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# VIRGINIA STATE BUDGET

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2018 Special Session I

## Budget Bill - HB5002 (HB5002S1)

Bill Order » Office of Natural Resources » Item 363

Department of Conservation and Recreation

Item 363	First Year - FY2019	Second Year - FY2020
<b>Leisure and Recreation Services (50400)</b>	<b>\$58,395,919</b>	<b>\$61,884,926</b>
Preservation of Open Space Lands (50401)	\$6,723,417	\$10,910,917
Design and Construction of Outdoor Recreational Facilities (50403)	\$886,797	\$886,797
State Park Management and Operations (50404)	\$46,305,543	\$45,719,550
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$4,480,162	\$4,367,662
Fund Sources:		
General	\$24,379,426	\$28,373,764
Special	\$26,444,308	\$26,444,308
Dedicated Special Revenue	\$2,322,455	\$1,817,124
Federal Trust	\$5,249,730	\$5,249,730

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

B. Included in the amounts 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.

C.1. Out of the amounts appropriated for Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance, up to \$275,000 the first year and \$275,000 the second year from the general

fund shall be paid for the operation and maintenance of Breaks Interstate Park. In addition to these amounts provided for operations and maintenance, an additional \$112,500 the first year from the general fund is appropriated to undertake emergency repairs at the Breaks Interstate Park dam.

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.

D. 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.

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.1. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this Item, the department 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 land as expressly set out in Item C-27 of this act, as well as 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 acquisitions authorized in Items C-25 and C-26 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such acquisitions.

2. The Board of Conservation and Recreation is directed to develop a prioritization process and report which evaluates the relative priority of improvements for all properties that have not yet been fully developed as State Parks or Natural Area Preserves to ensure that the development of land-banked properties and properties not fully developed State Parks is undertaken with consideration of: i.) priority on development in areas with limited access to state and regional outdoor recreation facilities; ii.) the relative operational costs and staffing needs for any new areas compared to operating and staffing needs at existing state parks and natural areas; iii.) focus on in-holdings and parcels contiguous to existing state parks and natural area preserves; and iv.) any other such criteria as may deemed appropriate. The Board shall complete its evaluation and submit its prioritized listing to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2018.

H. Included in the amounts for State Park Management and Operations is \$965,310 the first year and \$590,944 the second year and 6.0 FTE positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular

revenue generating operations at the Park.

I. Included in the amount for this item is \$167,548 and 1.0 FTE position the first year and \$198,752 and 2.0 FTE positions the second year from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amounts for this item is \$50,000 from the general fund in the first year for the Department of Conservation and Recreation to develop a plan to expand bike facilities at First Landing State Park.