2006 Special Session I

Budget Bill - HB5012 (Introduced)

Bill Order » Office of Natural Resources » Item 383

Department of Conservation and Recreation

Item 383	First Year - FY2005	Second Year - FY2006
Leisure and Recreation Services (50400)	**$39,489,000**	**$35,004,441**
Preservation of Open-Space Lands (50401)	$13,871,325	$3,871,325
Financial Assistance for Recreational Development (50402)	$2,279,105	$2,279,105
Acquisition, Design, and Construction of Outdoor Recreational Facilities (50403)	$1,000,591	$1,000,591
State Park Conservation; Operations, Preservation, and Management (50404)	$21,530,434	$26,965,875
Natural, Outdoor Recreational, and Open Space Resource Planning and Technical Assistance (50406)	$807,545	$887,545
Fund Sources:		
General	$27,862,683	$23,128,124
Special	$9,309,754	$9,559,754
Dedicated Special Revenue	$300,000	$300,000
Federal Trust	$2,016,563	$2,016,563

Authority: Title 10.1, Chapters 1, 2, 2.1, 3, 4, 4.1, and 17, Code of Virginia.

A.1. Out of the amount for Financial Assistance for Recreational Development shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed $225,000 the first year and $225,000 the second year from the general fund.

2. The Breaks Interstate Park Commission shall provide quarterly financial reports detailing all revenues and expenditures to the Director of the Department of Conservation and Recreation and the Director of the Department of Planning and Budget. The Commission shall also submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts.

B. Net revenues generated from forest product sales on public park, recreational, and conservation lands owned or managed by the Department of Conservation and Recreation shall be deposited in the Conservation Resources Fund (§ 10.1-202, Code of Virginia). From the total revenues collected by the Department, the Department shall reimburse the Department of Forestry or other sources of forestry expertise for their expenses related to the management, harvesting, and reforestation of the Departmental lands.

C. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the Conservation and Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the Department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The Department is further authorized to

enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

D. All revenue from private concession operations shall be deposited to the Conservation Resources Fund. All revenues from state-operated concession operations shall be deposited into the State-Operated Concession Fund.

E. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the Conservation Resources Fund may be used to extend the operating season of various state parks and to provide for an in-house reservation system for the state park system.

F. The Department of Conservation and Recreation, in cooperation with the Department of Corrections, shall, to the extent possible, use inmate labor for routine work projects in state parks and natural areas.

G. Included in the amount for Preservation of Open-Space Lands is $1,300,000 the first year and $1,300,000 the second year from the general fund for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

H.1. The Chairman of the Virginia Land Conservation Foundation shall provide a report of the previous biennium by December 15, 2004 to the Chairmen of the Senate Finance and House Appropriations Committees, and the Director of the Department of Planning and Budget, including, but not limited to, implementation of the Foundation's strategic plan; projects under consideration for funding; descriptions of projects that received funding; and expenditures from, interest earned by, and financial obligations of the Virginia Land Conservation Fund.

2. Included in the amount for Preservation of Open Space Lands is $12,500,000 the first year and $2,500,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia.

3. The Chairman of the Virginia Land Conservation Foundation, or his designee, shall review the criteria used to evaluate grant applications. Based on this review, the Foundation shall develop new review criteria that better quantify the relative merits of each prospective grant parcel. The measurable criteria shall include, but are not limited to, the following: (1) the status of the parcel under a locality's master plan as a Chesapeake Bay Preservation Area, (2) the degree to which securing the parcel will protect local drinking water supplies, (3) the degree to which the parcel satisfies recreational needs of population centers, or other recreational needs as identified in the Virginia Outdoors Plan, (4) the extent to which the affected localities have identified the parcel as having important local water quality or recreational benefits, (5) other criteria that are relevant to the particular classes of open space preservation provided under Virginia law, and (6) the cost-effectiveness of the parcel in satisfying these criteria compared to alternatives. By November 19, 2004, copies of the proposed revisions to the grant review criteria shall be provided to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance, and Agriculture, Conservation and Natural Resources.

4. Beginning November 1, 2005, and annually thereafter, the Chairman of the Virginia Land Conservation Foundation shall submit a report to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources, and the Director of the Department of Planning and Budget on the activities of the Virginia Land Conservation Foundation including, but not limited to, implementation of the Foundation's strategic plan; projects under consideration for funding, with their scores on the new grant review criteria developed pursuant to paragraph H 3 above; projects funded, with their scores on the new grant review criteria developed pursuant to paragraph H 3 above; and expenditures from, interest earned by, and financial obligations of the Virginia Land Conservation Fund.

I. Notwithstanding the provisions of § 10.1-202, Code of Virginia, the Department is authorized to utilize more

than 25 percent of revenues deposited into the Conservation Resources Fund for the operation of state parks. The amount utilized shall be approved by the Secretary of Natural Resources and shall be reported on a quarterly basis to the Chairmen of the House Appropriations and Senate Finance Committees.

J. Out of the amounts collected pursuant to Item 255 F of this act, on or before June 30, 2005, and June 30, 2006, the Comptroller shall transfer all funds in excess of $5,000,000 collected in each fiscal year to the Virginia Land Conservation Fund to be distributed pursuant to § 10.1-1020, Code of Virginia, for the preservation of open-space lands. There is hereby established a sum sufficient appropriation in the Department of Conservation and Recreation, not to exceed the amount of funds in excess of $5,000,000 per year collected pursuant to Item 255 F.

K. The Director of the Department of Conservation and Recreation, at his discretion, is authorized to accept on behalf of the Commonwealth a gift of property known as Falling Springs Falls, located in Allegheny County. The Director shall only accept the property provided that it does not create liabilities for the Commonwealth and keeps operating costs minimal.

L. No funds shall be expended or authorized by the Department of Conservation and Recreation for the development of a state park on the property transferred from the Beaumont Juvenile Correctional Center until completion of the park master plan, which shall include adequate opportunity for public participation in the planning process. Nothing in this item shall preclude the Department from making necessary arrangements to secure the property in accordance with the terms of transfer from the Department of Juvenile Justice or from undertaking alterations necessary for public safety. The Department shall notify the Chairmen of the House Appropriations and Senate Finance Committees 60 days prior to any alterations to the property that are pursuant to development of a state park.

M. Out of the amount for State Park Conservation; Operations, Preservation, and Management, $650,000 from the general fund is appropriated in the second year for repair of dams in state parks. Priority should be given to repairs that are necessary to protect life and safety.

N. The Department of Conservation and Recreation shall conduct a study to address the feasibility of establishing day use recreational access and sites along the Clinch River in the vicinity of Pinnacles Natural Area Preserve in Russell County. This study shall include the feasibility of establishing day use, environmental education and recreational activities, recreational access and park sites along the river, establishing a state or regional park, an examination of the resources that would be necessary to operate the facilities and sites, the availability of land for such facilities and sites and for the addition of land to the existing Pinnacles Natural Area Preserve, and any other conditions that may require review. The study shall recognize the value of maintaining and enhancing the existing Pinnacle Natural Area Preserve and develop recommendations that shall be compatible with it. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by no later than December 1, 2005.

O. Out of the amounts appropriated for State Park Conservation, Operations, Preservation, and Management, $60,000 in the second year and one position shall be allocated to hire an executive director for the Cove Ridge Center, an environmental education and meeting facility located within Natural Tunnel State Park.

P. Out of the amounts appropriated for State Park Conservation, Operations, Preservation, and Management, $35,000 in the second year is provided for the installation and maintenance of fencing on False Cape State Park along the border between Virginia and North Carolina. Such fencing, if necessary to prevent the migration of wild horses from North Carolina into the state park, shall be permitted to extend into the Atlantic Ocean. If fencing is not necessary to prevent the migration of these wild horses, or if any portion of this appropriation has not been spent for the installation and maintenance of fencing within two years, then that amount shall be available to the agency to spend upon other needs within the state park system.