

DuPont – Waynesboro Natural Resource Damage Assessment and Restoration Settlement

Proposal Submission Procedures for:

- Land Protection, Acquisition, and Enhancement Projects
- Migratory Songbird Habitat Restoration and Protection Projects



Preferred Restoration Alternative

- | | |
|--|---------------|
| • Land protection, property acquisition, and recreational and wildlife enhancements | Discuss today |
| • Projects to improve water quality and fish habitat | Discuss today |
| • Mussel propagation and restoration | pending |
| • Neotropical migratory songbird full life cycle restoration | Discuss today |
| • Recreational fishing improvement projects – access points and Front Royal Hatchery renovations | pending |

Funding and Scoring Categories

- Funds are divided among two categories:
 - (1) Land Protection, Acquisition, and Enhancement Projects:
\$19,500,000
 - (2) Migratory Songbird Habitat Restoration and Protection
Projects: \$2,500,000

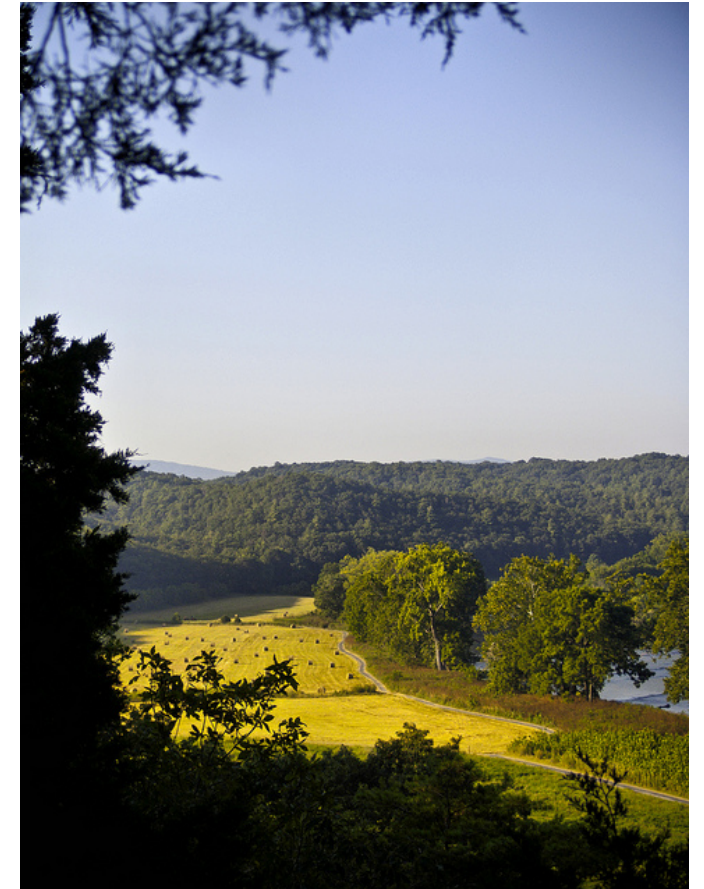


Land Protection Projects

\$19.5 M for land protection, property acquisition, and recreational and wildlife enhancements

Category Overview:

- Protection, acquisition, and enhancement of riparian and floodplain habitat within the South River and South Fork Shenandoah River watershed.
- Should benefit the same natural resources that were injured, reduce habitat fragmentation, and support or benefit key biological resources (wildlife and fish habitat, rare species occurrences, natural communities, wetland features, or other sensitive or unique attributes).
- The Willets Tract Addition and Forest Restoration was specifically provided in the RP/EA (Section 5.3.4).



Migratory Songbird Projects

\$2.5 M for migratory songbird full life cycle restoration

Category Overview:

- Habitat protection, enhancement, and/or restoration specific for migratory songbirds, and may include restoration activities located throughout their full life cycle (e.g., provides known nesting habitat for impacted species, species use the habitat for feeding or breeding).
- These projects must show either proximity to the South River / South Fork Shenandoah River Watershed and/or relevance to migratory birds that were impacted in this area.



Proposal Schedule

Friday August 25, 2017	Stakeholder Meeting – announcement of proposal process.
Monday October 9, 2017,	Deadline for application submittal – three copies plus electronic submission required.
October 2017	Review & Score Proposals - Commonwealth of Virginia staff will review and make recommendations to VLCF Board.
October/November 2017	VLCF Board will review proposals and make recommendations to Secretary of Natural Resources.
November 2017	Secretary of Natural Resources will review submissions and provide recommendations to the Trustee Council.
November/December 2017	Final Decisions of projects for funding by Trustee Council.

Program Eligibility

- *Who may apply?*
 - State & federal agencies;
 - Localities
 - Public bodies; and
 - Registered (tax-exempt) nonprofit organizations (meet requirements of VA Code. (VA Conservation Easement Act § 10.1-1009)
- Proposals may be *acquisitions in fee simple, conservation or open-space easements*, and recreational or wildlife enhancement projects.
- *Minimum Application* = \$200,000 total cost
- Applicant should have necessary capacity to manage the project.

Acquisition

- Must show that the landowner has been notified and a willingness to negotiate (letter).
- Include an assessment of property market value. Full appraisals are not required at the time of application submittal.
- A survey to ALTA/ACSM standards is required for fee simple acquisitions.
- Evidence of clear title is needed, and all projects require title insurance.



Easements



- In your application, please explain conditions to be included in the easement – provide term sheet or draft deed if possible.
- Projects undertaken by a registered non-profit organization must have a conservation easement that is held or co-held by a public body (*i.e.*, a state or federal agency, local government, or SWCD)
- Easements require a survey to state standards – VA Administrative Code: 18VAC10-20-370
<http://law.lis.virginia.gov/admincode/title18/agency10/chapter20/section370/>

Enhancement

- Enhancement activities may include (but are not limited to):
 - Converting row crop and pasture/hay to forest (riparian or upland);
 - Invasive species control;
 - Wetland restoration;
 - Grassland creation (in certain areas)
- Must show likelihood of success and technical feasibility.



Ineligible Projects

- Project is otherwise required by federal, state, or local laws, regulations, permits, or licenses.
- Significant adverse environmental impacts would result from the project, and such impacts are not adequately mitigated.
- Potential for significant adverse effects to human health and safety would result from the project, and such effects are not adequately mitigated.

Submission Information

Due: Monday October 9, 2017

Three paper copies and an electronic version on USB drive or CD

By U.S. Mail:

Office of the Secretary of Natural Resources
Attn: DuPont Settlement – Land Protection
P.O. Box 1475
Richmond, Virginia 23218

By UPS, Courier, or other means:

Office of the Secretary of Natural Resources
Attn: DuPont Settlement – Land Protection
Patrick Henry Building, 4th Floor
1111 E. Broad St.
Richmond, Virginia 23219



Application Weaknesses

- ❖ No relationship to the South River/South Fork Shenandoah River watershed
- ❖ No clear indication that acquisition phase can be completed within two years.
- ❖ No clear demonstration that property is of real significance at the regional, state, or federal level.
- ❖ No indication that the property owner is willing to conserve their property.
- ❖ No clear demonstration of the actual degree of threat to the property.
- ❖ Not explicitly addressing all items and all scoring criteria in the application form.

Application Review Steps

- *Step 1* – A technical team from the Secretary of Natural Resources' office and the Department of Conservation and Recreation will review and score proposals and present them to the Board of Trustees of the Virginia Land Conservation Foundation.
- *Step 2* – The Virginia Land Conservation Foundation Board of Trustees will review the proposals and make funding recommendations to the Secretary of Natural Resources.
- *Step 3* – The Secretary of Natural Resources will review the recommendations and will bring the recommendations to the Trustee Council for consideration.
- *Step 4* – The Trustee Council (consisting of the Secretary of Natural Resources and the U.S. Fish and Wildlife Service), will jointly make the final project selection and funding decisions.

Project Application and other information may be found here:

<http://naturalresources.virginia.gov/initiatives/dupont-settlement-grants>

Questions?

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