



## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

### MEMORANDUM

**TO:** MPCBPAA

**FROM:** Jacqueline Shapo, NOAA CSC Coastal Zone Management Fellow

**DATE:** February 4, 2008

**RE:** February 8<sup>th</sup> PAA Meeting

This announcement serves as notice to call a meeting of the Public Access Authority on Friday, February 8, 2008 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 will follow shortly. If you have any questions, please call (804-758-2311) or e-mail ([jshapo@mppdc.com](mailto:jshapo@mppdc.com)) me at your convenience.

### AGENDA

1. Welcome and Introductions
  - a. Official Welcome of Rick Allen (Gloucester) to PAA
2. Approval of December 2007 Minutes
3. Financial Report
4. Public Comment
5. VACO Insurance Renewal
6. PAA Disclosure Statement Update
7. CELCP Update
  - a. Clay Tract
  - b. Haworth Tract Land Management Plan
8. VDOT Road Ending Transfer Update
9. Wetlands Banking Update
10. Draft – Middle Peninsula Coastal Access Survey Update
11. Browne Tract Questionable Uses Update
12. Browne Tract Trail Demarcation
13. TNC Land Donations – Garrett Tract and Guinea Marshes
14. Other Business
  - a. 2008 Outreach Materials
15. Chairman Observations
16. Next Meeting
17. Adjourn

#### MEMBERS

Essex County  
Mr. R. Gary Allen  
*Treasurer*

Gloucester County  
Hon. Charles R. Allen

King and Queen County  
Mr. Ronald A. Hachey  
*Vice Chairman*

King William County  
Mr. Frank Pleva  
*Chairman*

Mathews County  
Mr. Steven Whiteway

Town of Tappahannock  
Mr. G. Gayle Belfield

Town of Urbanna  
Hon. Steven Hollberg

Town of West Point  
Mr. Trenton Funkhouser

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**MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY  
MINUTES**

**December 14, 2007  
Middle Peninsula Planning District Commission  
Saluda, Virginia**

**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 11:00am on December 14, 2007.

Chairman Pleva called the meeting to order. Members and Alternates present were Ron Hachey, King & Queen County Administrator; Gary Allen, Essex County Board of Supervisors; Steve Whiteway, Mathews County Board of Supervisors; Louise Theberge, Gloucester County Board of Supervisors; Trent Funkhouser, Town of West Point Town Manager; and Steve Hollberg, Town of Urbanna Town Council Member. Also present were Lewis Lawrence, Director of Regional Planning MPPDC; Jacqueline Shapo, NOAA Coastal Services Center Coastal Management Fellow; and Bill Pruitt, Troutman Sanders LLP – Attorneys at Law. Chairman Pleva opened the meeting by officially welcoming the Town of Urbanna and its representative, Steve Hollberg, to the PAA.

**2. Approval of October Minutes**

Chairman Pleva requested a motion to approve the October 2007 Minutes. Mr. Whiteway moved that the Minutes be approved. Mr. Allen seconded the motion. Motion carried by unanimous vote.

**3. Treasurer's Report**

Chairman Pleva requested a motion to approve the October 2007 Revenue and Expenditure Report subject to audit. Ms. Theberge moved that the Report be approved; Mr. Hachey seconded the motion. Motion carried by unanimous vote.

**4. Public Comment**

There was no public comment.

**5. Budget Amendment Request**

Delegate Harvey Morgan has requested that the PAA submit a budget amendment request for 2008-2009 to the General Assembly. Mr. Pruitt suggested that the PAA request \$150,000 in non-state funds in order to maintain current funding levels. Mr. Allen suggested that in addition to submitting the budget amendment request, the PAA submit an explanation to the Governor's office and the Secretary of Natural Resources office as to how it expended the \$80,000 awarded to us by the General Assembly for 2007-2008 toward land acquisition, wetland banking,

development of the Regional Waterfront Access Master Plan, and the enhancement of working waterfronts. Chairman Pleva requested a motion to approve the budget amendment request of \$150,000. Mr. Whiteway moved that the request be approved; Ms. Theberge seconded the motion. Motion carried by unanimous vote.

## **6. Filing of PAA Disclosure Statement**

Mr. Lawrence informed the PAA that he received notice from its attorney asking whether the PAA and/or PAA Board members were required to file a disclosure statement with the Secretary of the Commonwealth or their County Administrator, as per Section § 2.2-3118 of the Code of Virginia: “The members of the governing body of any authority established in any county or city, or part or combination thereof, and having the power to issue bonds or expend funds in excess of \$10,000 in any fiscal year, shall file, as a condition to assuming office, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before January 15, unless the governing body of the jurisdiction that appoints the members requires that the members file the form set forth in § 2.2-3117.” Each of the PAA Board members has already filed a disclosure statement as part of his duties as County Administrator, Town Manager, or Board of Supervisors member; however, Mr. Lawrence raised the question whether each PAA Board member should again file a disclosure statement as a member of the PAA. After some discussion, it was decided that Rose Lewis would print copies of the disclosure statement and forward it to each PAA Board member for completion and submission to the Secretary.

## **7. CELCP Update**

- a) Ms. Shapo reported that work crews at the Middle Peninsula Regional Security Center successfully installed gates and informational kiosks at the entrances to the Haworth, Dragon Bridge/Jackson, and Clay Tracts at the end of October. The gates are locked, and signage exists informing the public that the tracts are closed until land management plans are developed for the properties. Acknowledgement signage recognizing our funding sources, a requirement of the CELCP grant through the VA CZM Program, has also been installed in the kiosks at the Haworth and Dragon Bridge/Jackson Tracts. Final products for the Task 1.01 acquisitions and the Task 1.03 match property will be submitted to the Virginia Coastal Zone Management Program shortly.
- b) Ms. Shapo reported that she obtained the Purchase Agreement and updated Title Opinion for the Clay Tract. She completed the CELCP application checklist for the parcel and submitted it and all associated documentation for Clay to the CZM Program and then on to NOAA for review on December 12, 2007. Although the CZM Program has requested an extension from NOAA for the Task 1.02 acquisitions, one has not yet been granted; therefore, as per the current deadline for the parent grant, the PAA must still go to closing on Clay before December 31, 2007. Additionally, the CELCP coordinator at NOAA, Ms. Elisabeth Morgan, has stepped down from her position; therefore, our CELCP contact at NOAA is now Kris Wall.

## **8. Haworth Tract Land Management Plan Timeline**

Ms. Shapo presented a draft timeline of the Haworth Tract Land Management Plan development process to the PAA for discussion. The PAA reviewed the timeline and agreed that it was appropriate for the amount of time Ms. Shapo has remaining in her fellowship; i.e., 7 months. Ms. Shapo also discussed the land management plan meetings stakeholders list she looks to compile with Keith Haden (King and Queen County Board of Supervisors member – Shanghai District). Mr. Hachey informed the PAA that Mr. Haden was replaced in the last election by Milton “Pete” McDuff and that Ms. Shapo should include both Mr. Haden and Mr. McDuff in the development of the stakeholder list.

## **9. Bill Hoggs Landing Conveyance Process – VDOT Guidelines**

Mr. Lawrence discussed a meeting he and Ms. Shapo had with representatives from the Virginia Department of Transportation to discuss conveyance of a VDOT-owned prescriptive easement on the Lower Guinea Landing (a.k.a. Bill Hoggs Landing) right-of-way to the PAA. VDOT has drafted some concerns to the PAA’s request to transfer ownership of the prescriptive right-of-way (250 ft. long and 30 ft. wide) from VDOT to the PAA. VDOT is concerned that the highest and best use (boating) at the site by the public does not appear to be conducive to large vehicles with trailered boats. There is no room for the maintenance equipment and vehicles with trailers to maneuver and turn around down by the water. Additionally, VDOT is concerned whether there is a mechanism in place, should the PAA ever “go out of business”, that would revert ownership of the right-of-way back to the County Board of Supervisors and not VDOT. Thirdly, VDOT requests that a joint public hearing with (and called by) the Gloucester County Board of Supervisors replace the PAA-held public hearing that would have occurred to discuss transfer of ownership in the landing to the PAA with the public. VDOT believes a joint meeting ensures the County Board acknowledges and concurs with the road ending transfer.

The PAA discussed VDOT’s concerns and decided that Mr. Lawrence should draft a response to VDOT on behalf of the PAA. The PAA agreed, per the law, that were it to disband after the landing transfer took place, the Gloucester County Board would regain ownership of the prescriptive easement on Bill Hoggs Landing. Furthermore, even if the public cannot take trailered vessels down to the landing, water access by car-top boats would be feasible. Finally, the PAA looks to call its own public meeting to discuss conveyance of the prescriptive easement to the PAA but will provide a transcript of the meeting’s minutes to the Gloucester Board. The PAA is concerned that a joint meeting called by the Gloucester Board and held in conjunction with the monthly Board meeting would again place the responsibility of discussing road ending transfers back on the shoulders of the County Boards – something the PAA tried to preclude with the creation of HR 2781.

## **10. Poplar Springs / Poropotank Parcel**

Mr. Lawrence reported on discussions with a developer in Gloucester County. The developer still would like to gift the wetlands parcel lying directly on the Poropotank to the PAA. Ms. Theberge reported that the property typically has little water, is not navigable, is rather inaccessible to the public due to its location and the nature of the land, and cannot be used for wetlands banking as it is too steeply sloped. Discussion was held as to whether the parcel should be considered for acquisition by the PAA, and it was determined that it should not. Mr.

Funkhouser suggested that the developer speak to The Nature Conservancy or another non-governmental organization about the land donation.

Chairman Pleva requested a motion to thank the developer for the donation opportunity but decline his offer permanently. Mr. Hachey moved that the donation be declined; Mr. Funkhouser seconded the motion. Motion carried by unanimous vote.

## **11. Wetlands Banking Update**

Mr. Lawrence provided an update on wetlands banking opportunities in Gloucester County. In addition to the two fingers of the Shenk property, there are six buy-out sites presently in Gloucester that the PAA looks to acquire from the county and convert back into wetlands to create a bank. Representatives from the PAA, Virginia Institute of Marine Science, Virginia Marine Resources Commission, and others have already visited the candidate parcels, and there appears to be no conflict with FEMA or the Department of Environmental Management related to converting the properties. Mr. Lawrence looks to discuss with the Gloucester County Board of Supervisors in January whether the PAA can acquire the suite of parcels from the county to convert into a wetlands bank and whether the bank will be held for use only by Gloucester citizens or converted into a regional bank, which could be used by all citizens in the Middle Peninsula – the PAA’s preference. Mr. Hachey suggested that even if Gloucester looks to permit only its county residents to utilize the bank, the PAA manage the parcels to save county staff time and money.

## **12. Draft Middle Peninsula Public Access – Working Waterfronts Survey**

Mr. Lawrence provided the PAA with a draft of the Middle Peninsula Public Access – Working Waterfronts Survey developed in part by Mr. Lawrence and Sally Mills (contractor), with input from Tom Murray and his staff at VA Sea Grant. This survey is the first step toward developing the PAA’s Regional Waterfront Access Master Plan, which is necessary to obtain federal funds for working waterfront enhancement. Short and long versions of the survey will be created, which incorporate these questions. Both surveys will be hosted through the Virginia Sea Grant Water Access website. Additionally, many surveys will be mailed directly to working waterfront groups throughout the Peninsula. Once survey responses are received and finalized, the PAA looks to hold a few public meetings to capture citizens’ opinions about the survey and current water access issues. Sally Mills will be responsible for press releases to the localities alerting them to the survey’s existence and when public meetings will be scheduled.

## **13. Browne Tract – Questionable Uses**

- a) **Target shooting:** Ms. Shapo reported that hunters have been seen by PAA staff shooting at disposable, ground-level targets on the Browne Tract. These targets were not located in designated hunting zones and endangered the safety of anyone who might have been passing by them unnoticed. Additionally, Mr. Lawrence reported that hand gun shells were found on the footbridge leading into the Dragon. Dialogue was held by the PAA as to strategies to control for inappropriate weapon discharge on the tract. It was determined that Ms. Shapo should draft a list of activities that will now be prohibited on the tract for discussion at the next PAA meeting. This list of activities will then be posted on signage both on the Browne Tract and on all PAA acquisitions.

- b) **Track Course:** Ms. Shapo reported that a local cross country girls' track coach has decided to use the Browne Tract during hunting season as part of his girls' running loop. The coach looks to take every precaution possible to protect the safety of the runners; however Ms. Shapo has voiced concern to him about his use of the tract, especially since it is hunting season, school-aged children are involved, the Browne Tract trails are currently not well demarcated, and hunters using the parcel unfortunately do not always sign-in on the zone registration sheet each day, making it difficult to know who is on the tract at any point in time. The cross country coach still wishes to use the tract, however. The PAA requested that Ms. Shapo draft a letter to the coach, the school's head mistress, and the school's board of trustees, which explains the PAA's position on his use of the tract during hunting season (except on Sundays) for any uses other than hunting. Mr. Allen suggested that the letter could also provide alternative locations to the coach, which he could use to train his team.

#### **14. Nature Deficit Disorder Discussion**

Mr. Lawrence presented the PAA with an article by Bill Heavey that discusses our younger generations' lack of use of the outdoors. Mr. Lawrence stated that this so-called "Nature Deficit Disorder" is a growing problem, especially in rural area of VA and other states. It is of concern to the PAA, as there are currently no high quality public access areas in the Middle Peninsula for intergenerational activities, such as hunting, fishing, and hiking. Mr. Lawrence suggested that the PAA set aside one of its recently-acquired CELCP properties for intergenerational hunting. Ms. Theberge suggested that the site be utilized instead for all intergenerational recreational nature experiences, which will include hunting and fishing but not exclude other outdoor activities. Mr. Allen offered that the parcel be intergenerational but that perhaps timing of uses on the site be managed; i.e., different, potentially conflicting recreational uses would be permitted only on certain days. Mr. Whiteway suggested instead that the parcel be divided into different use areas, such that one area would be open to all members of the public and another area would be set aside only for intergenerational activities; users of each area would have to register in advance to use the parcel on a specific day, and hunting would be limited to certain days of the week. The PAA agrees that one of its new acquisitions should be set aside for intergenerational recreational uses only. However, the PAA still needs to discuss which or which part of its new CELCP parcels could be set aside, how the site will be marketed, and how its users will be regulated to encourage children to utilize the parcel.

#### **15. Other Business**

- a) **Scenic Virginia Award:** Ms. Shapo presented the PAA with an award from Scenic Virginia, Inc. The PAA and its partners in the Dragon Run Watershed were selected as Honorable Mention recipients of the 2007 Scenic Water Corridor Preservation Award for their project, "*Conserving the Habitat Corridor and Public Access Connectivity of the Dragon Run Watershed*". This award was created by Scenic Virginia specifically this year to honor the tremendous accomplishments of the PAA and its partners in conserving the ecosystem of, protecting the historical uses in, and enhancing public access to the watershed. The award was presented to Mr. Hachey and Ms. Shapo by Peter Hunt of the Scenic Virginia Inc. Board of Trustees at the

Fifth Annual Scenic Virginia Awards luncheon at the Kent-Valentine House on October 26, 2007.

- b) Virginia Coastal Zone Partners Workshop:** Ms. Shapo reported that the 2007 Virginia Coastal Zone Partners Workshop at the Portsmouth Renaissance Hotel (December 5-7, 2007) was a success. There were 115 registered attendees over the course of the two-day event. The focus of the workshop's 11 sessions was the impacts of climate change and population growth in the VA coastal zone. Jay Gulledge of the PEW Center on Global Climate Change, who was the invited plenary speaker, discussed the impacts of ocean warming, sea level rise, land subsidence, the loss of habitat, and demise of faunal communities on the Chesapeake Bay, the Eastern Coast of the United States, and in other coastal areas of the world. Mr. Gulledge displayed maps as to what the Chesapeake Bay and Virginia seaside could look like in the next 100 years if current trends in sea level rise continue. The workshop and final session, used to obtain input from CZM Program partners as to what the next CZM Program focal area should be, commenced with a presentation by the VA Secretary of Natural Resources, L. Preston Bryant, about how climate change and population growth are impacting the VA coastal zone. Secretary Bryant discussed Virginia's newly-released Energy Plan (four goals: increase energy independence through expanded conservation and efficiency; expanded consumer education on energy use; target to reduce 2025 baseline greenhouse gas emissions by 30 percent; and to capitalize on economic development opportunities and increase research and development in nuclear technologies, alternate transportation fuels, coastal energy production, and carbon capture and storage. Secretary Bryant also discussed Governor Kaine's plans to create of a Climate Change Commission, which would assess the level of Virginia's carbon emissions, assess what the consequences might be for Virginia if climate change is not addressed, and address what other actions Virginia should take to meet this goal.

Mr. Lawrence moderated a session on Coastal Hazards Planning and made two presentations to the workshop attendees on the York River Use Conflict Roundtable Study and work by the PAA. Overall, the workshop was quite a success and received much positive feedback.

- c)** Mr. Lawrence reported that the Chesapeake Bay Restoration Fund Advisory Committee awarded the PAA for FY 08 a \$400 grant (out of the \$1500 requested) to enhance trail demarcation on its recently-acquired CELCP properties.

## **16. Chairman Observations**

Chairman Pleva wished the PAA members a Merry Christmas and thanked them for an excellent year of business from an innovative government utility.

## **17. Next Meeting**

The next meeting of the Middle Peninsula Chesapeake Bay Public Access Authority will be held Friday, February 8, 2008 at 11:00am.

## **18. Adjourn**

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

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Frank Pleva



# Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission

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Period 07/01/07 to 12/31/07

**32005 PAA CELCP Acquisitions** Project Period 7/1/2005 to 9/30/2007

Element Code & Description	Budget	Prior Year	Current	YTD	Proj Tot	Un/Ovr	% Bud
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**320050 Dragon CELCP Acquisitions(\$420667TNCMatch)**

Revenues

41300 VDEQ	420,667.00	6,441.58	0.00	378,728.28	385,169.86	35,497.14	91.56%
Revenues	420,667.00	6,441.58	0.00	378,728.28	385,169.86	35,497.14	91.56%

Expenses

50000 SALARIES	1,022.00	1,068.40	61.63	4,333.45	5,401.85	-4,379.85	528.56%
50500 FRINGE BENEFITS	367.00	383.19	38.65	1,428.78	1,811.97	-1,444.97	493.72%
56300 Legal Services	14,307.35	19.00	0.00	7,398.20	7,417.20	6,890.15	51.84%
56301 Appraisals	4,200.00	4,200.00	0.00	0.00	4,200.00	0.00	100.00%
56400 Consulting/Contractual S	399,760.00	0.00	0.00	399,760.00	399,760.00	0.00	100.00%
56600 Construction	300.00	0.00	0.00	0.00	0.00	300.00	0.00%
57100 Postage	9.65	41.18	0.00	0.00	41.18	-31.53	426.74%
57500 Miscellaneous Other	0.00	1.20	0.00	0.00	1.20	-1.20	0.00%
59700 INDIRECT COSTS	701.00	724.98	154.47	2,670.37	3,395.35	-2,694.35	484.36%
Expenses	420,667.00	6,437.95	254.75	415,590.80	422,028.75	-1,361.75	100.32%
Balance:	0.00	3.63	-254.75	-36,862.52	-36,858.89		

**320051 CELCP II - Inkind match \$568810 Batten easement**

Revenues

41300 VDEQ	568,810.00	0.00	0.00	0.00	0.00	568,810.00	0.00%
Revenues	568,810.00	0.00	0.00	0.00	0.00	568,810.00	0.00%

Expenses

50000 SALARIES	1,414.00	0.00	256.20	1,186.50	1,186.50	227.50	83.91%
50500 FRINGE BENEFITS	478.00	0.00	88.46	391.20	391.20	86.80	81.84%
56300 Legal Services	25,197.00	0.00	0.00	0.00	0.00	25,197.00	0.00%
56400 Consulting/Contractual S	540,369.00	0.00	0.00	0.00	0.00	540,369.00	0.00%
56600 Construction	400.00	0.00	300.00	300.00	300.00	100.00	75.00%
59700 INDIRECT COSTS	952.00	0.00	183.24	731.15	731.15	220.85	76.80%
Expenses	568,810.00	0.00	827.90	2,608.85	2,608.85	566,201.15	0.46%
Balance:	0.00	0.00	-827.90	-2,608.85	-2,608.85		

# Revenue and Expenditure Report by Element

**Middle Peninsula Planning District Commission**

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Period 07/01/07 to 12/31/07

**32005 PAA CELCP Acquisitions**

**Project Period 7/1/2005 to 9/30/2007**

Element Code & Description	Budget	Prior Year	Current	YTD	Proj Tot	Un/Ovr	% Bud
Project Revenues:	989,477.00	6,441.58	0.00	378,728.28	385,169.86	604,307.14	38.93%
Project Expense:	989,477.00	6,437.95	1,082.65	418,199.65	424,637.60	564,839.40	42.92%
Project Balance:	0.00	3.63	-1,082.65	-39,471.37	-39,467.74		

# Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission

Period 07/01/07 to 12/31/07

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**32007 PAA Administration - FY08**

Project Period 7/1/2007 to 6/30/2008

Element Code & Description	Budget	Prior Year	Current	YTD	Proj Tot	Un/Ovr	% Bud
<b>Revenues</b>							
41700 VDCR	75,000.00	0.00	0.00	75,000.00	75,000.00	0.00	100.00%
Revenues	<u>75,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>75,000.00</u>	<u>75,000.00</u>	<u>0.00</u>	<u>100.00%</u>
Balance:	<u>75,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>75,000.00</u>	<u>75,000.00</u>		

**320070 FY08 Admin**

**Revenues**

44010 MPLT/BFI Award	12,160.27	0.00	0.00	12,160.27	12,160.27	0.00	100.00%
44012 PAA Prior Year's Unspe	9,782.58	0.00	0.00	9,782.58	9,782.58	0.00	100.00%
44900 Miscellaneous Income	0.00	0.00	0.00	1,342.25	1,342.25	-1,342.25	0.00%
Revenues	<u>21,942.85</u>	<u>0.00</u>	<u>0.00</u>	<u>23,285.10</u>	<u>23,285.10</u>	<u>-1,342.25</u>	<u>106.12%</u>

**Expenses**

50000 SALARIES	2,720.00	0.00	332.81	965.16	965.16	1,754.84	35.48%
50500 FRINGE BENEFITS	919.00	0.00	112.44	318.22	318.22	600.78	34.63%
53400 Office Supplies	618.00	0.00	0.00	16.11	16.11	601.89	2.61%
53500 Meeting Supplies	0.00	0.00	91.55	244.04	244.04	-244.04	0.00%
54100 Private Mileage	0.00	0.00	0.00	41.23	41.23	-41.23	0.00%
54500 Lodging/ Staff Expense	0.00	0.00	0.00	2.90	2.90	-2.90	0.00%
56300 Legal Services	0.00	0.00	0.00	60.00	60.00	-60.00	0.00%
56400 Consulting/Contractural S	10,000.00	0.00	0.00	0.00	0.00	10,000.00	0.00%
56600 Construction	0.00	0.00	0.00	413.11	413.11	-413.11	0.00%
57400 Public Officials Insuranc	1,412.00	0.00	0.00	1,412.00	1,412.00	0.00	100.00%
59700 INDIRECT COSTS	1,831.00	0.00	222.32	594.75	594.75	1,236.25	32.48%
Expenses	<u>17,500.00</u>	<u>0.00</u>	<u>759.12</u>	<u>4,067.52</u>	<u>4,067.52</u>	<u>13,432.48</u>	<u>23.24%</u>
Balance:	<u>4,442.85</u>	<u>0.00</u>	<u>-759.12</u>	<u>19,217.58</u>	<u>19,217.58</u>		

**320071 Land Acquisition**

**Expenses**

53400 Office Supplies	0.00	0.00	0.00	379.10	379.10	-379.10	0.00%
56300 Legal Services	22,000.00	0.00	1,174.69	1,714.69	1,714.69	20,285.31	7.79%
Expenses	<u>22,000.00</u>	<u>0.00</u>	<u>1,174.69</u>	<u>2,093.79</u>	<u>2,093.79</u>	<u>19,906.21</u>	<u>9.52%</u>
Balance:	<u>-22,000.00</u>	<u>0.00</u>	<u>-1,174.69</u>	<u>-2,093.79</u>	<u>-2,093.79</u>		

**320072 Access Infrastructure Improvements**

# Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission

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Period 07/01/07 to 12/31/07

**32007 PAA Administration - FY08** Project Period 7/1/2007 to 6/30/2008

Element Code & Description	Budget	Prior Year	Current	YTD	Proj Tot	Un/Ovr	% Bud
<b>320072 Access Infrastructure Improvements</b>							
<b>Revenues</b>							
41700 VDCR	500.00	0.00	0.00	500.00	500.00	0.00	100.00%
Revenues	500.00	0.00	0.00	500.00	500.00	0.00	100.00%
<b>Expenses</b>							
53400 Office Supplies	500.00	0.00	0.00	119.89	119.89	380.11	23.98%
Expenses	500.00	0.00	0.00	119.89	119.89	380.11	23.98%
Balance:	0.00	0.00	0.00	380.11	380.11		
<b>320073 Water Access Strategic Planning</b>							
<b>Expenses</b>							
50000 SALARIES	13,600.00	0.00	1,496.28	4,244.17	4,244.17	9,355.83	31.21%
50500 FRINGE BENEFITS	4,597.00	0.00	505.12	1,399.34	1,399.34	3,197.66	30.44%
53400 Office Supplies	350.00	0.00	0.00	0.00	0.00	350.00	0.00%
56400 Consulting/Contractual S	1,500.00	0.00	0.00	0.00	0.00	1,500.00	0.00%
57300 Promotion/Advertising	800.00	0.00	0.00	0.00	0.00	800.00	0.00%
59700 INDIRECT COSTS	9,153.00	0.00	996.97	2,615.35	2,615.35	6,537.65	28.57%
Expenses	30,000.00	0.00	2,998.37	8,258.86	8,258.86	21,741.14	27.53%
Balance:	-30,000.00	0.00	-2,998.37	-8,258.86	-8,258.86		
<b>320074 Special Access Projects</b>							
<b>Expenses</b>							
50000 SALARIES	1,360.00	0.00	166.14	464.11	464.11	895.89	34.13%
50500 FRINGE BENEFITS	460.00	0.00	56.05	153.02	153.02	306.98	33.27%
56400 Consulting/Contractual S	1,900.00	0.00	0.00	0.00	0.00	1,900.00	0.00%
56600 Construction	365.00	0.00	0.00	0.00	0.00	365.00	0.00%
59700 INDIRECT COSTS	915.00	0.00	110.50	285.99	285.99	629.01	31.26%
Expenses	5,000.00	0.00	332.69	903.12	903.12	4,096.88	18.06%
Balance:	-5,000.00	0.00	-332.69	-903.12	-903.12		
<b>320075 Severn River Access Management Plan</b>							
<b>Expenses</b>							
50000 SALARIES	2,380.00	0.00	332.55	946.70	946.70	1,433.30	39.78%
50500 FRINGE BENEFITS	804.00	0.00	112.28	312.14	312.14	491.86	38.82%
53400 Office Supplies	214.00	0.00	0.00	0.00	0.00	214.00	0.00%

# Revenue and Expenditure Report by Element

Middle Peninsula Planning District Commission

Run Date: 01/07/2008  
 Run Time: 12:52:04 pm  
 Page 31 of 35

Period 07/01/07 to 12/31/07

**32007 PAA Administration - FY08**

**Project Period 7/1/2007 to 6/30/2008**

Element Code & Description	Budget	Prior Year	Current	YTD	Proj Tot	Un/Ovr	% Bud
<b>320075 Severn River Access Management Plan</b>							
59700 INDIRECT COSTS	1,602.00	0.00	221.67	583.38	583.38	1,018.62	36.42%
Expenses	5,000.00	0.00	666.50	1,842.22	1,842.22	3,157.78	36.84%
Balance:	-5,000.00	0.00	-666.50	-1,842.22	-1,842.22		
Project Revenues:	97,442.85	0.00	0.00	98,785.10	98,785.10	-1,342.25	101.38%
Project Expense:	80,000.00	0.00	5,931.37	17,285.40	17,285.40	62,714.60	21.61%
Project Balance:	17,442.85	0.00	-5,931.37	81,499.70	81,499.70		



**COMMONWEALTH of VIRGINIA**  
**Office of the Governor**

Katherine K. Hanley  
Secretary of the Commonwealth

**MEMORANDUM**

**TO:** Clerks of Local Authorities

**FROM:** Katherine K. Hanley  
Secretary of the Commonwealth

**DATE:** November 27, 2007

**SUBJECT:** 2007-2008 Conflict of Interest Filing

Pursuant to §2.2-3115 of the *Code of Virginia*, members of governing bodies of authorities having the power to issue bonds or expend funds in excess of \$10,000 in any fiscal year shall disclose their financial interests as a condition of assuming office and thereafter annually on or before January 15. The mechanism for disclosing these interests is the Financial Disclosure Statement unless the appointing jurisdiction requires disclosure in the more comprehensive Statement of Economic Interests.

The Office of the Secretary of the Commonwealth is responsible for providing these documents and is doing so electronically to minimize taxpayer expense. Both the Financial Disclosure Statement and the Statement of Economic Interests are accessible via our website, [www.commonwealth.virginia.gov](http://www.commonwealth.virginia.gov). The homepage includes an icon on the left hand side of the page entitled State Government/Conflict of Interests. The subsequent page contains both documents though please note that members of your authority solely need to file the Financial Disclosure Statement unless required by the appointing jurisdiction to submit the Statement of Economic Interests in lieu of the Financial Disclosure Statement.

Persons required to file should access the appropriate document, complete it, print it, have it notarized (if a Statement of Economic Interests), and return it to the Clerk of the governing body of their respective county or city by January 15. The document must be retained as a public record in the Clerk's office for five years.

If you have any questions, please contact Mr. Jonathan Young in my office at either [jonathan.young@governor.virginia.gov](mailto:jonathan.young@governor.virginia.gov) or at (804) 692-2538. Thank you for your cooperation.

KKH/jmy



# SECRETARY OF THE COMMONWEALTH

## FINANCIAL DISCLOSURE STATEMENT

Members of certain boards of state and local government are required to file this Financial Disclosure Statement as a condition of assuming office and, then, annually while serving as an officeholder.

You must complete this form. Attached additional pages when necessary. **You must sign and date this form upon completion.**

The annual filing deadline is January 15<sup>th</sup>.

**For State Board Members:** If you have recently been appointed, you must file this form with the Secretary of the Commonwealth prior to attending your first meeting.

**For Local Board Members:** If you have recently been appointed, you must file this form with the Clerk of the appropriate governing body prior to attending your first meeting.

As an annual filing, this form constitutes a report of financial interests for the calendar year beginning January 1 and ending December 31. As a condition for assuming an office, this form constitutes a report of financial interests at the time of filing.

The information required on this form must be provided on the basis of the best knowledge, information and belief of the individual filing the form as of the date of this report unless otherwise stated.

**This Financial Disclosure Statement is open for public inspection.**

§ 2.2-3118. Disclosure form; certain citizen members.

A. The financial disclosure form to be used for filings required pursuant to subsection B of § 2.2-3114 and subsection B of § 2.2-3115 shall be substantially as follows:

DEFINITIONS AND EXPLANATORY MATERIAL.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Close financial association" means an association in which the person filing shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the individual's business activities and would have access to the necessary records either directly or through the individual. "Close financial association" does not mean an association based on (i) the receipt of retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency when the person filing has no communications with the state governmental agency.

"Contingent liability" means a liability that is not presently fixed or determined, but may become fixed or determined in the future with the occurrence of some certain event.

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as the filer, who is a dependent of the filer or of whom the filer is a dependent.

"Dependent" means any person, whether or not related by blood or marriage, who receives from the filer, or provides to the filer, more than one-half of his financial support.

"Personal interest" means, for the purposes of this form only, a personal and financial benefit or liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii) income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership interest in a business exceeds three percent of the total equity of the business, or the liability on behalf of a business exceeds three percent of the total assets of the business, or the annual income, and/or property or use of such property, from the business exceeds \$10,000 or may reasonably be anticipated to exceed \$10,000, such interest shall not constitute a "personal interest."

Name .....

Office or position held or to be held .....

Address .....

I. Financial Interests

My personal interests and those of my immediate family are as follows: Include all forms of personal interests held at the time of filing: real estate, bonds, equity interests in proprietorships and partnerships. You may exclude: 1. Deposits and interest bearing accounts in banks, savings institutions and other institutions accepting such deposits or accounts; 2. Interests in any business, other than a news medium, representing less than three percent of the total equity value of the business; 3. Liability on behalf of any business representing less than three percent of the total assets of such business; and 4. Income (other than from salary) less than \$10,000 annually from any business. You need not state the value of any interest. You must state the name or principal business activity of each business in which you have a personal interest.

A. My personal interests are:

1. Residence, address, or, if no address, location. ....

2. Other real estate, address, or, if no address, location. ....

3. Name or principal business activity of each business in which stock, bond or equity interests is held .....

.....



B. The personal interests of my immediate family are:

1. Real estate, address, or, if no address, location. ....
2. Name or principal business activity of each business in which stock, bond or equity interests is held .....

II. Offices, Directorships and Salaried Employments

The paid offices, paid directorships and salaried employments which I hold or which members of my immediate family hold and the businesses from which I or members of my immediate family receive retirement benefits are as follows: (You need not state any dollar amounts.)

A. My paid offices, paid directorships and salaried employments are:

Position held	Name of business
.....	.....
.....	.....

B. The paid offices, paid directorships and salaried employments of members my immediate family are:

Position held	Name of business
.....	.....
.....	.....

III. Businesses to Which Services Were Furnished

A. The businesses I have represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which I have received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by name and name the state governmental agencies before which you appeared on behalf of such businesses.

Name of business	Name of governmental agency
-----	-----
-----	-----
-----	-----

B. The businesses that, to my knowledge, have been represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons with whom I have a close financial association and who received total compensation in excess of \$1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by type and name the state governmental agencies before which such person appeared on behalf of such businesses.

-----

-----  
Type of business

Name of state governmental agency

-----  
-----  
-----  
-----

C. All other businesses listed below that operate in Virginia to which services were furnished pursuant to an agreement between you and such businesses and for which total compensation in excess of \$1000 was received during the preceding year:

Check each category of business to which services were furnished.

Electronic utilities		Banks		Retail companies	
Gas utilities		Savings institutions		Beer, wine or liquor companies or distributors	
Telephone utilities		Loan or finance companies		Trade associations	
Water utilities		Manufacturing companies (state type of product, e.g., textile, furnitures, etc.)		Professional associations	
Cable television companies		Mining companies		Associations of public employees or officials	
Intrastate transportation companies		Life insurance companies		Counties, cities or towns	
Interstate transportation companies		Casualty insurance companies		Labor organizations	
Oil or gas retail companies		Other insurance companies			

#### IV. COMPENSATION FOR EXPENSES

The persons, associations, or other sources other than my governmental agency from which I or a member of my immediate family received remuneration in excess of \$200 during the preceding year, in cash or otherwise, as honorariums or payment of expenses in connection with my attendance at any meeting or other function to which I was invited in my official capacity are as follows:

Name of Source	Description of occasion	Amount of remuneration for each occasion
-----	-----	-----
-----	-----	-----

B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be applicable to officers and employees of local governmental and local advisory agencies.

C. Except for real estate located within the county, city or town in which the officer or employee serves or a county, city or town contiguous to the county, city or town in which the officer or employee serves, officers and employees of local governmental or advisory agencies shall not be required to disclose under Part I of the form any other interests in real estate.

***I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.***

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**DRAFT-COASTAL ACCESS SURVEY-DRAFT**

Participant Information:

Virginia Zip Code \_\_\_\_\_  
E-mail Address (if you want a copy of the survey results) \_\_\_\_\_  
Primary Town/County to which your answers refer:  
\_\_\_\_\_

Other Virginia towns/counties where you seek coastal access:  
\_\_\_\_\_

1) Is access to [the waterways of the Middle Peninsula and other Chesapeake Bay](#) coastal beaches and waterways a concern to you?

- Yes (please continue)
- No (you may stop; thank you for your time)

2) Please indicate which category(ies) best describes you

- Private or recreational boater
- Private or recreational angler
- Other private or recreational user
- Tour business or charter operation owner/employee
- Other water-dependent business owner/employee
- Waterfront land owner
- [Low-income population](#)
- [Moderate-income population](#)
- [High-income population](#)

3) What do you see as the biggest threat to access to the [waterways of the Middle Peninsula and the Chesapeake Bay](#) by the public?

- Sea level rise (meaning that beaches and access points will become submerged under water)
- Loss-[conversion](#) of existing access sites to private ownership
- Coastal destruction due to storms and other hazards
- Other (describe): \_\_\_\_\_

4) How do you [primarily use the waterways of the Middle Peninsula and the Chesapeake Bay](#)?

- Fishing
- Boating
- Swimming
- Sun-bathing
- [Hunting](#)
- [Birding](#)
- [Other](#)

5) What specific conditions(s) are you most concerned about?

- Lack of boat ramps
- Lack of beach access
- Lack of commercial fish houses
- Lack of charter boat activity
- Lack of safe swimming areas
- Lack of public municipal slips
- Lack of public or private boat slips for transient (short-term) use
- Other (describe): \_\_\_\_\_

Based on your answer above, please complete the corresponding sections below. Rank your answers as: 1 representing the biggest problem, to the last number representing the smallest problem.

Boat Ramps Biggest Problem to Smallest Problem  
1 2 3 4 5 6

Rank in order from 1 to 6

- Ramps are closing or being replaced for carry-on boats
- Ramp sites lack adequate parking
- There is not enough local and/or regional access
- Local users have been replaced by visitors (CLARIFY?)
- Ramp conditions are deteriorating and not being improved
- The wait time at ramp is too long and or multiple ramps needed

Beaches/Swimming 1 2 3 4

Rank in order from 1 to 4

- Public access sites lack parking
- Parking is too expensive at access sites
- Traditional-historical (public or private that served as "public") access has been replaced by private homes/businesses
- There are not enough officially marked beach access sites

Fishing Piers - Fishing from Shore Bank 1 2 3

Rank in order from 1 to 3

- Have been destroyed in storms
- Have turned to private ownership or private owners now forbid fishing use
- Have been removed for private development

Boat Slips 1 2 3

Rank in order from 1 to 3 the following issues:

- Have been turned into private condo-related slips
- Have been priced above market value
- Are being demolished

Rank in order from 1 to 3

- Are being replaced by private development
- Property tax is too high for fishermen to retain the property
- Not enough fish stocks for fishermen to make a living

6) What tools do you think your county or local government should investigate to protect public access to the [waterways of the Middle Peninsula and the Chesapeake Bay](#)?

- Transfer of development rights ([protect key sites from development-conversion](#))
- Land bonds dedicated to working waterfronts or public access
- Taxation options ([special projects- dredging, new boat ramps, land acquisition](#))
- Zoning ([protect and manage land and water use](#))
- Encouraging private donations ([land and funding](#)) for the protection of public access
- Working with property owners to save working waterfronts through easements
- Developing laws and regulations for the protection of public access
- Don't know

7) Does your county or local government do any of the following?

- Track public and private access
- Have information online dedicated to public access issues
- Educate the public on access issues
- Fund capital investments such as public wharves
- Fund research on causes for diminishing access
- Establish legislation for protecting access
- Facilitate community planning that addresses multiple uses of waterways
- Don't know

8) If fees were instituted for the use and [maintenance](#) of public access sites, which of the following should be included?

- A pass system for annual or seasonal use
- One-time use fee
- Higher fee for non-county or town residents
- Higher fee for non-state residents
- Fee based on parking only
- Don't know

IF YOU ARE A BOATER, PLEASE CONTINUE. IF NOT, YOU ARE DONE.  
THANK YOU FOR YOUR TIME!

9) How far do you typically drive to launch your boat?

- Less than 5 miles
- 5-15 miles
- 15-30 miles
- 30-60 miles
- 60 miles or more

10) How do you gain access to the water?

- I trailer my boat from my primary residence
- I trailer my boat from another location (describe) \_\_\_\_\_
- I lease or own a boat slip
- I lease dry storage for my boat
- I have direct private access

11) Have you lost access to a boat ramp in the last 5 years?  Yes  No

If yes, where: \_\_\_\_\_  
What caused the loss?: \_\_\_\_\_

12) Do you ever pay to launch your boat?  Yes  No

If yes, how much do you typically pay? \_\_\_\_\_

13) Where would you like to see a new public boat ramp?

Body of water \_\_\_\_\_  
Closest street/route and general location \_\_\_\_\_  
\_\_\_\_\_

14) What is the more important priority to you? (check one)

- Improvement of existing public boat ramps; or
- Construction of new public boat ramps

### Additional Questions Under Consideration:

15) What would your preferred type of public access site be? 1 2 3

- Boat ramps with adequate parking for multiple users
- Network of access site for paddling- car top use only with limited parking
- Network of very small special purpose access sites (birding, community access, hand carry watercraft only)

If yes, please describe the location? \_\_\_\_\_

16) Would your favorite public access site benefit for a dredging project?  Yes

No

If yes, please describe the location? \_\_\_\_\_

17) Would you consider paying a special user fee to pay for dredging project for the benefit of public access users? \_\_\_\_\_ Yes \_\_\_\_\_ No

Why\_\_\_\_\_

If yes, please describe the location? \_\_\_\_\_

18) Would you consider allowing a public access project on your land?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Why\_\_\_\_\_

19) If you own waterfront land, would you consider selling, leasing, or some other compensation in exchange for creating public access on your land?

\_\_\_\_\_ Yes (Please Call 804-758-2311) \_\_\_\_\_ No

Why\_\_\_\_\_

### **Suggested Prohibited Uses on the Browne Tract**

- Target Shooting
- Hunting with any automatic or semi-automatic/"self-loading" firearm
- Hunting with shotguns larger than 10 gauge
- Discharge of firearms except within the 9 designated hunting zones
- Discharge of firearms during non-hunting season (April-August)
- Camping
- Use of any All-Terrain, Off-Road, or Cross-Road Vehicle on the King and Queen County side of the property
- All uses not listed in the Browne Tract Management Plan





## Mission

The Authority recognizes that shorelines are high priority natural areas and that it is critical to set aside access sites for all types of recreational activities important to our economy and to the citizens of the Commonwealth of Virginia.

## Members

### Essex County

Mr. R. Gary Allen  
(*Treasurer*)

### Gloucester County

Hon. Charles R. Allen

### King and Queen County

Mr. Ronald A. Hachey  
(*Vice Chairman*)

### King William County

Mr. Frank Pleva  
(*Chairman*)

### Mathews County

Mr. Steve Whiteway

### Town of Tappahannock

Mr. G. Gayle Belfield

### Town of Urbanna

Hon. Steven Hollberg

### Town of West Point

Mr. Trenton Funkhouser

P.O. Box 286

Saluda, Virginia 23149

Phone: 804.758.2311

Fax: 804.758.3221

# At the Water's Edge

## Coastal and Estuarine Land Conservation Program (CELCP) Acquisitions

As one of the Chesapeake Bay's most pristine watersheds, the Dragon Run encompasses some of the most extensive and unspoiled swamp forest and woodland communities in Virginia. It is mainly undeveloped and composed almost entirely of privately owned wetlands, forests, and farms. It contains the northernmost example of the Baldcypress-Tupelo Swamp natural community in Virginia and is home to 25 state and globally rare plants and animals and five rare, natural communities.

In September 2007, a federal grant from the Coastal and Estuarine Land Conservation Program (CELCP), distributed through the Virginia Coastal Zone Management (CZM) Program, permitted the Middle Peninsula Chesapeake Bay Public Access Authority

(MPCBPAA or PAA) to acquire and open to public access 357 acres in the Dragon Run watershed, specifically the Dragon Bridge, Jackson, and Haworth Tracts. Again in early 2008, CELCP funding will be used to acquire a fourth parcel, the 209-acre Clay Tract, which abuts the Dragon Bridge and Jackson Tracts in the center of the watershed. All four holdings will be linked with the Browne Tract (the PAA's first multi-use public access site) in the upper portion of Dragon Run and with currently-protected neighboring forest and swamp lands in an effort to expand the zone of conservation within, stabilize, and protect the entire watershed. Additionally, commencing with the Haworth Tract this summer, the PAA will utilize input from members of the public, local and state government, and non-governmental organizations in the region to develop a

stakeholder-driven, long-term stewardship plan for each of the four CELCP parcels. The land management plans will incorporate passive and low-impact, active public access to associated land- and water-based ecosystems, habitat core conservation, and multiple, traditional uses. Such uses may include walking, fishing, picnicking, paddling, bicycling, hunting, forest and habitat management, water quality monitoring, and educational opportunities.



Haworth Tract



Clay Tract

## Land Donations

In 2008, the MPCBPAA will have conserved and opened to public access more than 1,000 acres of land with waterfront access in the Middle Peninsula.

During early 2008, the PAA, working with The Nature Conservancy (TNC), will partner to transfer more than 350 acres of waterfront

property in Mathews, King William, King and Queen, and Gloucester Counties for conversion to public lands for passive and low-impact, active recreational uses. Phase I of the TNC land donations will focus on the Guinea Marshes—189 acres of islands with high ecotourism potential at the tip of Gloucester

County and the Garrett Tract—a 12.5 acre island on the Mattaponi River in King William County. Acquisition of the Garrett Tract, an area prime for waterfowl hunting, will give the PAA a significant presence in King William County and provide much needed public access to the community.



**Public Access Authority Project Revenues FY 2004—2008**

Project	Federal/State	Regional	Local	Private
Browne Tract	\$392,000	\$0	\$0	\$0
Browne Mgmt. Plan	8,000	^569	0	0
BFI	0	0	0	37,500
Ches. Bay License	900	0	0	0
CELCP	989,477	0	0	**989,477
Shenk Acquisition	0	0	0	260,400
CZM Program Grants	35,000	0	0	0
PAA Insurance	0	3,073	0	0
Road Ending Study	60,495	^122	0	0
Transportation Study	10,000	10,000	0	0
New Pt. Lighthouse	10,000	^223	0	0
Coastal Experience	35,000	^77	0	0
MPDSB SAG	5,000	0	0	0
FY07 Gen. Assembly	20,000	0	0	0
FY08 Gen. Assembly	75,000	0	0	0
<b>TOTAL</b>	<b>\$1,640,872</b>	<b>\$14,064</b>	<b>\$ 0</b>	<b>\$1,287,377</b>

**TOTAL FUNDS RECEIVED: \$2,942,313**

^ Overmatched project funds

\*\* TNC match for CELCP acquisitions

**VDOT Landing and Road Ending Transfers**

Pursuant to Virginia State Code 15.2-6600 through 15.2-6625, the MPCBPAA has been charged with the duty of identifying land owned by the Commonwealth or private holdings that can be secured for use by the general public as public access sites.

Funding from the Virginia CZM Program allowed the PAA to identify 300 roadways with public access capabilities running to or near waterways in the Middle Peninsula. Five properties representative of a broad range of landings were then investigated, specifically Roane Point Landing (Mathews County), Lower Guinea Landing (Gloucester), Ferry Landing (Essex), Chain

Ferry Landing, and Byrd's Bridge Landing (King & Queen). The MPCBPAA commissioned Beale, Davidson, Etherington, & Morris, P.C. to develop a report entitled *Landing and Road Ending Acquisitions* that identified ownership of each site, obstacles that could impede easement conveyance to or acquisition of the sites by the MPCBPAA, and solutions to those obstacles.

Recommendations presented in the report suggested that legislative action was necessary to permit the transfer of ownership interests in Virginia Department of Transportation (VDOT) road endings, without the requirement of abandonment or discontinuance, to

any PAA. These recommendations were presented to the General Assembly as House Bill 2781 in January 2007. The bill, sponsored by Delegate Harvey Morgan, unanimously passed the General Assembly and was approved by Governor Kaine in March 2007.

Currently, the MPCBPAA is working with VDOT to acquire the first of five road endings, Lower Guinea Landing (pictured bottom left), at the end of Kings Creek Road in Gloucester. The PAA looks to finalize the landing transfer later this year and begin development of a road ending management plan for the parcel.



## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

## FY 2008 PUBLIC ACCESS AUTHORITY ANNUAL WORK PROGRAM PRIORITY PROJECTS

### **What is the Public Access Authority?**

Established by Virginia State Code 15.2-6600 through 15.2-6625, the Public Access Authority (MPCBPAA or PAA) is a political subdivision that acts to serve the public access needs of the encompassed communities.

### **When was the Authority enabled?**

The MPCBPAA was created by the Virginia General Assembly on April 7, 2002 and ratified by participating localities on June 13, 2003.

### **Who are the members?**

The Counties of Essex, Gloucester, King & Queen, King William, and Mathews and the Towns of Tappahannock, Urbanna, and West Point.

### **Why was the Authority enabled?**

The PAA was established to identify, acquire, and manage public water access opportunities in the region that can be used by the general public for passive and active activities.

## AUTHORITY DIRECTORS

**Essex County** – Mr. R. Gary Allen, *Treasurer*

**Gloucester County** – Hon. Charles R. Allen

**King and Queen County** – Mr. Ronald Hachey, *Vice Chairman*

**King William County** – Mr. Frank Pleva, *Chairman*

**Mathews County** – Mr. Steven Whiteway

**Town of Tappahannock** – Mr. G. Gayle Belfield

**Town of Urbanna** – Hon. Steven Hollberg

**Town of West Point** – Mr. Trenton Funkhouser

**Staff** – Mr. Lewis Lawrence, Ms. Jacqueline Shapo  
804-758-2311

### **Public Land Acquisition (1,000 acres conserved by spring 2008)**

**Public Policy Problem:** Lack of public access and conservation sites within the Dragon Run watershed

#### **Public Policy Solution:**

2007 – Acquired 357 acres

2008 – Under contract to acquire 209 acres

**Public Benefit:** Walking, fishing, picnicking, boating, bicycling, public hunting, educational opportunities

**Future Need:** Site management and land management plan development

### **VDOT Road Ending Transfers**

**Public Policy Problem:** Many Virginia Department of Transportation (VDOT) road endings are not managed for public access

**Public Policy Solution:** Achieved consensus on a process to transfer VDOT road endings to the PAA

**Public Benefit:** Enhanced public access to the water

**Future Need:** Site management and land management plan development

### **Wetlands Banking**

**Public Policy Problem:** No wetlands banks to serve citizens within the York River and small coastal basins

**Public Policy Solution:** Utilize the PAA to create a public wetlands bank

**Public Benefit:** Lower cost, consistency in the delivery of services, increase in passive public access

**Future Need:** Development of wetlands bank and management structure

### **Regional Waterfront Access Master Plan**

**Public Policy Problem:** Not enough public access to the waterways of the Middle Peninsula

**Public Policy Solution:** Develop a regional waterfront access master plan for the Middle Peninsula

**Public Benefit:** Citizens are able to access the water for recreation and business

**Future Need:** Acquire land for new public access to the water



## MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

### **What is the Public Access Authority?**

Established by Virginia State Code 15.2-6600 through 15.2-6625, the Public Access Authority (MPCBPAA or PAA) is a political subdivision that acts to serve the public access needs of the encompassed communities.

### **When was the Authority enabled?**

The MPCBPAA was created by the Virginia General Assembly on April 7, 2002 and ratified by participating localities on June 13, 2003.

### **Who are the members?**

The Counties of Essex, Gloucester, King & Queen, King William, and Mathews and the Towns of Tappahannock, Urbanna, and West Point.

### **Why was the Authority enabled?**

The PAA was established to identify, acquire, and manage public water access opportunities in the region that can be used by the general public for passive and active activities.

## AUTHORITY DIRECTORS

**Essex County** – Mr. R. Gary Allen, *Treasurer*

**Gloucester County** – Hon. Charles R. Allen

**King and Queen County** – Mr. Ronald Hachey, *Vice Chairman*

**King William County** – Mr. Frank Pleva, *Chairman*

**Mathews County** – Mr. Steven Whiteway

**Town of Tappahannock** – Mr. G. Gayle Belfield

**Town of Urbanna** – Hon. Steven Hollberg

**Town of West Point** – Mr. Trenton Funkhouser

**Staff** – Mr. Lewis Lawrence, Ms. Jacqueline Shapo  
804-758-2311

## INITIATIVES

**Public Land Acquisition (1,000 acres conserved by spring 2008)**

### **CELCP**

**Public Policy Problem:** Lack of public access and conservation sites within the Dragon Run watershed.

**Public Policy Solution:** The MPCBPAA used federal grants from the Coastal and Estuarine Land Conservation Program (CELCP), distributed through the Virginia Coastal Zone Management (CZM) Program, to acquire and open to public access 357 acres in the Dragon Run watershed, specifically the Dragon Bridge, Jackson, and Haworth Tracts. Again in early 2008, CELCP funding will be used to acquire a fourth parcel, the 209-acre Clay Tract, which abuts the Dragon Bridge and Jackson Tracts in the center of the watershed.

**Future Need:** New holdings will be linked with the Browne Tract (PAA's first multi-use public access site) in the upper portion of Dragon Run and with currently-protected neighboring forest and swamp lands to expand the zone of conservation within, stabilize, and protect the entire watershed. A stakeholder-driven, long-term stewardship plan will be developed for each of the four CELCP parcels utilizing input from members of the public, local and state government, and non-governmental organizations in the region. The land management plans will incorporate passive and low-impact, active public access to associated land- and water-based ecosystems, habitat core conservation, and multiple, traditional uses. Such uses may include walking, fishing, picnicking, paddling, bicycling, hunting, forest and habitat management, and educational opportunities.

### **Wetlands Banking**

**Public Policy Problem:** No wetlands banks to serve citizens within the York River and small coastal basins.

**Public Policy Solution:** Utilize the PAA to create a public wetlands bank. This ensures consistency in the delivery of services, lowers the cost to citizens and localities of mitigating the net loss of wetlands, and enhances passive public access to the York River and small coastal basins region.

**Future Need:** The PAA will convert local land holdings in Gloucester County, including potentially six Gloucester-owned FEMA buyout parcels, and portions of the Shenk property – a 14-acre, PAA-owned parcel on the southwest branch of the Severn River, to create bank credits and build a public wetlands bank. The PAA will then establish strategies, through the development of a wetlands bank management plan, to manage the properties cohesively.



Shenk Parcel  
Gloucester, Virginia  
Private Land Donation



## **TNC Land Donations**

**Public Policy Problem:** Lack of public access and conservation sites within the Middle Peninsula.

**Public Policy Solution:** The PAA, working with The Nature Conservancy (TNC), partners to transfer more than 350 acres of waterfront property in Mathews, King William, King and Queen, and Gloucester Counties for conversion to public lands for passive and low-impact, active recreational uses.

**Future Need:** Phase I of the TNC land donations will focus on the PAA acquiring Guinea Marshes – 189 acres of islands at the tip of Gloucester County and the Garrett Tract – a 12.5 acre island on the Mattaponi River in King William County. The Guinea Marshes parcel, which historically has been used for hunting and fishing, offers high ecotourism potential for the local community in Gloucester. Additionally, acquisition of the Garrett Tract, an area prime for waterfowl hunting, will give the PAA a significant presence in King William County and provide much needed public access to the community.

## **VDOT Landing and Road Ending Transfers**

**Public Policy Problem:** Many Virginia Department of Transportation (VDOT) road endings are not managed for public access.

**Public Policy Solution:** The MPCBPAA achieved consensus on a process to transfer VDOT road endings to any PAA. The MPCBPAA commissioned a report, entitled *Landing and Road Ending Acquisitions*, that identified ownership of five landings in the Middle Peninsula, obstacles that could impede easement conveyance to or acquisition of the sites by the PAA, and solutions to those

obstacles. Recommendations in the report were presented to the General Assembly as House Bill 2781 in January 2007. The bill, sponsored by Delegate Harvey Morgan, unanimously passed the GA and was approved by Governor Kaine in March 2007.

**Future Need:** The MPCBPAA is working with VDOT to acquire the first of five road endings, Lower Guinea Landing, at the end of Kings Creek Road in Gloucester. The PAA looks to finalize the landing transfer later this year and begin development of a road ending management plan for the parcel.



Lower Guinea Landing

## **Regional Waterfront Access Master Plan**

**Public Policy Problem:** Not enough public access to the waterways of the Middle Peninsula.

**Public Policy Solution:** Develop a regional waterfront access master plan for the Middle Peninsula. The PAA has partnered with Virginia Sea Grant to inventory coastal access issues and trends throughout the region, including existing access and ownership patterns, public access needs of residents in the lower Chesapeake Bay, waterfront conflicts, and conversion issues, as well as to highlight solutions for these issues. The PAA has developed a survey, in conjunction with *Write Stuff*, to outline the scope of coastal water access challenges and needs in the

region. Long and shorter versions of the survey will be mailed to various recreational watermen and working waterfront organizations. The survey also will be housed on the VA Sea Grant website: <http://www.wateraccess2007.com/>. Results collected will be used to help the PAA develop a Regional Waterfront Access Master Plan.

**Future Need:** The Regional Waterfront Access Master Plan will be used to inform decision-makers at the local and state government levels about the rapid changes sweeping coastal communities in the Middle Peninsula and to set future public access policy. The PAA will also use the master plan to acquire land for new public access to the water.



For more information, please visit:  
[www.mppdc.com/project/access.shtml](http://www.mppdc.com/project/access.shtml)

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