF A QUORUM

With fifteen (15) members present, a quorum was established.

APPROVAL OF THE MINUTES FROM SEPTEMBER 19, 2017 BOARD MEETING

Mr. Lazaro moved for the approval of the minutes of the September 19, 2017 meeting of the Virginia Land Conservation Foundation Board of Trustees as submitted. Ms. Lawson seconded and the motion carried with Ms. Fenton and Mr. Presley abstaining.

VIRGINIA LAND CONSERVATION UPDATES, *Thomas Smith, DCR*

Mr. Smith reported that a portion of the DuPont settlement had been set aside to expand the Cowbane Prairie Natural Area Preserve by 85 acres. Significant to Cowbane is the largest remnant of Appalachian Tallgrass prairie. The preserve is located on the western slope of the Blue Ridge in the Shenandoah Valley.

REPORT OF THE VLCF SUBCOMMITTEE, *The Honorable Albert C. Pollard, Jr.*

The subcommittee was tasked with coming up with a new vision and goals for land preservation. The subcommittee worked with Natural Heritage staff to identify the top 10-20% of lands to target for preservation using mapping software to prioritize ecological integrity, natural heritage lands, forestry and agricultural lands, wetlands, watershed models and more. DCR staff is working to also include cultural and historic resources and the public recreational lands model into the mapping. There is more work to be done but this exercise will provide a greater focus regarding land preservation.

DUPONT SETTLEMENT PROPOSED PROJECTS OVERVIEW, *Deputy Secretary Angela Navarro*

Deputy Secretary Navarro presented the following information regarding the DuPont – Waynesboro Natural Resource Damage Assessment and Restoration Settlement.

Impacted Watershed

- 35 miles of the Shenandoah River
- 100 miles of the South Fork Shenandoah River
- 24 miles of the South River

Natural Resource Damage Assessment and Restoration (NRDAR)

- Consent Decree approved: July 28, 2017
- All projects must be reviewed, evaluated, and selected by the two Trustees.

- Settlement funds are held in DOI NRDAR Fund and distributed when projects are identified.

Project Criteria

- Connection to injured resources
- Technical and regulatory feasibility
- Cost effective to plan, design, permit and implement
- Likelihood of measurable project success and sustainability
- Multiple natural resources or ecological service benefits are achieved

Preferred Restoration Alternative

- Land protection, property acquisition, and recreational and wildlife enhancements – for Board discussion.
- Projects to improve water quality and fish habitats – pending.
- Mussel propagation and restoration – pending.
- Neotropical migratory songbird full life cycle restoration – pending.
- Recreational fishing improvement projects – access points and Front Royal Hatchery renovations – pending.

Land Protection Projects

\$19.5 M for land protection, property acquisition, and recreational and wildlife enhancements.

Category Overview:

- Protection, acquisition, and enhancement of riparian and floodplain habitat within the South River and South Fork Shenandoah River watershed.

Goals:

- Benefit the same natural resources that were injured,
- Reduce habitat fragmentation, and
- Support or benefit key biological resources (wildlife and fish habitat, rare species, wetland features, etc.)

Proposed Schedule

Friday August 25, 2017	Stakeholder Meeting – announcement of proposal process.
Monday, October 9, 2017	Deadline for application submittal – three copies plus electronic submission required.
October 2017	Review & Score Proposals – Commonwealth of Virginia staff will review and make recommendations to the VLCF Board.
November 2017	VLCF Board will review proposals and make recommendations to Secretary of Natural Resources.

November 2017	Secretary of Natural Resources will provide recommendations to the Trustee Council.
November/December 2017	Final Decisions of projects for funding made jointly by Trustee Council.

Application Overview

- 42 applicants
- \$74.2 million requested
- 1.2 million acres

CLOSED SESSION PURSUANT TO CODE OF VIRGINIA § 2.2-3711(A)(3)

BOARD ACTION

Mr. Pollard offered the following motion:

In accordance with the provisions of Section 2.2-3711 (A) (3) of the Code of Virginia, I move that the Board go into closed meeting for the purpose of discussion or consideration of the potential acquisition of various parcels of real property for a public purpose, namely property which could be acquired with funds currently being held by the United States Department of Interior on behalf of the Secretary of Natural Resources and Fish and Wildlife Service as a result of the consent decree entered in the DuPont Waynesboro matter, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Commonwealth. Board members may be joined by the Executive Secretary, counsel for the Board, and staff of the Department of Conservation and Recreation. Board members shall only discuss such possible acquisitions and shall not discuss any other matters.

Mr. Lazaro seconded and the motion carried unanimously. The Board then convened in Executive Session.

BOARD ACTION

CERTIFICATION

Mr. Lazaro offered the following motion:

WHEREAS, the Virginia Land Conservation Foundation Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Commission that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Land Conservation Foundation Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted

from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Commission in the closed meeting.

Ms. Lawson seconded and Secretary Ward called for a roll call vote.

VOTE

Aye: Ward, Lazaro, Reames, Adkins, Ball, Booth, Donner, Fenton, Hanger, Hubbard, Lawson, Ottley, Presley, Woodley

Nay: None

The motion carried.

PUBLIC COMMENT

Mr. Tucker from Conservation Services, Inc. noted that 1.2 million acres was twice the size of Augusta County. He expressed his appreciation for how the process came together.

Mr. Revere with RES thanked the Board for the opportunity to present their application with the Valley Conservation Council. He encouraged the Board to look at restoration as well as preservation when selecting projects for funding. He further noted that permanency of the project as well as transparency in the process is important.

NEXT MEETING

The next meeting of the Virginia Land Conservation Foundation Board of Trustees is scheduled for 10:00 a.m. on Tuesday, November 28, 2017 in the West Reading Room of the Patrick Henry Building, Richmond, Virginia.

ADJOURN

There was no further business and the meeting adjourned at 12:03 p.m.

Respectfully submitted,

The Honorable Molly Ward
Secretary of Natural Resources
Chair

Clyde E. Cristman
Director, DCR
Executive Secretary