

Virginia Land Conservation Foundation Board of Trustees Meeting
Tuesday, September 22, 2020
10:00 a.m.
Electronic Meeting

TIME AND PLACE

The meeting of the Virginia Land Conservation Foundation Board of Trustees took place via Go To Meeting on Tuesday, September 22, 2020.

VIRGINIA LAND CONSERVATION FOUNDATION BOARD OF TRUSTEES MEMBERS PRESENT

The Honorable Matthew Strickler, Secretary of Natural Resources, Chair

Mary-Carson Stiff, Vice Chair

The Honorable Bettina Ring, Secretary of Agriculture and Forestry

Elizabeth Andrews

Andrew C. Jennison

James W. Beamer

Robert Lazaro, Jr.

Glenda C. Booth

The Honorable David W. Marsden

James F. Casey

The Honorable Albert C. Pollard, Jr.

Jay C. Ford

Russell Vern Presley

Robert Lazaro, Jr.,

Bruce VlK

Kat Imhoff

The Honorable John Paul Woodley, Jr.

VIRGINIA LAND CONSERVATION FOUNDATION BOARD OF TRUSTEES MEMBERS NOT PRESENT

Susan E. Donner

Sonya Powell

The Honorable Jill Holtzman Vogel

STATE AGENCY STAFF PRESENT

Clyde E. Cristman, DCR Director, Executive Secretary

Joshua Saks, Deputy Secretary of Natural Resources

Brad Copenhaver, Deputy Secretary of Agriculture

Rochelle Altholz, DCR

Melissa Baker, DCR

Ryan Brown, DGIF

Suzan Bulbulkaya, DCR

Linda Crowe, DCR

Gina Diccico, DCR

Michael Fletcher, DCR

Brian Fuller, DCR

Terry Lasher, DOF

Martha Little, VOF

Kelly McClary, DCR

Jason McGarvey, VOF

Lisa McGee, DCR
Krystal McKelvey, DCR
Larry Mikkelson, DCR
Wendy Musumeci, DHR
Gray O'Dwyer, Office of the Attorney General
Sharon Partee, DCR
Jen Perkins, VDACS
Sarah Richardson, DCR
Catherine Shankles, Office of the Attorney General
Tom Smith, DCR

OTHERS PRESENT

Parker Agelasto, CRLC
Lynda Frost, VAULT
Adam Gillenwater, American Battlefield Trust
Heather Groves
Rex Linville, PEC
Alan Rowsome, NVCT
Heather Richardson, The Conservation Fund
Peggy Sanner, Chesapeake Bay Foundation
Zachary Sheldon, The Nature Conservancy
Natasha Skelton, VAULT
Ellen Shepard, VAULT

ESTABLISHMENT OF A QUORUM

With sixteen (16) members of the Board of Trustees present, a quorum was established.

CALL TO ORDER

Secretary Strickler called the meeting to order at 10:00 a.m. and read the following statement.

Good morning, I would like to call this virtual meeting of the Virginia Land Conservation Foundation Board of Trustees to order.

Generally, public bodies are prohibited from meeting electronically under the provisions of the Freedom of Information Act (FOIA). However, emergency language approved by the Governor and General Assembly in April allows us to move forward with certain restrictions that I will outline below.

Before I review those provisions, please let me take a moment to review how this meeting will work. We want to allow for participation by Board members, staff, and members of the public

who wish to comment. However, it is essential that we are able to manage the conversation effectively.

Monitoring this meeting in the DCR offices in Richmond are Tom Smith, Suzan Bulbulkaya, Gina Diccico, and Michael Fletcher.

Please be patient with all of us as we work through this. We understand and appreciate the challenges.

Chapter 1283 of the 2020 Acts of Assembly, also known as the “Caboose Bill,” includes language addressing the ability of public bodies to conduct electronic meetings without the need for a quorum being present in a single physical location (“Electronic Meeting”).

This language was submitted as an amendment by the Governor and approved by the General Assembly at their April 22, 2020 reconvened Session. The Governor subsequently signed the Caboose Bill and the Bill was effective as of April 24, 2020.

The Caboose Bill allows public bodies to hold Electronic Meetings when the Governor has declared a state of emergency pursuant to §44-146.17 if:

“(i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location;

(ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body...and the discharge of its lawful purposes, duties, and responsibilities...” §4-0.01(g).

The Caboose Bill also has language regarding recordings and transcriptions of Electronic Meetings. Please be advised that this meeting is being recorded. This recording will be available to the public through the DCR website. The comments in the chat room will also be preserved as a public record. Official minutes of this meeting will be drafted and posted in accordance with regular procedures.

The Caboose Bill does not allow the Board to hold an Electronic Meeting to discuss or transact business for any purpose. Rather, they may do so as long as the agenda items that the public body plans to take up are: (a) statutorily required or (b) necessary to continue operations and discharge lawful purposes, duties and responsibilities.

It is the Board’s responsibility to determine whether “the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location.”

At the conclusion of my remarks, I will ask for a motion for the board to make this determination. If that motion fails, this electronic meeting will end at that point.

The Caboose Bill requires compliance with the provisions of § [2.2-3708.2](#). Therefore, in accordance with § 2.2-3708.2.D.2, public bodies must include a telephone number that may be used to notify the public body of any interruption in the telephonic or video broadcast of the meeting.

In the event that a disruption occurs, participants should contact Mr. Fletcher by phone or text at 804-317-8934.

Additionally, if there is an interruption in the broadcast, the meeting must be suspended until public access is restored.

Those provisions of the Virginia Freedom of Information Act not addressed by the Caboose Bill remain in effect.

Before we continue with the business portion of the meeting, I will ask Mr. Fletcher to call the roll for Board members and anticipated staff. Other participants will be recorded through the chat window. If you are participating by phone and your name is not called, please call or text Mr. Fletcher at 804-317-8934.

In addition, if at any time you lose connection and are unable to reconnect, please contact Mr. Fletcher at the same number.

I will now turn to Mr. Fletcher for the calling of the roll:

Mr. Fletcher called the roll:

PRESENT: Strickler, Stiff, Ring, Andrews, Booth, Casey, Ford, Lazaro, Imhoff, Jennison, Marsden, Pollard, Presley, VlK

ABSENT: Donner, Powell, Vogel

Mr. Fletcher certified that a quorum was present.

Secretary Strickler called for a motion to certify the electronic meeting.

Mr. Lazaro moved the following:

The Virginia Land Conservation Foundation Board of Trustees certifies that the nature of the declared COVID-19 emergency makes it impracticable or unsafe for the Board to assemble in a

single location and further that the agenda items to be taken up at this meeting are necessary to continue operations and discharge lawful purposes, duties, and responsibilities of the Board.

Dr. Casey seconded and the roll call vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Imhoff,
Jennison, Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

The motion carried.

Secretary Strickler continued.

I want to explain further how we will handle participation by board members, staff, and the public. Everyone, except the individual presenting materials for an agenda item, will be muted. Once the presentation is completed, the board members, and only board members, will be unmuted for discussion. Staff will assist me with ensuring board members are recognized when they have questions or comments. As needed, staff will be unmuted to address questions or concerns. Members of the public will be able to ask questions and provide input by utilizing the chat box function only. As time allows, we will respond to those questions and comments.

At the appropriate times, we will open the lines for public comment. Please be respectful and patient.

We will now proceed with the business of the Board as outlined in the agenda.

Secretary Strickler welcomed new members Senator David Marsden, Elizabeth Andrews, James Beamer, Andrew Jennison, and Sonya Powell. Ms. Powell was unable to attend the meeting.

ELECTION OF A NEW VICE CHAIR

Secretary Strickler thanked Mr. Lazaro for his service to the Board. Mr. Lazaro's term effectively ended on June 20, 2020. He continues to serve until replaced. Secretary Strickler called for nominations for a new Vice Chair.

Mr. Ford nominated Mary-Carson Stiff to serve as Vice Chair. Mr. Lazaro seconded and there were no further nominations. The vote was as follows:

AYE: Strickler, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Imhoff, Jennison,
Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

ABSTAIN: Stiff

The motion carried and Secretary Strickler welcomed Ms. Stiff as the new Vice Chair.

APPROVAL OF MINUTES FROM NOVEMBER 22, 2019 MEETING

BOARD ACTION

Mr. Lazaro moved that the Board approve the minutes from the November 22, 2019 meeting of the Virginia Land Conservation Foundation Board of Trustees. Mr. Ford seconded and the vote was as follows:

AYE: Strickler, Still, Ring, Booth, Casey, Ford, Lazaro, Jennison, Marsden, Pollard, Presley, Vlk

NAY: None

ABSTAIN: Andrews, Beamer, Imhoff

SUCCESSFULLY COMPLETED VLCF GRANT AWARDS – *Suzan Bulbulkaya, Land Conservation Manager, DCR*

Ms. Bulbulkaya presented the update regarding completed VLCF grant awards.

The following four VLCF grants have successfully closed since the November 22, 2019 VLCF Board meeting.

1. Roanoke County Parks, Recreation, and Tourism – Carvins Cove Connector (FY2018)

This multi-faceted project resulted in the fee acquisition by Roanoke County of 242 acres near the intersection of Timberview and Dutch Oven Roads and along the Virginia Deer Trail to provide a trailhead and parking facilities, facilitating public use of the trail. The project creates a connection between the Hanging Rock Battlefield Trail and the trails within Carvins Cove Nature Reserve. In addition, the project contains 3,600' of frontage along Mason Creek, allowing for the possibility of public fishing, wading, and kayaking in the future. This property was acquired by the county in May 2019 and the grant was closed in May 2020 after the required conservation provisions were put in place.

Although this grant pre-dates ConserveVirginia, this property falls within the Natural Habitat and Ecosystem Diversity layer of ConserveVirginia. Thirty-four acres of the property are protected by a Virginia Outdoors Foundation open-space easement, the remainder is protected by the county.

Grant Award: \$69,980. **Payment Amount:** \$69,980. **Match:** \$581,373.

2. American Battlefield Trust – Culpeper Crossing Tract at Rappahannock Station Battlefield (FY2018)

The American Battlefield Trust utilized a VLCF grant to assist with the purchase of this important 12-acre battlefield property situated along the scenic Rappahannock River in Culpeper County. The property is under easement to the Department of Historic Resources (DHR), protecting its Civil War-related conservation values. The property has frontage along James Madison Highway, which is a component of the Journey Through Hallowed Ground American Byway. The trust intends to restore and provide interpretive information on the tract for the public to learn more about this important site during the wartime crossing of the Rappahannock River. This project closed in May 2020.

This project also pre-dates ConserveVirginia. It falls within the Cultural and Historic Preservation layer and the Scenic Preservation layer of ConserveVirginia. These resources are protected by a DHR open-space easement.

Grant Award: \$82,159. **Payment Amount:** \$82,159. **Match:** \$2,454,316.

3. Virginia Department of Forestry – White Easement (FY2018)

This grant funded the partial purchase of an open-space easement that protects 618 acres of forest and farmland in Southampton County. The property fronts the Meherrin River for nearly 1.5 miles and contains 450 acres of forestland of which 86 percent is classified as high forest conservation value. The property supports the occurrence of two natural heritage resources associated with the wetlands. The easement establishes a habitat protection area over the wetlands that is composed of tupelo/cypress forest cover and also safeguards the river frontage and nearly 10,000 feet of streams that flow directly into the river. This project also contributes significantly to the interagency effort of establishing corridors of connected conserved lands along the rivers in southeast Virginia. This project closed in July 2020.

This project pre-dates ConserveVirginia, as well. It includes property located within the Natural Habitat and Ecosystem Diversity layer and the Floodplains and Flooding Resilience layer of ConserveVirginia. These resources are protected by a Department of Forestry open-space easement.

Grant Award: \$50,000. **Payment Amount:** \$50,000. **Match:** \$1,215,990.

4. Northern Virginia Conservation Trust – Crow’s Nest Natural Area Preserve Southern Boundary Addition (FY2020)

In coordination with Stafford County and DCR, Northern Virginia Conservation Trust (NVCT) has been working to preserve land on Crow’s Nest peninsula for over 20 years, starting with the acquisition of NVCT’s flagship 70-acre Potomac Creek Heronry property in 1995. The recent purchase of a 113-acre parcel, immediately adjacent to the heronry, was accomplished using this VLCF grant. The property has been dedicated to DCR as an addition to the Crow’s Nest Natural Area Preserve, which now protects 3,055 acres. NVCT’s objective is to protect the heronry from encroaching development pressure and this recent purchase furthers this important goal. The property will be managed by DCR as part of the preserve, which allows public use. This project closed in February 2020.

This FY2020 project falls within the Natural Habitat and Ecosystem Diversity, the Floodplains and Flooding Resilience, and the Protected Landscapes Resilience layers of ConserveVirginia. The property is now owned by NVCT and the resources are protected by an open-space easement and natural area preserve dedication held by DCR.

Grant Award: \$256,000. **Payment Amount:** \$256,000. **Match:** \$275,892.

Ms. Bulbulkaya reported that there are currently four open grants from the FY18 VLCF grant round that have been granted a one-year extension. They are all due to close by November 1, 2020.

There are also currently 18 open grants from the FY20 VLCF grant round. They are all moving forward and several are expected to close by the end of 2020.

VIRGINIA LAND CONSERVATION FUND FINANCIAL UPDATE – *Sharon Partee, Director of Finance, DCR.*

Ms. Partee gave the following financial update:

VIRGINIA LAND CONSERVATION FOUNDATION
Fund Statement as of August 31, 2020

OBLIGATED FUND BALANCE -June 30, 2018 \$ 7,144,979

INCOME

FY18 Stewardship Funds	\$ 1,418,289
FY19 Stewardship Funds	\$ 1,507,831
FY20 Stewardship Funds	\$ 2,125,898
FY19 Appropriation - Chapter 2	\$ 0
FY20 Appropriation - Chapter 854	\$ 4,500,000
FY21 Appropriation - Chapter 1289	\$ 4,500,000
FY19 Interest	\$ 129,997
FY20 Interest	\$ 171,646
FY21 Interest	\$ 0
TOTAL INCOME	\$14,353,661

DISBURSEMENTS

FY19 Stewardship Fund Disbursements	\$ 1,418,289
FY20 Stewardship Fund Disbursements	\$ 1,507,831
FY21 Stewardship Fund Disbursements	\$ 0
FY19 Grant Payments	\$ 2,378,176
FY20 Grant Payments	\$ 1,627,477
FY21 Grant Payments	\$ 50,000
FY19 Open Space Preservation (VOF) Payments	\$ 0
FY20 Open Space Preservation (VOF) Payments	\$ 1,125,000

FY21 Open Space Preservation (VOF) Payments	\$ 0
FY19 Administrative Expenses	\$ 94,588
FY20 Administrative Expenses	\$ 73,077
FY21 Administrative Expenses	\$ <u>111,320</u>
TOTAL DISBURSEMENT	\$8,285,758

OBLIGATED FUND BALANCE -August 31, 2020 **\$13,212,882**

VIRGINIA LAND CONSERVATION FOUNDATION
Restricted Fund Statement
As of August 31, 2020

OBLIGATED FUND BALANCE - June 30, 2017 \$0

INCOME

FY18 Mitigation Funds Received - Dominion (Skiffes Creek)	\$12,500,000
FY18 Mitigation Administrative Funds Received - Dominion (Skiffes Creek)	\$ 625,000
FY18 Interest	\$ 147,674
FY19 Interest	\$ 204,884
FY20 Interest	\$ 131,408
FY21 Interest	\$ <u>0</u>
TOTAL INCOME	\$13,608,966

DISBURSEMENTS

FY18 Grant Payments	\$ 200,000
FY19 Grant Payments	\$ 7,014,191
FY20 Grant Payments	\$ 40,907
FY21 Grant Payments	\$ 0
FY18 Administrative Expenses	\$ 15,193
FY19 Administrative Expenses	\$ 8,254
FY20 Administrative Expenses	\$ 208,739
FY21 Administrative Expenses	\$ <u>11,708</u>
TOTAL DISBURSEMENT	\$7,496,992

OBLIGATED FUND BALANCE - August 31, 2020 **\$8,111,975**

REQUEST TO SPEND INTEREST GENERATED BY THE FUND FOR THE VLCF ADMINISTRATIVE SUPPORT, PURSUANT TO VIRGINIA CODE § 120.1-1020 (G) – *Suzan Bulbulkaya*

Ms. Bulbulkaya advised the Board that § 10.1-1020 of the Code of Virginia states that up to \$250,000 per year of the interest generated by the Fund may be used for the Foundation's administrative expenses, including, but not limited to the expenses of the Board and its

members. She asked that the Board approve authorization for DCR to expend up to \$190,000 in FY2021 funds consistent with the provisions of the Code. The funding will be used in support of staff working to assist with grant management, tracking and stewardship to include acquisition assistance, site inspections of VLCF projects, development of a grants database to better monitor and report on grants, and land conservation database support of the Foundation's mission.

BOARD ACTION

Mr. Lazaro moved that the Virginia Land Conservation Foundation Board of Trustees approve the the request from the Department of Conservation and Recreation to expend up to \$190,000 in FY 2021 for use consistent with the legislative authority on the use of interest generated by the Fund, *Code of Virginia* § 10.1-1020.G. Ms. Imhoff seconded and the vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Imhoff, Jennison, Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

LAND PRESERVATION TAX CREDIT ITEMS

Update on LPTC Program Transfer Fee Revenues 2020 – Suzan Bulbulkaya

Ms. Bulbulkaya reported that the Virginia Department of Taxation had certified a transfer of \$2,125,898 to the Land Conservation Fund in accordance to subsection § 58.1-513 of the Code of Virginia.

Approval of distribution of the 2020 VLCF Stewardship Fund, pursuant to § 58.1-513 – Gina DiCicco, Land Conservation Specialist, DCR

Ms. DiCicco presented the following list of organizations recommended to receive funding.

2020 Virginia Land Conservation Foundation Stewardship Fund, § 58.1-513				
	AGENCY/LAND TRUST NAME	NUMBER OF DONATIONS	% OF TOTAL DONATIONS	AMOUNT OF FUNDS
1.	American Battlefield Trust (Civil War Trust)	6	1.10%	\$23,468.98
2.	Blue Ridge Land Conservancy	29	5.34%	\$113,433.38
3.	Capital Region Land Conservancy Inc.	6.5	1.20%	\$25,424.72
4.	City of Charlottesville	1	0.18%	\$3,911.50

5.	City of Harrisonburg	1	0.18%	\$3,911.50
6.	City of Staunton	1	0.18%	\$3,911.50
7.	County of Albemarle	23	4.23%	\$89,964.40
8.	County of Amherst	1	0.18%	\$3,911.50
9.	County of Chesterfield	3	0.55%	\$11,734.49
10.	County of Clarke	12	2.21%	\$46,937.95
11.	County of Fauquier	29	5.34%	\$113,433.38
12.	County of Fluvanna	1	0.18%	\$3,911.50
13.	County of Northumberland	0.5	0.09%	\$1,955.75
14.	County of Shenandoah	1	0.18%	\$3,911.50
15.	County of Stafford	1.5	0.28%	\$5,867.24
16.	County of Warren	0.5	0.09%	\$1,955.75
17.	Culpeper Soil & Water Conservation District	0.5	0.09%	\$1,955.75
18.	Eastern Shore Land Trust	1	0.18%	\$3,911.50
19.	Ever Green Team	36	6.62%	\$140,813.85
20.	Friends of the Rappahannock	1	0.18%	\$3,911.50
21.	Henricopolis Soil & Water Conservation Dist.	1	0.18%	\$3,911.50
22.	Historic Fredericksburg Foundation, Inc.	1	0.18%	\$3,911.50
23.	Historic Virginia Land Conservancy	9	1.66%	\$35,203.46
24.	Land Trust of Virginia	38.5	7.08%	\$150,592.59
25.	New River Land Trust	1	0.18%	\$3,911.50
26.	Northern Neck Land Conservancy	24.5	4.51%	\$95,831.65
27.	Northern Virginia Conservation Trust	2	0.37%	\$7,822.99
28.	Old Dominion Land Conservancy, Inc.	34	6.26%	\$132,990.86
29.	Piedmont Environmental Council	3.5	0.64%	\$13,690.24
30.	Potomac Conservancy	2	0.37%	\$7,822.99
31.	Rockbridge Area Conservation Council	1	0.18%	\$3,911.50
32.	Shenandoah Valley Battlefield Foundation	3.5	0.64%	\$13,690.24
33.	The 500-Year Forest Foundation	2	0.37%	\$7,822.99
34.	The Conservation Fund	1	0.18%	\$3,911.50
35.	The Nature Conservancy	3	0.55%	\$11,734.49
36.	Totopotomoy Battlefield at Rural Plains Foundation	1	0.18%	\$3,911.50
37.	Valley Conservation Council	8	1.47%	\$31,291.97
38.	Va. Dept. of Conservation & Recreation	2	0.37%	\$7,822.99
39.	Va. Dept. of Forestry	39	7.18%	\$152,548.34
40.	Va. Dept. of Wildlife Resources	1	0.18%	\$3,911.50
41.	Va. Dept. of Historic Resources	3	0.55%	\$11,734.49
42.	Virginia Outdoors Foundation	207	38.09%	\$809,679.64
	TOTALS	543.5	100.00%	\$2,125,898.00
	US Navy co-holds 1/2 interest in one easement, but is ineligible to receive payment, per § 58.1-513.			

BOARD ACTION

Mr. Lazaro moved that the Virginia Land Conservation Foundation Board of Trustees approve the distribution of the 2020 VLCF Stewardship Fund as recommended by staff. Mr. Pollard seconded and the vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Jennison, Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

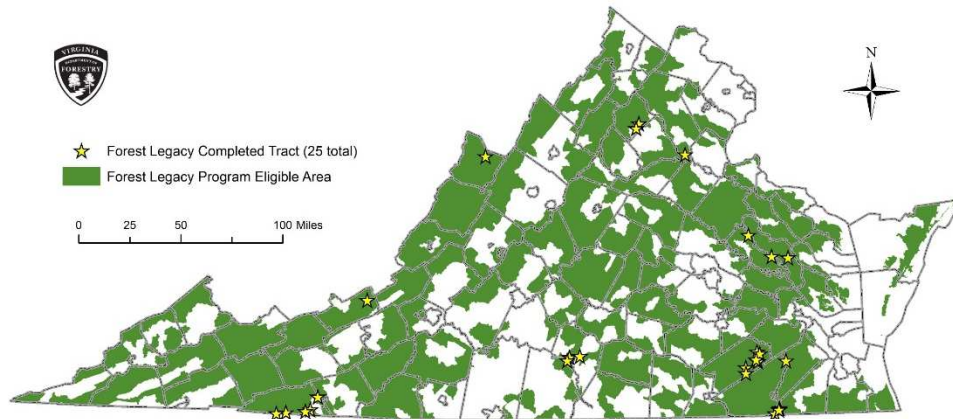
ABSTAIN: Imhoff

UPDATE ON FEDERAL GRANT FUNDS: FOREST LEGACY AND THE LAND AND WATER CONSERVATION FUND – *Andrew Fotinos, Forest Conservation Specialist, Department of Forestry, and Kristal McKelvey, Grants Program Manager, DCR*

Forest Legacy – *Andrew Fotinos*

Mr. Fotinos gave an update regarding the Forest Legacy Program.

- The Forest Legacy Program, a federal program in partnership with states, supports state efforts and state priorities to protect privately owned working forest lands.
- Virginia competes annually in a national competition to get eligible projects funded.
 - Over the past 10 years, Virginia has averaged \$1M/yr. of FLP grant awards.
 - With increases to LWCF funding, it is realistic to anticipate an increase to \$2M/yr.
 - FLP is compatible with state efforts to increase public access for recreation and hunting in underserved areas.



- New Projects...
 - Large scale, typically with one or more partners
 - A state entity or USFS must hold the fee/easement
 - Tracts must be at least 75% forested & within eligible area
 - Virginia can request up to \$20M in a given year

Secretary Ring noted that the Forest Legacy Program has been operating for more than 20 years. She noted that the program was an important tool for leveraging funding from state, federal and private sources.

Land and Water Conservation Fund - Kristal McKelvey

Ms. McKelvey gave the update regarding the Land and Water Conservation Fund.

Land & Water Conservation Fund
National Park Service – 50/50 Match Reimbursement

GRANT ROUND IS LIVE for Acquisition Projects

- September 15th – December 15th, 2020
- \$8 million available in LWCF Funding
- Eligible Applicants: Counties, Cities, Towns, Park & Recreation Authorities, Tribal Governments, State Agencies
- Properties must be for Public Outdoor Recreation in Perpetuity (w/plans for public access within 3 years)
- NEPA Reviews and Appraisals required
- <https://www.dcr.virginia.gov/recreational-planning/lwcf>

Great American Outdoors Act

- Federal Maintenance Projects

- LWCF Funded in Perpetuity
- Future Apportionments yet to be determined
- 7 Acquisition Projects moved forward from 2019 Grant Round (over \$4 million in LWCF Funding)
- Must report potential conversions on current 6(f) properties to DCR

Secretary Strickler thanked Mr. Fotinos and Ms. McKelvey for their presentations.

DISCUSSION AND APPROVAL OF THE VLCF FY21 GRANT ROUND – Suzan Bulbulkaya

Secretary Strickler noted that the FY21 grant round would be based on funding from the previous year's budget where the VLCF received \$4.5 million in funding. He advised that the goal of the Governor and the Board was to try to reach communities where VLCF grants have not been awarded in the past. These include areas where there is a need to increase public access to open space. The other concern is to harmonize grant standards with some of the other state environmental programs, including the Conservation Value Review program and Conserve Virginia.

Proposed grant expenditure plan – Suzan Bulbulkaya

Ms. Bulbulkaya presented the proposed expenditure plan.

VIRGINIA LAND CONSERVATION FOUNDATION FUNDING SUMMARY PLAN FOR 2020 GRANT ROUND

	FUNDING CATEGORIES	FY21 Budget Bill Chapter 1289, Item 374 A.1.	TOTAL
1.	I. VOF Open-Space Lands Preservation Trust Fund (25% per § 10.1-1020 C.)	\$1,125,000	\$1,125,000
2.	II. Grant Program		
3.	(i) Farmland and Forest Preservation	\$843,750	\$843,750
4.	(ii) Historic Area Preservation	\$843,750	\$843,750
5.	(iii) Natural Area Protection	\$843,750	\$843,750
6.	(iv) Open Space and Parks	\$843,750	\$843,750
	TOTAL	\$4,500,000	\$4,500,000

Item 374 of Chapter 1289 of the 2020 Virginia Acts of Assembly

A.1. Included in the amounts for Preservation of Open Space Lands is ~~\$10,000,000~~ \$4,500,000* the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § [10.1-1020](#), Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § [2.2-1509.4](#), Code of Virginia. [Grant Funds]

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § [58.1-513](#), Code of Virginia. [Stewardship Funds]

*Due to current budget uncertainties, we are assuming a budget of \$4,500,000 for FY21 as appropriated in FY20.

Ms. Bulbulkaya presented the proposed timeline for the grant round.

Proposed FY21 VLCF Grant Schedule	
September 22, 2020	VLCF Board meeting to approve grant manual and initiate the grant round request for proposals (RFP).
Week of September 28, 2020	Announce official opening of grant round (update website and send emails).
Early October through November 2020	Grant Workshop via Zoom: orientation and program information for grant applicants. Continued outreach to underserved communities through November.
Monday, November 30, 2020	Deadline for application submittal.
Early and Mid December 2020	Interagency taskforce meetings to score projects - usually takes two meetings.
Early January 2021	SNR and Director's review of top-scoring projects.
Mid January 2021	VLCF Board meeting. Approval of grant awards.
By February 1, 2021	Grant agreements sent to grant recipients. Projects have two years to close.

Secretary Strickler recommended that actions on the grant round and the approval of the grant manual be taken together. He noted that the grant manual revisions were intended to make an effort to reach communities where VLCF funds have not been awarded in the past. The VLCF mapper helps to illustrate these areas. Proposals to the Open Space and Parks Category will benefit underserved populations.

[Proposed grant manual](#) – *Larry Mikkelson, Land Conservation Specialist, DCR*

Mr. Mikkelson reviewed proposed changes to the grant manual. The grant manual is available at the following link:

<https://www.dcr.virginia.gov/virginia-land-conservation-foundation/document/FINAL-2020-FY21-Grant-Manual.pdf>

Mr. Mikkelson noted the following:

- The majority of the changes were organizational.
- The grant manual was separated from the application.
- The new appendix outlines specifics of the grant program that were previously scattered throughout the document.
- In the Open Space and Parks category a scoring option was added for critically needed recreational opportunities.

- The option for additional points for underserved communities using the VIMS vulnerability index was added.
- Additional scoring opportunities were added for protecting cultural resources.
- Additions to Appendix D include new resource protections for Ag and Forestry lands.

Ms. Bulbulkaya noted that the Interagency Team believed the Open Space and Parks category was the best option for reaching out to underserved communities. She advised that removing the densely populated area requirement would help to reach other areas of Virginia that have not traditionally been funded.

Secretary Strickler noted that there was language proposed that would deal with conservation of land in densely populated areas or land under development. He asked Mr. Mikkelson to address those changes.

Ms. Bulbulkaya noted that the intent was to reach underserved communities. This seemed the best category to make changes to reach those communities. In looking at where VLFC funding has been sent in the past, a lot is in urban areas and a lot has not occurred in other parts of Virginia. Removing the densely populated requirement could help to reach other areas.

Secretary Strickler noted that the goal of taking out language regarding densely populated areas is so that VLFC will be able to better target underserved areas.

Director Cristman advised that this would add the ability for a new park area that may not be in a densely populated area that was critically needed to help provide recreational opportunities.

Ms. Imhoff asked how stakeholders were brought into the discussion.

Mr. Burrell responded that there have been discussions with regard to how equity would be included. He also noted that this has been discussed in the report from the Environmental Justice Council. He advised that due to COVID some of the discussions had not happened as would have been desired, but noted that this continues to be an ongoing work.

Mr. Ford suggested that an ad hoc subcommittee might be helpful to have discussions regarding the grant manual and moving forward.

Secretary Strickler noted that he would discuss that with staff and have the creation of an ad hoc committee as part of the discussion at the next meeting. Interested members should contact the Secretary or Director Cristman.

Secretary Strickler recommended a language change in the Open Space and Parks category. He suggested that the phrase “for underserved communities” before “expand existing parks.”

Secretary Strickler called for comment from the members of the public who had preregistered.

Ellen Shepard commented that the hope was that the funding be retained in the budget. She advised that the conservation community is still processing what is being included. She suggested that it would be helpful to have a redline copy to follow the changes. She offered the expertise from the conservation community going forward.

Parker Agelasto thanked the Board for the work to establish the amended criteria. He noted that he was pleased to see amended language to address some of the equity issues. Previously the Open Space and Parks category presented a disadvantaged to lower income applicants. He advised that he supported bringing stakeholders into the process.

BOARD ACTION

Mr. Lazaro moved that the Virginia Land Conservation Foundation Board of Trustees approve the FY21 Grant Manual as presented by staff and as amended. Dr. Casey seconded and the vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Imhoff, Jennison, Marsden, Pollard, Presley, VlK, Woodley

NAY: None

The motion carried.

2017 DOMINION SURRY-SKIFFES CREEK GRANT ROUND – *Linda Crowe, Land Conservation Specialist, DCR*

Ms. Crowe presented the update on the Dominion Surry-Skiffes Creek grant round.

Overview

- \$12.5 million of restricted funding from Dominion to mitigate for adverse impacts of the Surry-Skiffes Creek overhead powerline at Jamestown.
- Governed by Memorandum of Agreement between the US Army Corps of Engineers, Dominion, and other stake-holder signatories.

Primary Focus Areas

- Battlefield Conservation:
 - Battle of Yorktown and Fort Crafford;
 - Development of public interpretive programs, signage, and exhibits; and

- Landscape preservation with an emphasis on projects within the James River watershed benefitting the historic properties and district; and
- Landscape scale conservation that may lead to precluding future river crossings and non-compatible shoreline development within the Area of Potential Effects (“APE”).

2017 Project Updates

2017 Grant Round	\$ 12,500,000				
Amount Granted:	\$ 12,390,600				
Amount Not Allocated:	\$ 109,400				
	2017 Grant Amount	Amount Spent	Project Balance	Status	Balance Remaining Post Project Closure
1. Chickahominy on the Powhatan	\$ 3,450,000	\$ 3,163,571	\$ 286,429	Project closed	\$ 286,429
2. Belmead on the James	\$ 750,000	-	\$ 750,000	Project released	\$ 750,000
3. DCR Yorktown Civil War Battlefield	\$ 3,600,000	-	\$ 3,600,000	Extended through 03-31-2021	
4. Malvern Hill Farm	\$ 200,000	\$ 200,000	-	Project closed	
5. Battlefield Bluffs at Yorktown	\$ 3,600,000	\$ 3,600,000	-	Project closed	
6. Colonial Williamsburg Tract	\$ 100,000	-	\$ 100,000	Extended through 03-31-2021	
7. Egger Tract at Williamsburg	\$ 300,000	-	\$ 300,000	Extended through 03-31-2021	
8. Endview Plantation Interpretive Project	\$ 115,000	\$ 21,000	\$ 94,000	Extended through 11-30-2020	
9. Ft Crafford 3D Laser Scan Inter. Project	\$ 275,600	\$ 247,120	\$ 28,480	Extended through 11-30-2020	
Total:	\$ 12,390,600				\$ 1,036,429
Amount Not Allocated					\$ 109,400
Avail. balance for new projects					\$ 1,145,829

Proposed Second Grant Round

Available Funds

Unallocated from original \$12.5 million:	\$109,400
Balance after Chickahominy on the Powhatan project closure:	286,429
Released from Belmead Project	750,000

TOTAL AVAILABLE FOR 2020 GRANT ROUND \$1,145,829

Proposed 2020 VLCF Dominion Surry Skiffes Creek Grant Schedule	
September 22, 2020	VLCF Board approve and initiate the grant round request for proposals (RFP).
Week of September 28, 2020	Announce official opening of grant round (update website and send emails).
Tuesday, October 6, 2020	Virtual Grant Workshop: orientation and program information for grant applicants.
Friday, October 30, 2020	Deadline for application submittal.
Early & Mid November 2020	Interagency taskforce meetings to score projects - may take two meetings.
Late November 2020	SNR and Director's review of top-scoring projects.
Early December 2020	VLCF Board meeting. Approval of grant awards.

By February 1, 2021

Grant agreements sent to grant recipients. Projects have two years to close.

BOARD ACTION

Mr. Lazaro moved that the Virginia Land Conservation Board of Trustees approve the proposed 2020 VLCF Dominion Surry-Skiffes Creek grant round as proposed by staff. Ms. Stiff seconded and the vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Booth, Casey, Ford, Lazaro, Imhoff, Jennison, Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

ABSTAIN: Beamer

The motion carried.

DISCUSSION AND APPROVAL OF THE VLCF REQUEST FOR PRE-APPLICATIONS: GRANT MANUAL AND RANKING TO THE GENERAL ASSEMBLY AS REQUIRED BY CODE OF VIRGINIA § 10.1-1020 (B) – *Suzan Bulbulkaya and Larry Mikkelson*

Ms. Bulbulkaya advised that Chapter 539 of the 2019 Virginia Acts of Assembly set out a new process for conducting land conservation grant rounds offered by the Virginia Land Conservation Foundation established in 1999 under Va. Code §§ 10.1-1017 through 10.1-1026.

This Pre-application Grant Round would be conducted to generate a ranked list of potential land conservation projects to be provided by the Chairman of the Board of Trustees to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance by December 15, 2020.

This Pre-application Grant Manual and the process described herein, is intended to generate project proposals that will be ranked and form the required list to be reported to the General Assembly.

Should grant funding be provided in the state budget for fiscal year 2022, then the VLCF Board will hold a full grant round to award those funds during calendar year 2021. The request for proposals will be open to all eligible applicants, including those who submit pre-applications for this process and those who did not.

Ms. Bulbulkaya presented the proposed timeline.

Proposed FY22 VLCF Pre-Application Schedule	
September 22, 2020	VLCF Board meeting to approve grant manual and initiate the Pre-Application process.
By September 25, 2020	Announce official opening of Pre-Application period (update website and send emails).
October 30, 2020	Deadline for Pre-Application submittal.
Mid November 2020	Score and rank Pre-Applications and compile report.
By December 15, 2020	Provide ranked projects and report to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and VLCF Board.

BOARD ACTION

Mr. Pollard moved that the Virginia Land Conservation Foundation Board of Trustees approve the Grant Manual and Timeline for the Pre-Applications for VLCF projects as required by the Code of Virginia § 10.1-1020. Mr. Ford seconded and the vote was as follows:

AYE: Strickler, Stiff, Ring, Andrews, Beamer, Booth, Casey, Ford, Lazaro, Imhoff, Jennison, Marsden, Pollard, Presley, Vlk, Woodley

NAY: None

The motion carried.

BRIEFING FROM THE VIRGINIA COUNCIL ON ENVIRONMENTAL JUSTICE – *Nathan Burrell, Deputy Director of Government and Community Relations, DCR*

Mr. Burrell gave a report from the Virginia Council on Environmental Justice.

Environmental Justice and the Virginia Land Conservation Foundation

Conserve Virginia 2.0

Cultural and historic preservation category update includes priority for historic justice and equity.

Environmental Justice

- EO-29 - Virginia Council on Environmental Justice (VCEJ) established on January 22, 2019
- Focus during 2020 General Assembly session

Virginia Passes Historic Environment Justice Legislation

- HB1042 – Permanently establishes the Virginia Council on Environmental Justice as an advisory body to the Executive Branch
 - Sunset on July 1st 2023
- SB406 – The Virginia Environmental Justice Act – further establishes the meaning of Environmental Justice, and what constitutes an EJ community as well as Populations of color.
 - Directs Secretaries and State agencies to develop policies and strategies to incorporate EJ in mission specific ways.
 - Establishes an interagency EJ working Group to further integrate and coordinate EJ efforts across State Agencies.

VCEJ Committee on Outdoor Access – Recommendations

- Public spaces should serve everyone.
- Equal and equitable access to these spaces and natural areas is critical to fostering healthy communities.
- Statewide Park Equity Mapper
- Update to grant manuals
- Access for all

DCR's Diversity, Equity and Inclusion (DEI) Efforts

- DEI Committee with cross-sectional representation
- Division-level review for equity practices
- Accountability measures and benchmarks related to DEI
- Agency-wide DEI learning activities

PUBLIC COMMENT

There was no additional public comment.

ADJOURN

There was no further business and the electronic meeting adjourned at 12:30 p.m.