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39,000 Acres Protected in 2011

VOF now protects nearly 650,000 acres statewide.



The second half of the year is always the busiest time for the Virginia Outdoors Foundation, and 2011 was no exception.

Of the 39,280 acres that VOF protected, more than half were recorded after Thanksgiving. In all, VOF recorded 216 easements in 66 localities, including its first easement in Mecklenburg County—a 121-acre farm that has been in the same family for more than a century. Bath County had the most open space protected with 2,566 acres on eight easements.

The total acreage averages out to about four acres per hour for 2011 and marks a 50-percent increase over the acreage recorded in 2010. It also represents about two-thirds of all the land that was conserved by governmental and private entities in 2011 in Virginia—demonstrating VOF's continuing role as the Commonwealth's leader in land conservation.

VOF now protects almost 650,000 acres across 106 localities—an area half the size of Delaware.

To see how much acreage VOF protects in your area, refer to the table on page 6.



Among the easements that VOF recorded in 2011 was this 264-acre forested property in Rockbridge County, which contains extensive frontage on the South River and Little Mary's Creek, a designated native trout stream.



Protect Virginia's Outdoors: Donate Today

2011 was a great year for land conservation in Virginia, but we need your help to sustain the momentum. Please consider making a tax-deductible donation to help VOF continue to preserve Virginia's open spaces for future generations. You can donate one of three ways:

1. Visit virginiaoutdoorsfoundation.org/donate.
2. Call (540) 347-7727 to make a credit card donation.
3. Send a check made payable to the Virginia Outdoors Foundation using the envelope in this newsletter.

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OFFICE LOCATIONS

Executive Office / Northern Region

39 Garrett Street, Suite 200
Warrenton, VA 20186
(540) 347-7727

Appalachian Highlands Region

468 Main Street, Suite 400-B
Abingdon, VA 24210
(276) 623-8256

Central Region

1010 Harris Street, Suite 4
Charlottesville, VA 22903
(434) 293-3423

Shenandoah Valley Region

11 East Beverley Street
Staunton, VA 24401
(540) 886-2460

Southeast Region

1108 East Main St., Suite 700
Richmond, VA 23219
(804) 786-9603

Southwest Region

900 South Main Street
Blacksburg, VA 24060
(540) 951-2822

Tidewater Region

P.O. Box 909
Tappahannock, VA 22560
(804) 443-3029

HAIL & FAREWELL

Letter from the Executive Director

As is related in the article on page 3, the Virginia Outdoors Foundation welcomes its new Chairman of the Board of Trustees, Charles H. (Charlie) Seilheimer, who was appointed to the position by Governor McDonnell in February. I would like to take a moment to also bid farewell to our outgoing Chairman, Hank Hartz, who leaves the board after many years of devoted service.

Those of us who have had the profound pleasure of knowing and working alongside Hank know that he is not really leaving behind his commitment to VOF and the Virginia tradition of voluntary land conservation. VOF Trustees may only serve two consecutive four-year terms, and as Hank completed his second term he has transitioned to other ways to support the VOF mission.

During Hank's tenure, and particularly as a result of his extraordinary personal efforts as Chairman, the VOF portfolio of easements more than doubled both in the number of recorded easement instruments and also in the total acreage covered by VOF conservation protections and stewardship. Hank was a full-time unpaid VOF Trustee and Chairman whose indefatigable efforts will be long remembered by the Virginia public officials, VOF staff, and land conservation partners who came to look to him for exemplary leadership, guidance, and inspiration. His complete dedication and devotion to protecting our Commonwealth's natural and cultural heritage lands endures as a perpetual legacy.

As Hank transitions to a more behind-the-scenes role of continuing commitment to protecting Virginia's estimable open-space landscapes, Charlie Seilheimer, Hank's friend and colleague on the VOF Board of Trustees, has been asked by Governor McDonnell to sustain the standards of land conservation excellence as VOF's new Chairman. This passing of the leadership baton, like previous VOF changes of the guard, exemplifies the enduring commitment of Virginia governors to the shared heritage for which our state has long been venerated.

Since VOF was chartered by the General Assembly in 1966, it has been the preeminent state leader in voluntary land conservation efforts thanks to the extraordinary leadership of the gentlemen and gentlewomen appointed as trustees (an apt descriptive title) by Virginia governors. Now, more than ever, the hallowed Virginia tradition of stewardship and reverence for our endowed landscapes is vitally important so that future citizens can know the rich bounty of natural resources that have nurtured us, defined our cultural pursuits, and enriched our very souls.

To the legions of friends who have supported VOF's mission, I respectfully request that you join me in thanking Hank for his past and continuing selfless devotion to our open-space vision, and in hailing Charlie Seilheimer for accepting the mantle of leadership and trust that has been passed to him. These are public servants who have made a positive and perpetual difference.



Bob Lee, Executive Director
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Governor McDonnell Names New VOF Chairman

Gov. Bob McDonnell recently named Virginia Outdoors Foundation Trustee Charles H. Seilheimer, Jr., as VOF's new Chairman of the Board of Trustees. Mr. Seilheimer replaces Hank Hartz, who had been Chairman since March 2007 and recently stepped down to pursue other interests.



Charles H. Seilheimer, Jr.

Mr. Seilheimer, who lives in Orange County, was appointed to his current term on the VOF Board of Trustees by Gov. McDonnell in 2011. He had previously served on the board from March 2002 (filling an unexpired term) to June 2009. He has been involved with land conservation in Virginia since the early 1970s, when he moved here from his native New York. After receiving his law degree, he held a number of business and banking positions and directorships. He then founded and became President and CEO of Sotheby's International Realty Corporation and built it into the largest marketer of luxury, residential, estate, and farm property worldwide. He is also president of The Seilheimer Foundation.

Over the decades, Mr. Seilheimer has supported many non-profit causes involving the arts, education, and the preservation of open space and historic resources. He served for many years on the board of the Piedmont Environmental Council. As VOF's Chairman, he looks forward to building on the success of what he calls the "entrepreneurial" and "pioneering" open-space preservation programs in Virginia.

"Even though VOF has protected more than 600,000 acres on 3,300 easements, we still have only scratched the surface," he says. "The McDonnell Administration has a firm commitment to meeting its goal of protecting 400,000 additional acres. The best way to achieve that is not by having the state purchase land, but by having the state encourage through tax advantages an individual's right to save the land that they want to save."

Among Mr. Seilheimer's priorities as Chairman will be to maintain the integrity of the program despite financial challenges, and to expand VOF's use of volunteers.

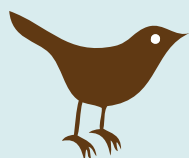


BY THE NUMBERS

Which of the following rivers has the most frontage along VOF-protected land?

- A. JAMES RIVER
- B. RAPPAHANNOCK RIVER
- C. NEW RIVER
- D. SHENANDOAH RIVER

Answer on page 7



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Getting Paid to Protect

A primer on ecological markets. *By Kip Mumaw, PE*

Editor's note: The information in this article has been provided by a firm that specializes in ecological markets and in no way should be construed as an endorsement by VOF for any firm or service. It is meant for educational purposes only, and VOF urges any landowner interested in these services to seek independent advice. If you are looking to engage in these practices on land protected by a VOF easement, please contact your local stewardship office to ensure that it is compatible with the easement terms.

Balancing natural resource conservation with economic growth is a difficult task. Take, for example, a supermarket chain that wants to open a store in an urban area. The proposed building site, which we'll call Property A, is well suited for commercial development, but it contains a small stream and a wetland, which are both protected under state and federal law. The laws require the supermarket owner to treat any polluted runoff from the site, such as from a parking lot. The company can take steps to reduce pollution but is unable to avoid it altogether. In addition, meeting these requirements would make the project cost-prohibitive.

Several miles down the road, there is another property, which we'll call Property B, which also has streams, wetlands, and other ecologic resources but is less suited for development. If this property owner were to develop, it would be expensive and would not serve the community in an effective way. But if the property owner decided to restore the streams and wetlands and reforest the land, these resources would help to filter pollutants from stormwater, reduce flooding in the stream, and provide habitat for wildlife. We call these functions "ecosystem services."

In recent years, a system has emerged that allows the owner of Property B to earn credits for restoring ecosystem services and

then sell these credits to the supermarket chain to mitigate for the impacts the new store will create on Property A. This allows the land that is best suited for development to be developed in compliance with state and federal laws, while the owner of Property B is compensated for providing important ecosystem services. Both properties end up being used in the most efficient and productive manner.

This system of credits, sellers, and buyers is known as an ecological marketplace, and it is taking hold in Virginia and across the nation. Many people expect these markets to expand in the coming years. As the markets grow, they will provide owners of land with high conservation value the possibility to earn money from protecting and restoring their resources.

Ecological markets can develop around a number of ecosystem services. In Virginia, stream and wetland banking has been in effect since federal and state guidance was formalized in 1995. Other types of markets that are being developed include carbon trading, brook trout credits, water quality trading, and biodiversity banking. The markets are driven by demand and supply and managed through a regulatory framework that ensures compliance with environmental laws.

Wetland and stream banking are two of the more established markets. They involve the generation of a credit based on the successful restoration, enhancement, or preservation of a wetland or stream. These projects are called mitigation banks. Once an area has been determined to be suitable for banking by a qualified professional, a document called a prospectus is submitted to a regulatory body composed of state and federal agency staff called the Interagency Review Team. This team ensures that what is being protected or restored is equal or greater to what is being



This stream was restored by Ecosystem Services, LLC as part of a mitigation project in North Carolina. Although the stream looks natural to the untrained eye, most of the rocks and tree limbs were actually placed in the streambed by design in order to create riffles and pools that provide habitat and reduce erosion. By restoring these ecosystem services, the project offsets the negative impact of development elsewhere in the watershed.


lost. After the project receives initial approval, a legal document called the Mitigation Banking Instrument (MBI) is submitted. This document outlines the areas to be restored, the construction phasing, the number of credits expected to be generated, the monitoring requirements, and other terms of the agreement. To help with restoration costs, 15 percent of the credits are released after approval of the MBI.

The MBI also outlines the area to be entered into a conservation easement for banking purposes. As long as the terms and conditions of the bank are deemed acceptable, this easement may be compatible with new or existing Virginia Outdoors Foundation easements. If you are a landowner with an existing VOF easement who is investigating these options, contact VOF to ensure compatibility.

Another ecological market that is becoming more established involves nutrient credits. In 2011, the Virginia General Assembly required localities to accept nutrient credits under certain conditions to offset the pollution contained within stormwater runoff from a developed area. Nutrient credits are generated by reducing the amount of nutrient pollution from fertilizers or other sources that enter a waterway. So, if you are a farmer who owns some unproductive agricultural land, you could earn nutrient credits by reforesting the land, restoring

streams, and implementing Best Management Practices or other innovative techniques. This year, the Virginia General Assembly is considering expanding nutrient banking. Over the next year, it is likely that this market will be further regulated to mimic stream and wetland banking.

We are also beginning to see the creation of highly specialized markets. For instance, brook trout credits are a new market that is being established in West Virginia. Although still in its infancy, this is one market to keep an eye on, especially if you own prime brook trout habitat.

The demand for ecological markets varies from region to region and is dependent upon land development and environmental regulation. With efforts to restore the Chesapeake Bay, implement new stormwater regulations, and mitigate impacts from development and industry, the market for ecological assets appears to be expanding. As their usefulness and success is demonstrated, these markets should provide greater opportunities for landowners to protect their natural resources while generating income. 

Kip Mumaw is co-founder of Ecosystem Services, LLC and serves as the principal engineer, restoration designer, and water resources specialist. He can be reached at kip@ecosystemllc.com.

ADDITIONAL RESOURCES

EPA Mitigation Banking Fact Sheet

www.epa.gov/owow/wetlands/facts/fact16.html

Final Compensatory Mitigation Rule

www.epa.gov/owow/keep/wetlands/wetlandsmitigation/index.html#regs

USDA's "Farm of the Future" series

www.usda.gov/oce/environmental_markets/farm.htm

Nutrient banking in the Chesapeake Bay

www.wri.org/publication/how-nutrient-trading-could-help-restore-the-chesapeake-bay

Ecosystem Marketplace

www.ecosystemmarketplace.com

National Mitigation Banking Association

www.mitigationbanking.org

The Bay Bank

www.thebaybank.org

VOLUNTEER SPOTLIGHT



Since January, Maureen Ramsey has volunteered more than 70 hours at VOF's Richmond office, helping to organize the extensive stewardship records for each of VOF's 3,300 easements. She has also been helping VOF staff monitor changes on easement properties through the use of low-cost, publicly available aerial imagery. The tasks are a perfect fit for Maureen, who has a background in law and information technology. And for a person who enjoys hiking and trail biking, VOF's mission is a perfect fit, too. Thanks, Maureen!

EASEMENT ACREAGE BY LOCALITY

Locality	2011 Acreage	Total Acreage	Locality	2011 Acreage	Total Acreage
Accomack	0.00	1,222.00	King William	1,132.39	6,471.88
Albemarle	888.25	63,589.81	Lancaster	370.24	2,147.24
Alleghany	0.00	6,469.47	Lee	0.00	331.74
Amelia	1,133.90	14,399.85	Loudoun	134.00	24,491.43
Amherst	0.00	5,513.60	Louisa	1,206.11	6,733.69
Appomattox	1,226.57	2,234.18	Lunenburg	502.66	1,932.09
Arlington	0.00	0.64	Lynchburg (City)	50.37	89.37
Augusta	1,717.54	17,777.03	Madison	192.02	11,653.45
Bath	2,566.68	23,956.42	Mathews	0.00	60.25
Bedford	767.99	8,234.28	Mecklenburg	121.67	121.67
Bedford (City)	0.00	44.92	Middlesex	178.00	1,801.47
Bland	0.00	2,004.11	Montgomery	1,181.04	11,260.13
Botetourt	0.00	14,819.38	Nelson	365.62	9,018.04
Brunswick	197.76	938.32	New Kent	0.00	257.50
Buckingham	426.11	3,034.72	Northampton	172.25	2,061.28
Campbell	514.50	6,738.63	Northumberland	517.13	2,197.82
Caroline	861.88	5,139.81	Nottoway	83.47	358.52
Carroll	464.35	3,657.44	Orange	1,305.26	29,765.27
Charles City County	0.00	1,410.20	Page	60.60	1,793.12
Charlotte	754.88	3,524.39	Patrick	0.00	1,912.22
Chesapeake (City)	0.00	542.71	Pittsylvania	196.00	5,959.53
Chesterfield	0.00	559.03	Powhatan	47.89	1,739.57
Clarke	0.00	15,145.78	Prince Edward	286.84	2,670.79
Craig	0.00	4,128.65	Prince George	0.00	1,965.45
Culpeper	377.85	10,121.29	Prince William	0.00	819.98
Cumberland	102.36	1,152.36	Pulaski	205.63	2,964.32
Danville (City)	0.00	73.15	Radford (City)	0.00	203.62
Dinwiddie	466.47	683.47	Rappahannock	658.17	28,112.10
Essex	798.49	12,704.95	Richmond	316.47	4,933.91
Fairfax	0.00	127.73	Roanoke	361.83	5,966.29
Fauquier	1,008.10	69,956.05	Roanoke (City)	0.00	653.32
Floyd	191.49	6,361.20	Rockbridge	2,260.23	35,199.87
Fluvanna	233.92	11,046.49	Rockingham	1,066.51	3,720.82
Franklin	1,823.36	6,219.68	Russell	1,381.72	2,502.63
Frederick	0.00	4,564.76	Scott	0.00	979.38
Fredericksburg (City)	0.00	128.96	Shenandoah	0.00	3,636.25
Galax (City)	0.00	50.00	Smyth	766.83	7,021.64
Giles	527.28	4,343.32	Southampton	0.00	1,134.36
Gloucester	0.00	444.69	Spotsylvania	112.68	3,889.80
Goochland	0.00	2,505.50	Stafford	0.00	2,398.24
Grayson	575.21	7,637.47	Staunton (City)	0.00	2.70
Greene	550.58	7,673.20	Suffolk (City)	146.00	538.77
Greensville	374.57	1,120.77	Surry	0.00	1,579.15
Halifax	1,068.20	4,428.11	Sussex	135.09	1,187.04
Hampton (City)	43.66	72.51	Tazewell	0.00	6,992.73
Hanover	0.00	2,994.01	Virginia Beach (City)	0.00	341.69
Henrico	0.00	108.10	Warren	89.40	6,345.44
Henry	77.72	1,542.88	Washington	593.91	2,630.03
Highland	1,565.85	11,283.68	Westmoreland	47.70	6,691.99
Isle of Wight	0.00	38.73	Winchester (City)	0.00	115.27
James City	0.00	400.93	Wise	170.00	266.47
King and Queen	200.17	4,185.20	Wythe	1,029.31	7,846.13
King George	329.50	4,284.31	York	0.00	18.50
Figures are as of December 31, 2011. Data compiled March 21, 2012.			TOTALS	39,280.23	646,824.83

EASEMENT SPOTLIGHT

Preservation at Milepost 25

Little has changed about the Blue Ridge Parkway since Craig Colberg first visited it in the 1950s.

"My parents drove me on Skyline Drive and the Blue Ridge Parkway when I was just probably 10 years old, and I've never forgotten it," he says. "The beauty of the overlooks, the stonework, how well the road follows the contour of the mountains, the lower speed limit of the parkway, the lack of urgency. It's a different pace of travel up there."

As a father himself, Mr. Colberg has enjoyed the parkway's charm with his wife and four sons for more than 20 years from their home in Charlottesville, Va., at the foot of the Blue Ridge Mountains.

Ten years ago, he noticed a small Christmas tree farm along the parkway at Milepost 25 in Nelson County. The property shared about a mile of frontage on the road and sat amidst sweeping views of the surrounding valleys. "I told my wife it was the most beautiful property I had ever seen," he recalls.

In 2009, he learned that the 365-acre farm was for sale. His interest was piqued.

The seller was Lexington-based Washington and Lee University, which owned the farm since 1977. The property was a gift from a family who wished it to be used for the benefit of the school. For decades, W&L operated Skylark Farm, as it was called, as a retreat and conference center. In recent years, however, the school couldn't justify the cost of maintaining the property. It put Skylark Farm on the open market with an asking price of \$4.5 million.

When the National Park Service learned that the property was for sale, it became concerned. The parkway is the most-visited unit in the National Park System, with an estimated 16 million visitors annually. "Most of our visitors come to enjoy the scenic views, and Skylark Farm sits among some of the most beautiful views," says Blue Ridge Parkway Superintendent Phil Francis. "We were concerned that the property could be developed and could be an intrusion into those views."

Mr. Francis hoped that Skylark Farm wouldn't end up in the hands of developers, but there were no guarantees.

Meanwhile, Mr. Colberg explored his options. He learned about the state and federal tax incentive programs for protecting land through conservation easements. An investment manager with a keen sense for finances, he realized that he could purchase Skylark Farm, place a protective easement on it, and recover a significant portion of his costs through the tax incentives.



"The more my wife and I explored it," he says, "the more attractive we thought it was."

In October 2010, Mr. Colberg met representatives from the Virginia Outdoors Foundation.

"They expressed that this was one of the most desirable properties on their list of potential easements, and that helped. They could see the value of it, not in a monetary sense but the value in protecting it."

On Nov. 1, 2010, Mr. Colberg bought Skylark Farm and started the easement donation process. The easement was finalized in December 2011. It protects the views along the parkway by placing permanent restrictions on the number, size, and siting of buildings and other structures.

Mr. Colberg renamed the property Skylark Nature Preserve and Lodge (skylarkva.com). He continues to offer it for events and retreats just as Washington and Lee University did. He also offers hunting trips and continues to grow and sell Christmas trees.

"This is really a win-win program," Mr. Colberg adds. "There is public good to it that's a tremendous win. There is a private good to it from my family's point of view because it helps us afford the property. And there is a wonderful sense of knowing that this property is going to be the same for a very long time."

BY THE NUMBERS ANSWER

The answer to our question on page 3 is B. VOF protects about 18,000 acres along the Rappahannock River, including a 4,232-acre easement donated by the City of Fredericksburg in 2007.

SPRING 2012

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In 2011, the Virginia Outdoors Foundation protected open space at a rate of about 4 acres every hour.