MEMORANDUM

TO: MPCBPAA

FROM: Jacqueline Shapo, NOAA CSC / ECO Coastal Management Fellow

DATE: April 3, 2007

RE: April 13th PAA Meeting

This announcement serves as notice to call a meeting of the Public Access Authority on Friday, April 13, 2007 at 11:00 a.m. The meeting will be held in the MPPDC Regional Board Room. Lunch will be provided.

The agenda and related materials follow. If you have any questions, please call (804-758-2311) or e-mail (jshapo@mppdc.com) me at your convenience.

AGENDA

1. Welcome and Introductions
2. Approval of February Minutes
3. Financial Report
4. Public Comment
5. Election of New PAA Officers
6. VACO insurance premium
7. DCR-CBLA Signage Project
8. Browne Tract improvements
9. Browne Tract Ribbon Cutting Ceremony (Friday, May 4, 2007 – 1:00pm)
   a. Dragon Run Conservation Area Roundtable
   b. Potential Speakers
   c. Talking Points
   d. Invitee List
10. TNC Land Donation Opportunities
    a. New Point Comfort
    b. Mattaponi River Megasites
    c. Guinea Marshes
11. CELCP update
    a. Current Acquisitions and Match Property
    b. New CELCP Acquisitions
12. Other Business
    a. Possible land donation – Gloucester
    b. Working Waterways & Waterfronts 2007 Symposium
    c. General Assembly Budget
13. Chairman Observations
14. Next Meeting
15. Adjourn
1. Welcome and Introductions

The Middle Peninsula Chesapeake Bay Public Access Authority held its meeting in the Middle Peninsula Planning District Commission Board Room in Saluda, Virginia, at 12:00pm on February 9, 2007.

Chairman Whiteway called the meeting to order. Members and Alternates present were Frank Pleva, King William County Administrator; Terri Hale, King William County Assistant Administrator; Ron Hachey, King & Queen County Administrator; Gary Allen, Essex County Administrator; Louise Theberge, Gloucester County Board of Supervisors; Trenton Funkhouser, West Point Town Manager; and Jimmy Sydnor, Tappahannock Assistant Town Manager. Also present were Bill Pruitt, MPPDC and MPCBPAA Lobbyist; Lewis Lawrence, Director of Regional Planning MPPDC; Jacqueline Shapo, NOAA Coastal Management Fellow; and Sara Stamp, SAMP Director MPPDC.

2. Approval of December Minutes

Chairman Whiteway requested a motion to approve the December 2006 Minutes. Mr. Allen moved that the Minutes be approved. Mr. Pleva seconded the motion. Motion carried by unanimous vote.

3. Treasurer’s Report

Chairman Whiteway requested a motion to approve the December 2006 Treasurer’s Report. Mr. Allen moved that the Report be approved; Mr. Pleva seconded the motion. Motion carried by unanimous vote.

4. Public Comment

There was no public comment.

5. Report on Dragon Run Steering Committee Recommendations for Conservation Holdings – Sara Stamp, MPPDC

Ms. Stamp gave a presentation on the Dragon Run Steering Committee’s report, entitled Recommendations for Management of Public and Non-governmental Organization (NGO) Holdings Acquired for Conservation Purposes in the Dragon Run Watershed. Discussion that followed focused on whether the recommendations should be applied first to new (ex. CELCP) or extant (ex. Browne Tract) holdings in the watershed. Additional recommendations from the Dragon Run Watershed Special Area Management Plan (SAMP) will be applied to the property.
chosen to permit the development of a habitat management plan using SAMP monies. Mr. Lawrence and Mr. Allen suggested that the SAMP monies be used to create a habitat management plan for one of the new CELCP acquisitions (to be named later). Chairman Whiteway requested a motion to approve utilization of SAMP monies on the CELCP acquisition. Mr. Allen moved that the motion be approved; Mr. Hachey seconded the motion. Motion carried by unanimous vote.


Mr. Lawrence noted that the annual VACO insurance premium of $1661.00 is due and inquired whether the Authority wished to approve payment of the premium. The Authority approved payment of the insurance policy but requested that Mr. Lawrence inquire whether any additional land acquisition by the PAA might cause a change in the umbrella policy.

7. DCBLA Sign Project

Ms. Shapo reported on developments associated with the Department of Conservation and Recreation – Chesapeake Bay Local Assistance Division’s Dragon Run Buffer Signage Project. A sample interpretive sign was presented for Authority review, and a suggestion was made to add the PAA logo to each sign. Development, approval by CBLA, production, and installation of all 10 signs must be completed by March 31, 2007.

8. Browne Improvements

   a) Results of 2005-2006 Browne Tract Hunting Survey: Ms. Shapo presented the results of the 2005-2006 Browne Tract Hunting Survey. Registered Browne Tract hunters, who responded to the survey (33/60), appeared to be unscathed by use conflict on the parcel but predicted future conflict and agreed with enhancement of the trail demarcation system to impede any potential conflicts. Hunters also appeared to approve of their overall experience on Browne; yet, some were concerned with the visible “increase in the number of registered hunters” and the “lack of preferred game species”. Ms. Shapo presented some recommendations as to how to incorporate hunters’ concerns into the development of a habitat management plan and multi-usage plan on the Browne Tract and the new CELCP acquisitions.

   b) Canoe/Kayak Stand: Mr. Lawrence discussed possible implementation of a canoe/kayak stand between the Browne Tract footbridge and nature viewing station on the Dragon Run Swamp. Mr. Lawrence requested that BFI funds be used to purchase construction materials. Inmates from the Middle Peninsula Regional Security Center will then be recruited to build the stand at no cost. Chairman Whiteway requested a motion to approve canoe/kayak stand construction and expenditure of the funds. Mr. Funkhouser moved that the motion be approved; Mr. Pleva seconded the motion; motion carried by unanimous vote.

   c) Wood Duck Box – Habitat Improvement Project ($300): Mr. Lawrence discussed potential construction of wood duck boxes as part of the habitat management plan for the Browne Tract. The boxes are designed to provide nesting sites for wood ducks,
so that they may have habitat to rear offspring and enhance the population. Construction materials will cost about $300, and inmates of the Middle Peninsula Regional Security Center or the local Boy Scouts may be commissioned to build and install the boxes at no cost. Chairman Whiteway requested a motion to approve wood duck box construction and expenditure of the funds. Mr. Funkhouser moved that the motion be approved; Mr. Pleva seconded the motion; motion carried by unanimous vote.

d) Official Grand Opening – Browne Tract: Mr. Lawrence requested that Ms. Shapo plan the official grand opening of the Browne Tract. It may be held in-conjunction with the April 13, 2007 PAA meeting. County board members, legislative delegates, and members of the regional PDCs are potential invitees. The new Browne Tract bronze plaque, commemorating construction of the footbridge, will be unveiled.

9. General Assembly Update

Mr. Lawrence noted that the budget amendment approved by the House has allotted $75,000 to the PAA. Mr. Lawrence also presented legislative updates applicable to the PAA, focusing specifically on two bills, which would have affected the mission of the PAA, had they not been amended: House Bill 1658 – land acquisition surveys and House Bill 2781 – road ending/landing acquisitions for conservation purposes without requirement of abandonment or discontinuance.

10. TNC Land Donation Opportunity: King William, Mathews, Gloucester

Mr. Lawrence requested that General Assembly monies allotted to the PAA in the FY08 budget ($20,000) be utilized to acquire properties owned by The Nature Conservancy in King William/King&Queen (on the Mattaponi River near Horse Landing Road), Mathews (New Point Comfort tracts), and Gloucester (Guinea Marshes Islands). These properties are prime public access and hunting grounds. They would be donated by TNC, and General Assembly monies would be used predominantly for title work. Chairman Whiteway requested a motion that the GA monies be used for property acquisition. Mr. Allen moved that the motion be approved; Mr. Pleva seconded the motion.

11. CELCP Update

Mr. Lawrence provided the CELCP update, noting that all of the paperwork necessary to complete acquisition of the Dragon Bridge, Jackson, and Haworth Tracts and use the Batten property as match in the CELCP process is still under review by NOAA. The value of the match property (Batten) exceeded $1 million; consequently, it will be used as match for all of the CELCP monies earmarked for land acquisition in 2005. Mr. Lawrence also commented on the residual 2005 CELCP monies ($568,810), for which the VA Department of Forestry submitted a proposal to NOAA to use the monies to acquire fee simple or place a conservation easement on the Powell property, located in the center of the Dragon Run Watershed. As the proposal allows for forestry practices and forest health management, should NOAA not approve the proposal, DOF has agreed to transfer the funds to the PAA to permit continued land acquisition in the watershed.
12. Other Business

Mr. Lawrence mentioned the new PAA fact sheet, which was developed to outline current and recent accomplishments of the PAA. It was suggested that Ms. Shapo draft a cover letter to all local county administrators and send 25-30 copies of the publication to each member for distribution.

13. Chairman Observations

None.

14. Next Meeting

The next meeting of the Middle Peninsula Chesapeake Bay Public Access Authority will be held Friday, April 13, 2007 at 11:00am. This meeting may be held in-conjunction with the grand opening of the Browne Tract.

15. Adjourn

Chairman Whiteway requested a motion that the meeting be adjourned. Mr. Allen moved that the motion be approved; Mr. Pleva seconded the motion. Meeting was adjourned.

______________________________
Steve Whiteway
Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission

Period 07/01/06 to 03/31/07

Run Date: 04/04/2007
Run Time: 2:23:30 pm
Page -1 of 1

32001 PAA Administration

Project Period 7/31/2004 to 6/30/2010

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## Revenue and Expenditure Report by Element

### Middle Peninsula Planning District Commission

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**Run Time:** 2:23:30 pm  
**Period:** 07/01/06 to 03/31/07

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**Project Period:** 7/31/2004 to 6/30/2010

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**Project Revenues:** 59,161.00 21,555.75 0.00 37,605.25 59,161.00 0.00 100.00%
## Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission  
**Run Date:** 04/04/2007  
**Run Time:** 2:23:30 pm  
**Period:** 07/01/06 to 03/31/07  
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### 32001  PAA Administration

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Potential Talking Points for Browne Tract Ribbon Cutting – Delegate Morgan

- PAA enabled by General Assembly in 2002 to serve the public access needs of the encompassed communities throughout the Middle Peninsula

- Mission: to identify, acquire, and manage public water access opportunities in the region

- PAA is comprised of local government representatives and is a tool for localities to make decisions related to local land acquisition and sustainable public access

- Responsive and innovative solution for swift land acquisition opportunities and regional public access strategic planning and implementation

- PAA is a tool that allows for the leverage of significant federal, state, and private dollars
  
  o Leveraged almost $3,000,000 in federal, state, and private funds for land conservation in the Dragon Run Watershed since 2003

  o Acquired the Browne Tract (274 Acres) in the Dragon Run Watershed as the region’s first multi-use public access facility. Federal funds leveraged totaled $392,000. Responded and closed land acquisition in less than 90 days.

  o Since acquiring the Browne Tract, the PAA has leveraged $37,500 from a grant through BFI, Allied Waste Services, and the King and Queen Sanitary Landfill to do the following:
    - Cut nature trails and establish a temporary trail demarcation system
    - Erect wooden footbridge leading into the tract
    - Construct gravel parking lot
    - Install double-occupancy hunting stands
    - Purchase disposable hunting vests for visitors
- Establish welcome/regulatory and hunter registration signs at the entrance

- Frequently partners with state and federal agencies, non-governmental organizations, and private citizens to promote land acquisition and public access enhancement
Potential Talking Points for Browne Tract Ribbon Cutting – Laura McKay

- Numerous collaborative efforts between the VA CZM Program and the PAA related to enhancing public access and land conservation in the Dragon Run Watershed and throughout the Middle Peninsula
  - PAA, as a local entity, is excellent solution for swift land acquisition and regional public access strategic planning and implementation

- Federal CZM Program and CELCP monies are largest contributors to protecting Dragon Run

- Leveraged $1.4 million in CELCP and CZM Program grants to PAA to purchase the Browne Tract and the 3 current CELCP acquisitions, as well as draft the Browne Tract Management Plan

- $1 million FY 05 CELCP monies used currently for Dragon Run Watershed acquisitions, totaling 356 acres in King & Queen County (Dragon Bridge, Jackson, and Haworth Tracts)
  - Additional CELCP acquisitions with remaining FY05 CELCP monies presently under review
  - Tracts will be linked with currently-protected neighboring forest and swamp lands, such as Browne, to stabilize, protect, and expand the zone of conservation within the entire Dragon Run Watershed.
  - Long-term stewardship plans will be developed utilizing the formula established in the Browne Tract Management Plan and recommendations published by the Dragon Run Steering Committee in the report, *Recommendations for Management of Public and Non-governemental Organization (NGO) Holdings Acquired for Conservation Purposes in the Dragon Run Watershed*
    - Stewardship plans incorporate passive public access to associated land- and water-based ecosystems, habitat core conservation, and multiple, traditional land and water uses

- Remind visitors to speak with congressional representatives about the value of CZM and CELCP dollars
Potential Talking Points for Browne Tract Ribbon Cutting – PAA Staff

- PAA’s Mission: to identify, acquire, and manage public water access opportunities in the region
  - Look to own and manage more than 1000 acres in the Middle Peninsula by end of 2007
  - Acquisitions possible due to generous support from partners, such the CZM Program, NOAA CELCP Program, BFI/Allied Waste Services, The Nature Conservancy, DCR-CBLA, Chesapeake Bay Restoration Fund, and private citizens

- Innovative solutions to manage public access acquisitions
  - Utilize local inmates for construction and maintenance of public access projects
    - Nature trails and footbridge constructed by inmates of the Middle Peninsula Regional Security Center involved in a work program with the PAA. Wards of the state may now repay their debt to society by improving public access to Browne and throughout the Middle Peninsula
  - Leverage local disability services boards to enhance disabled features in PAA-managed areas
  - Rebuild public infrastructure after catastrophic hurricane events
  - Produce educational brochures about the PAA and its acquisitions
  - Coordinate with other local entities to maximize conservation efforts in sensitive areas

- Browne Tract as a model for land conservation and public access acquisitions in the coastal zone

- Future projects on the Browne Tract
  - Utilize Chesapeake Bay Restoration Fund grant and labor from local inmates to enhance trail demarcation system with reassurance markers (blazes)
  - Develop Browne Tract Aquatic and Wildlife Habitat Management Plan using recommendations published by the
Dragon Run Steering Committee in the report, *Recommendations for Management of Public and Non-governmental Organization (NGO) Holdings Acquired for Conservation Purposes in the Dragon Run Watershed*

- Identify, quantify, and characterize key and sensitive habitats and species present
- Address methods to enhance local and migratory wildlife populations
- Categorize extant invasive species and provide for management techniques to prevent their further spread
- Discuss creation of resource protection areas and “special management areas” to demonstrate Best Management Practices (BMPs) for timber harvesting
- Present a plan for wildfire prevention and control

- Design wood duck boxes as part of the Browne Tract Management Plan – utilize inmates of the Middle Peninsula Regional Security Center or local Boy Scouts to build/erect boxes
- Construct canoe stand/launch ladder between the footbridge and nature viewing station to give kayakers/canoers access to the Dragon Run Swamp
- Continue to evaluate hunters’ preferences on Browne to avert conflicts among multiple users

• Continue enhancing efforts to acquire and manage fee simple or public access rights on small, medium, and large parcels of land, thus creating or expanding access points to Middle Peninsula and VA coastal zone waterways
Potential Acquisitions from TNC

1. Trimmer Tract – Mathews County
   - 35.28 acres
   - General Warranty Deed
   - Viable hunting grounds for waterfowl
   - Important Bird Area
   - Supports numerous avifauna populations, including sedge wrens, northern harriers, prairie warblers, and eastern meadowlarks, brown-headed nuthatches, and chuck-will’s-widows
   - Federal Threatened State Threatened (FTST) species documented in and around southern portion of this parcel: bald eagle, loggerhead sea turtle, piping plover, and the northeastern beach tiger beetle
   - Significant threats from Phragmites and enhanced sea-level rise/subsidence
   - 2 miles north of New Point Comfort Lighthouse/Natural Area Preserve
   - ~ 3 miles to closest public access site (Potato Neck Landing) as listed in the Chesapeake Bay, Susquehanna River, and Tidal Tributaries Public Access Guide

2. New Point Comfort Parcels (110.95 acres total) – Mathews County
   - ** TNC will develop a habitat management plan for all 5 parcels before any potential transfer to the PAA**
   - All have General Warranty Deeds
   - All Important Bird Areas
     - DGIF’s VA Birding and Wildlife Trail passes through some parcels
     - Support numerous avifauna populations, including clapper rail, seaside sparrow, marsh wrens, brown-headed nuthatches, and chuck-will’s-widows
   - FTST species documented near or within all 5 parcels: loggerhead sea turtle, Kemp’s Ridley sea turtle, piping plover, and the northeastern beach tiger beetle
   - Support largest concentration of salt marsh habitat in the lower Bay
   - Significant threats from Phragmites and enhanced sea-level rise/subsidence
   - High potential for use conflict exists on most parcels
   - 0.7 miles southeast of the Trimmer Tract
   - < 1 mile north of New Point Comfort Lighthouse/Natural Area Preserve
   - ~ 3.7 miles to closest public access site listed in CBPA Guide (Potato Neck Landing)

   a. **Ralph Vincent, Inc 1-11**
      - 10.25 acres
      - Easternmost parcel has two Tier 1 species

   b. **Combs 1&2**
      - 3.25 acres

   c. **St. Christopher's School**
      - 94.95 acres
      - Northwest and southeast corners of parcel each have two Tier 1 species
      - Currently open to public access
- If compatible with TNC restrictions, suitable waterfowl hunting site

d. Hartley
  - 0.5 acres

e. Kane
  - 2 acres

3. Mattaponi River Megasite (Garrett Tract) – King William County
   - 12.5 acres
   - General Warranty Deed
   - Viable hunting grounds for waterfowl
   - Important Bird Area
   - FTST species documented near this site: bald eagle, sensitive joint-vetch
   - Anadromous Fish Use Area (Time-of-year fishing restrictions in effect, as this area has migration pathways, spawning grounds, or nursery habitats for anadromous fishes)
   - Downstream from Aylett Landing (public access site) by ~ 8.7 miles
   - Upstream from public access sites (Melrose Landing and Waterfence Landing) by ~15 miles and ~30 miles, respectively

4. Mattaponi River Megasite (Taylor's Marsh Tract) – King and Queen County
   - 4 acres
   - **Special Warranty Deed**
   - Important Bird Area
   - FTST species documented in the vicinity of this parcel: bald eagle
   - Anadromous Fish Use Area
     - Excellent spawning and nursery habitat for alewife and blueback herring, shad, and striped bass
     - Excellent largemouth bass and catfish fishing area
   - High potential for use conflict
   - Directly across from (<0.02 miles) closest public access site, Walkerton Landing
   - ~6 miles downstream from public access site, Aylett Landing
   - Has dock at south end of parcel and footbridge (which connects to the mainland) at north end
   - Has remnants of old bridge in center of tract

5. Guinea Marshes – Gloucester County
   - 188.5 acres
   - General Warranty Deed
   - Viable hunting grounds for waterfowl
   - Important Bird Area
     - Numerous colonial waterbird nesting colonies on the islands
   - FTST species documented near this parcel: loggerhead sea turtle
   - ~ 7 and 7.2 miles from closest public access points listed in CBPA Guide (Gloucester Point Beach and Gloucester Point Landing)
   - House visible on largest parcel (Big Island) on aerial imagery
   - Significant cultural advantages to PAA owning these islands
   - Ecotourism potential is very high
Although this data has been used by the Middle Peninsula Chesapeake Bay Public Access Authority (MPCBPAA), no warranty, expressed or implied is made by the MPCBPAA as to the accuracy or application of the database and related materials, nor shall the fact of distribution constitute any such warranty; and no responsibility is assumed by the MPCBPAA in connection herewith.
Potential new CELCP Acquisitions

1. Robert Norman Property (King & Queen County)
   - 30 Acres of low-lying Baldcypress Swamp
     o Abuts northeast corner of Haworth Tract
     o Located directly on the Dragon Run Swamp (~ 2650 feet water frontage)
     o Although no direct roadside frontage (access to this tract would be mostly on foot through Haworth Tract), acquiring this parcel will double water frontage along Haworth Tract.
   - Estimated value: $30,000 (TNC still has to conduct timber cruise and appraisal)
   - PAA would purchase parcel directly from TNC after TNC buys the land from Robert Norman

2. Rhoads and Parmenter Tracts (Gloucester County)
   - 2 tracts: 212 Acres Total, 106 Acres each of low-lying Baldcypress Swamp and 4-5 year old loblolly pine stands
   - Appraised value ($260,000 – based on access issues)
     o Complication: review and research necessary related to access issues
   - Lies to the south of Haworth by ~ 1.1 miles
   - Located directly on the Dragon Run Swamp (1130 feet of water frontage)
   - TNC has previously considered the area ideal for stream mitigation efforts

3. Irish Roads Tract (King & Queen County)
   - 770 Acres of the entire 1500 acre tract available for purchase (remaining acreage located in the Mattaponi Watershed)
   - Appraised value of 770 Acres: $1.525 million
     o Application for the parcel already submitted by TNC as part of FY08 CELCP funding process
     o The PAA could only acquire about 270 Acres of the tract with all $568,810
   - Protects >4 miles tributary streams to Dragon Run, 78 acres wetland, and >650 acres of intact and maturing forest
Potential Scenarios for use of all $568,810 ($540,836 + $27,974 admin.)
(At Suggested Purchase Price: $2000/acre)

1. Purchase ~270 acres of Irish Roads Tract
2. Purchase Robert Norman Property (30 acres) and ~240 acres of Irish Roads
3. Purchase Rhoads and Parmenter Tracts (212 acres) and ~58 acres of Irish Roads Tract
4. Purchase Rhoads and Parmenter Tracts (212 acres), Robert Norman Property (30 acres), and ~28 acres of Irish Roads Tract
5. Revisit the purchase of the Hundley Tract in Essex County
6. Discuss acquisition opportunities with other NGO and community leaders
7. Advertise in the newspaper
Irish Roads
770 Acres Total
Appraised Value: $1.525 million
~270 Acres Available w/ $568,810

Robert Norman
30 Acres
Estimated Value: $30,000

Rhoads and Parmenter
212 Acres - 2 Parcels
Appraised Value: $260,000

Haworth
167.19 Acres
TNC Asking $152,000

Spencer
8 Acres
Owner Asking $150,000
Appraised Value $70,000

Hundley
18 Acres - 2 Parcels
Assessment Swamp Land - $3,600

Potential CELCP Acquisitions

Current CELCP Acquisitions

Potential CELCP Acquisitions