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# VIRGINIA STATE BUDGET

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2017 Session

## Budget Bill - HB1500 (Chapter 836)

Bill Order » Office of Natural Resources » Item 365

Department of Conservation and Recreation

### Item 365

First Year - FY2017 Second Year - FY2018

<b>Leisure and Recreation Services (50400)</b>	<del>\$59,377,155</del> <b>\$59,142,155</b>	<del>\$59,043,790</del> <b>\$55,513,652</b>
Preservation of Open Space Lands (50401)	\$13,749,857	<del>\$13,749,857</del> \$10,219,719
Design and Construction of Outdoor Recreational Facilities (50403)	\$875,500	\$875,500
State Park Management and Operations (50404)	<del>\$41,283,592</del> \$41,048,592	\$40,950,227
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$3,468,206	\$3,468,206
Fund Sources:		
General	<del>\$30,631,055</del> \$30,396,055	<del>\$30,297,690</del> \$26,767,552
Special	\$22,622,592	\$22,622,592
Debt Service	\$75,000	\$75,000
Dedicated Special Revenue	\$1,900,000	\$1,900,000
Federal Trust	\$4,148,508	\$4,148,508

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Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Out of the amount for Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed \$275,000 the first year and \$275,000 the second year from the general fund.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

B. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation 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.

C. Included in the amount for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia). *Pursuant to § 58.1-817, the \$1 recordation fee shall be imposed on each instrument or document recorded in the proper book for filing of land records in those jurisdictions in which open-space easements are held by the Virginia Outdoors Foundation.*

D.1. Included in the amount for Preservation of Open Space Lands is \$8,000,000 the first year and ~~\$8,000,000~~ \$4,500,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. *Notwithstanding § 10.1-1020, Code of Virginia, \$900,000 shall be transferred to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust Fund. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied* ~~Of these funds, after Virginia Outdoors Foundation's Open-Space Lands Preservation Trust Fund statutory distribution obligations have been satisfied, no less than 50 percent of the remaining appropriations~~ are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

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

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The Department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park.

G. The Board of Conservation and Recreation shall consider whether public-private partnerships would (i) result in greater operational efficiencies in the planning, development, construction, and operation of new state parks and in the management of existing state parks and (ii) generate cost savings, allow for additional state park amenities, and increase operational revenues for state parks. Technical assistance shall be provided to the Board by the Department of Conservation and Recreation. The Board shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2016.

H. Out of this appropriation, ~~\$635,000~~ \$400,000 the first year from the general fund is designated to leverage additional support through a public-private ~~efforts partnership~~ to complete the trail redevelopment and enhancement at Pocahontas State Park consistent with the Pocahontas State Park's Swift Creek Mountain Bike Trail Concept plan, ~~including the design for trailhead facilities accessible for disabled riders.~~ *It is the intent of the General Assembly that this funding shall be expended solely for the construction of trails related to this plan, which included trails accessible to disabled riders.*

I. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this item, the Department of Conservation and Recreation shall not initiate or accept by gift, transfer or purchase with nongeneral funds any *new* lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. *However, the Department is authorized to acquire in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-25 and C-26 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that such acquisitions will not cause the Department to incur additional operating expenses resulting from such acquisitions.*

