

Travis A. Voyles  
Secretary of Natural and Historic Resources

Matthew S. Wells  
Director

Andrew W. Smith  
Chief Deputy Director



**COMMONWEALTH of VIRGINIA**  
DEPARTMENT OF CONSERVATION AND RECREATION

Frank N. Stovall  
Deputy Director  
for Operations

Darryl Glover  
Deputy Director for  
Dam Safety,  
Floodplain Management and  
Soil and Water Conservation

Laura Ellis  
Deputy Director for  
Administration and Finance

September 22, 2023

**VIA Email**

Brett Glymph, Executive Director  
Virginia Outdoors Foundation  
39 Garrett St., Suite 200  
Warrenton, VA 20186  
brett@vof.org

**Re: FY24 Acquisition Assistance at DCR Natural Area Preserves**

Dear Brett,

On behalf of the Department of Conservation and Recreation (DCR), I am appreciative of the support of the Virginia Outdoors Foundation (VOF) in our pursuit to acquire critical properties at three current and future natural area preserves across the western half of the Commonwealth. Attached you will find a summary of the projects for presentation to your Board of Trustees at their October meeting. The long-standing partnership between our agencies has been vital to land conservation, and I look forward to working with you and your staff on this next chapter in Virginia's conservation history.

If you or your staff have any questions regarding this request, please feel free to contact Brian Fuller, our Real Property Manager. We look forward to your response after your Board's review.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew S. Wells".

Matthew S. Wells  
Director

cc: Leslie Grayson, VOF Deputy Director Conservation  
Martha Little, VOF Deputy Director Conservation  
Frank Stovall, DCR Deputy Director for Operations  
Jason Bulluck, DCR Natural Heritage Director  
Rob Evans, DCR Natural Heritage Protection Manager  
Brian Fuller, DCR Real Property Manager

600 East Main Street, 24<sup>th</sup> Floor | Richmond, Virginia 23219 | 804-786-6124



# Memo

**To:** Virginia Outdoors Foundation (VOF)  
**From:** DCR Division of Natural Heritage and Real Property Office  
**Date:** September 22, 2023  
**RE:** FY24 Acquisition Assistance at DCR Natural Area Preserves

---

On December 31, 2022, the DCR Division of Natural Heritage was awarded several grants from the Virginia Land Conservation Foundation (VLCF) for the acquisition of lands to expand existing natural area preserves and to establish two (2) new natural area preserves. Of those awarded grants, DCR did not yet have acquisition authority at one (1) preserve or the authority to create the two (2) new preserves. This is not uncommon, as the process to receive authority and to acquire the property can take up to thirty-six (36) months.

Each year, DCR must request revisions from the General Assembly to our acquisition authority at state parks and natural area preserves. These items are known as C-50 and C-51, respectively. In 2023, these sections of the budget were reverted to match prior year submissions, and not updated to reflect the 2023 pending acquisitions.

Our amendments were requested to ensure that DCR could acquire property using the awarded grant funds, meet the administration's goals of expanding public access for outdoor recreation, and meet the agency's codified requirements for the protection of critical natural resources. Without these adjustments, significant resources already expended could be wasted, the VLCF funds may have to be returned, and the credibility of the agency with the public (particularly, the sellers with whom we have been negotiating with) could be called into question due to the potential cancellation of projects.

VOF has a history of assisting state conservation agencies with time-sensitive property acquisitions. DCR is hereby requesting VOF's assistance to secure vital acquisitions related to the following projects:

- **The Conservation Fund Tract** (Camp Branch Wetlands Natural Area Preserve)
- **Showalter Tracts** (Brock's Gap, new natural area preserve)
- **Linzey and Jones Tracts** (Ellett's Escarpment, new natural area preserve)

Upon approval from the VOF Board, DCR and VOF will enter into a Memorandum of Agreement (MOA) to outline the duties and responsibilities of each agency to complete landowner negotiations, document drafting, due diligence contracting, and title review.

DCR has requested transactional authority for these natural area preserves from the General Assembly in the FY25-26 Biennium Budget Bill. When is granted transactional authority, we will seek to transfer these properties from VOF as quickly as possible.

Thank you for the opportunity to continue our collaborative partnership. Project summaries, estimated project budgets, and maps are outlined below:

**THE CONSERVATION FUND TRACT**  
**Camp Branch Wetlands Natural Area Preserve**  
**Floyd County**  
**~56 acres**

DCR’s Natural Heritage Division was awarded \$365,000 from VLCF’s natural area category in 2022 to protect approximately 56 acres adjacent to the Camp Branch Wetlands Natural Area Preserve (CBWNAP) in Floyd County. The Conservation Fund (TCF) recently purchased this property from BRLR, LLC (aka Ry Winston). The subject tract intersects two categories of *ConserveVirginia* and includes forested wetlands and riparian areas along Camp Branch, as well as habitat for numerous species of greatest conservation need, and two significant natural heritage resources. This property shares a long boundary with the existing preserve and a VOF easement (FLO-VOF-3160) on the Gardner Farm, creating a contiguous connected stream corridor, important for the movement of a federally and state listed endangered species. The entire natural Virginia range of this species is restricted to an approximately 10-mile radius in Floyd County, where it requires very specialized habitat conditions and active management, as well as protection from poachers. This acquisition will become the first DCR-owned tract at CBWNAP; the rest of the dedicated property is in private ownership. This will make the second partnership between VOF and DCR at CBWNAP.

**BUDGET ESTIMATE**

**Land Cost**

Purchase Cost	<b>\$275,000</b> (VLCF grant to closing)
---------------	--

**Design & Related Services**

Boundary Survey & Marking	\$12,200 (to be reimbursed after closing)
Phase I ESA Update	\$2,950 (to be obtained by seller)

<b>Subtotal</b>	<b>\$15,150</b>
-----------------	-----------------

**Project Management Costs**

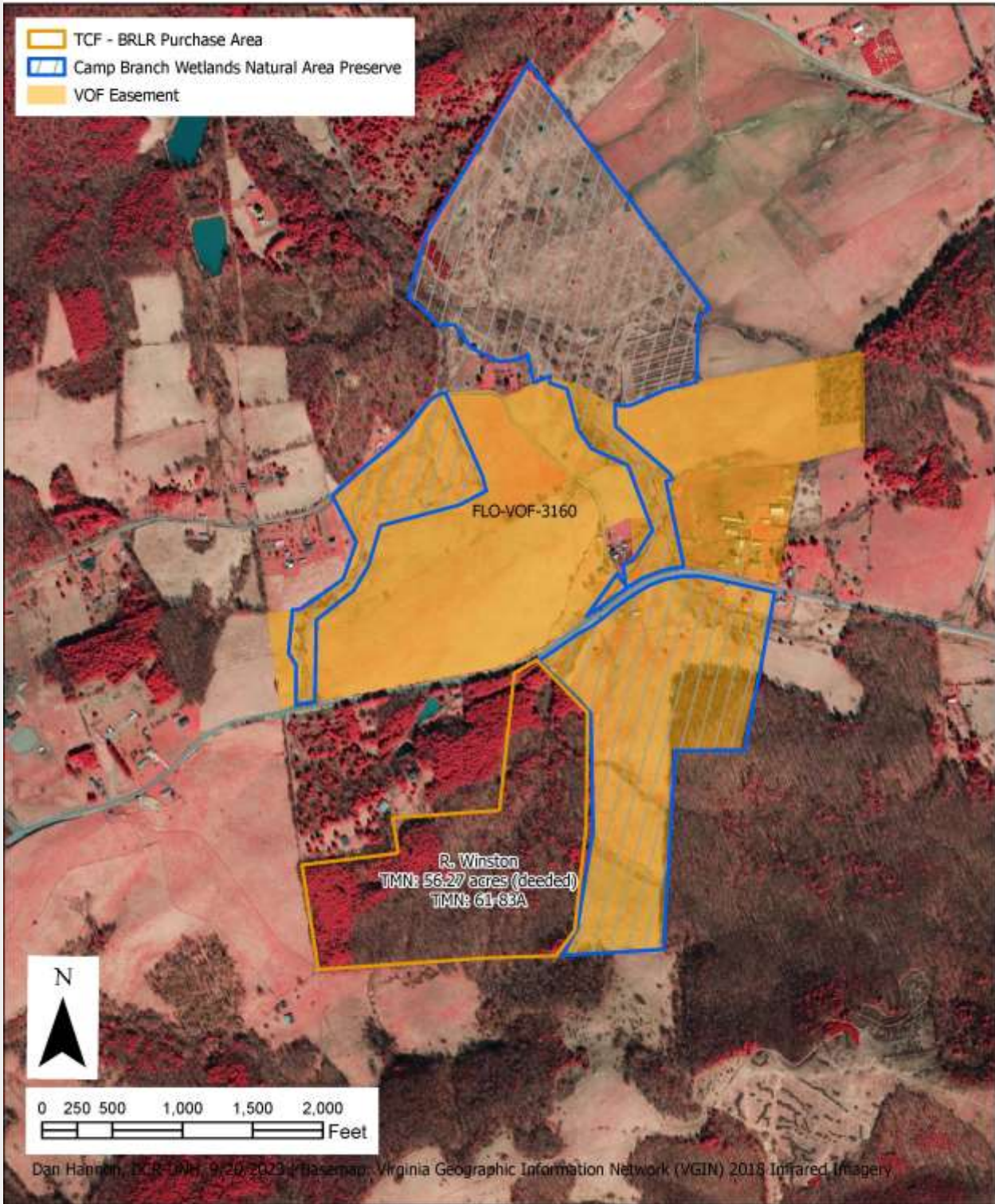
Title Insurance & Settlement	\$3,500 (VLCF grant to closing)
Appraisal	N/A for VOF (already obtained by seller)
Miscellaneous	\$5,000 (to cover incidentals)

<b>Subtotal</b>	<b>\$8,500</b>
-----------------	----------------

<b>Total Project Budget</b>	<b><u>\$298,650</u></b>
-----------------------------	-------------------------

<b>Potential Outlay for VOF</b>	<b><u>\$17,500 (to be reimbursed after closing)</u></b>
---------------------------------	---

### Camp Branch Wetlands Natural Area Preserve TCF - BRLR (TMN: 61-83A; 56.37 acres)



Dan Hannin, DCR DNR, 9/20/2023 / Basemap: Virginia Geographic Information Network (VGIN) 2018 Infrared Imagery



**SHOWALTER TRACTS**  
**Brock's Gap\* (New Natural Area Preserve)**  
**Rockingham County**  
**~271 acres**

DCR's Natural Heritage Division was awarded \$670,000 from VLCF's natural area category in 2022 to protect approximately 271 acres along the North Fork of the Shenandoah River in Rockingham County. This project is located in one of Virginia's essential conservation sites and features Virginia's largest and best example of globally rare Northern White Cedar Forest, as well as a population of state threatened Wood Turtles. The site lies along the North Mountain fault a major geologic boundary defining the edge of the Shenandoah Valley and displays one of the best fault outcrops in the Shenandoah Valley. All subject tracts include intact forests within one of Virginia's most significant ecological cores. The tracts intersect four categories of *ConserveVirginia*. In addition to the natural resources to be protected, a pitched battle took place here on October 6, 1864, between Union General George Custer's cavalry division and soldiers of Confederate General Thomas Rosser, known as the Battle of Brock's Gap. The project will acquire several tracts to protect the white cedar forest, while allowing the family to retain the river frontage for their recreational enjoyment. An open-space easement will also be purchased and established on the lands retained by the family to prevent incompatible development, and the terms of the easement have already been negotiated and must be approved by DCR.

*\*Note: The preserve name has not been approved by DCR's Board of Conservation & Recreation and is a working project name.*

**BUDGET ESTIMATE**

**Land Cost**

Purchase Cost (Fee and Easement) **\$585,000** (VLCF grant to closing)

**Design & Related Services**

Boundary Survey & Marking \$45,000 (to be reimbursed after closing)  
 Phase I ESA \$5,000 (to be reimbursed after closing)

**Subtotal \$50,000**

**Project Management Costs**

Title Insurance & Settlement \$6,000 (VLCF grant to closing)  
 Appraisal \$5,000 (to be reimbursed to DCR after closing)  
 Miscellaneous \$10,000 (to be reimbursed after closing)

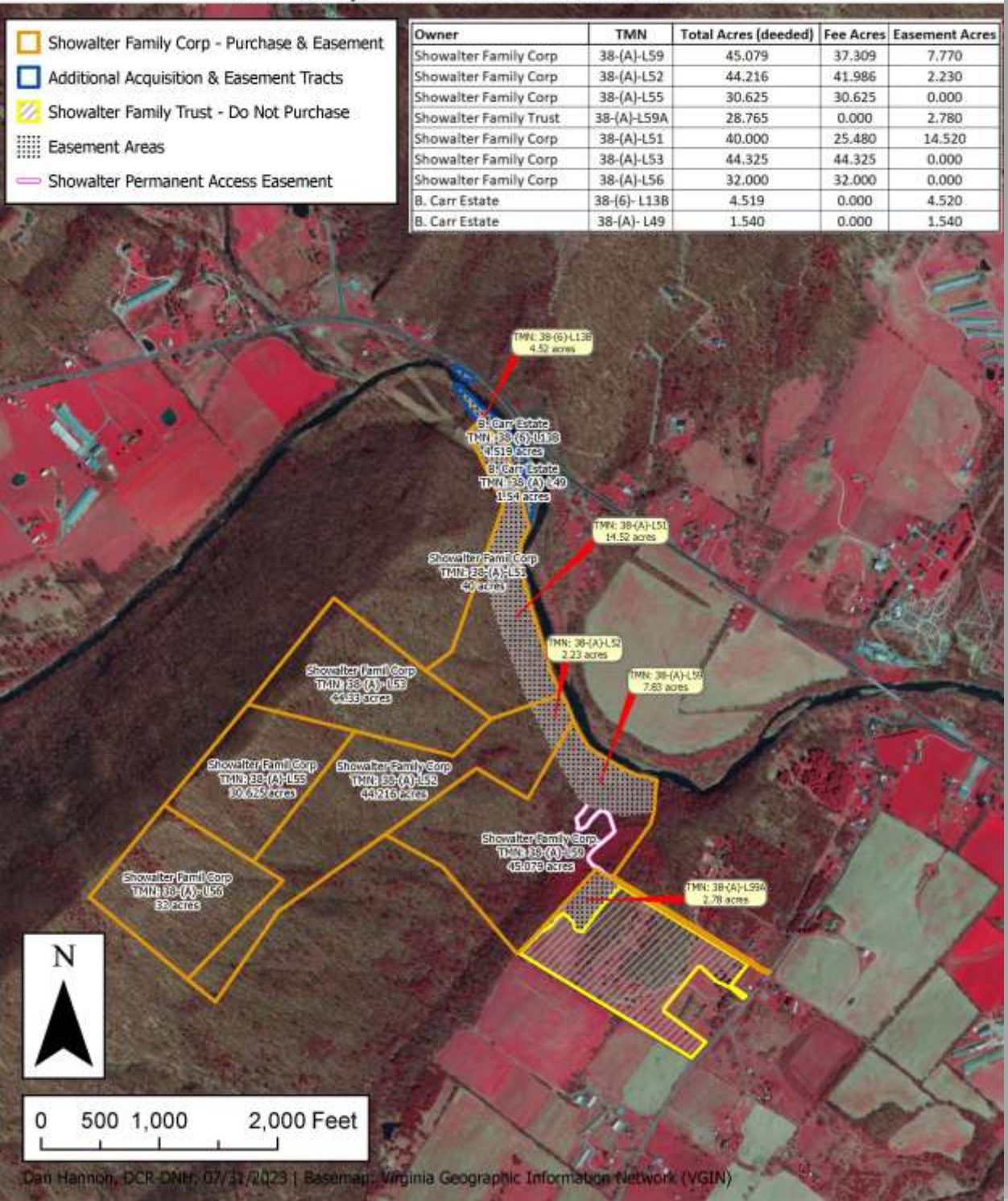
**Subtotal \$16,000**

**Total Project Budget \$651,000**

**Potential Outlay for VOF \$60,000 (to be reimbursed after closing)**

*\*\*Note: DCR may incur additional project management costs for DGS and OAG reviews that need to be reimbursed by the grant*

## Brocks Gap Fee Acquisition & Easement Areas



**LINZEY AND JONES TRACTS**  
**Ellett’s Escarpment\* (New Natural Area Preserve)**  
**Montgomery County**  
**~34 acres**

DCR’s Natural Heritage Division was awarded \$293,500 from VLCF’s natural area category in 2022 to protect approximately 34 acres to establish a new natural area preserve in Montgomery County. This transaction will purchase a portion of a parcel from the Linzey Family and a parcel from the Jones Family. This new natural area preserve will be designed to protect the most at-risk cave adapted species in Virginia. The Ellett Valley Millipede (*Pseudotremia cavernarum*) is found in only three locations worldwide, all within the region immediately east of Blacksburg. Fee-simple purchase of two adjacent parcels will enable DCR to protect the entrance to the globally significant cave, home to both the Millipede as well as another significantly rare Virginia endemic, the Ellett Valley Cave Beetle (*Pseudanophthalmus pusio*). The acreage includes mature, mostly deciduous, calcareous forests immediately surrounding the cave entrance and a narrow ecological buffer. The tracts fall with two categories of *ConserveVirginia*: Natural Habitat and Ecosystem Diversity, and Floodplains and Flooding Resilience.

*\*Note: The preserve name has not been approved by DCR’s Board of Conservation & Recreation and is a working project name.*

**BUDGET ESTIMATE**

**Land Cost**

Total Purchase Cost	<b>\$200,000</b> (VLCF grant to both closings)
---------------------	--

**Design & Related Services**

Boundary Survey & Marking	\$19,400 (to be reimbursed after closings)
Phase I ESA	\$6,750 (to be reimbursed after closings)

<b>Subtotal</b>	<b>\$26,150</b>
-----------------	-----------------

**Project Management Costs\*\***

Title Insurance & Settlement	\$13,485 (VLCF grant to both closings)
Appraisal	\$3,200 (to be reimbursed to DCR after closings)
Miscellaneous	\$10,000 (to be reimbursed after closings)

<b>Subtotal</b>	<b>\$26,685</b>
-----------------	-----------------

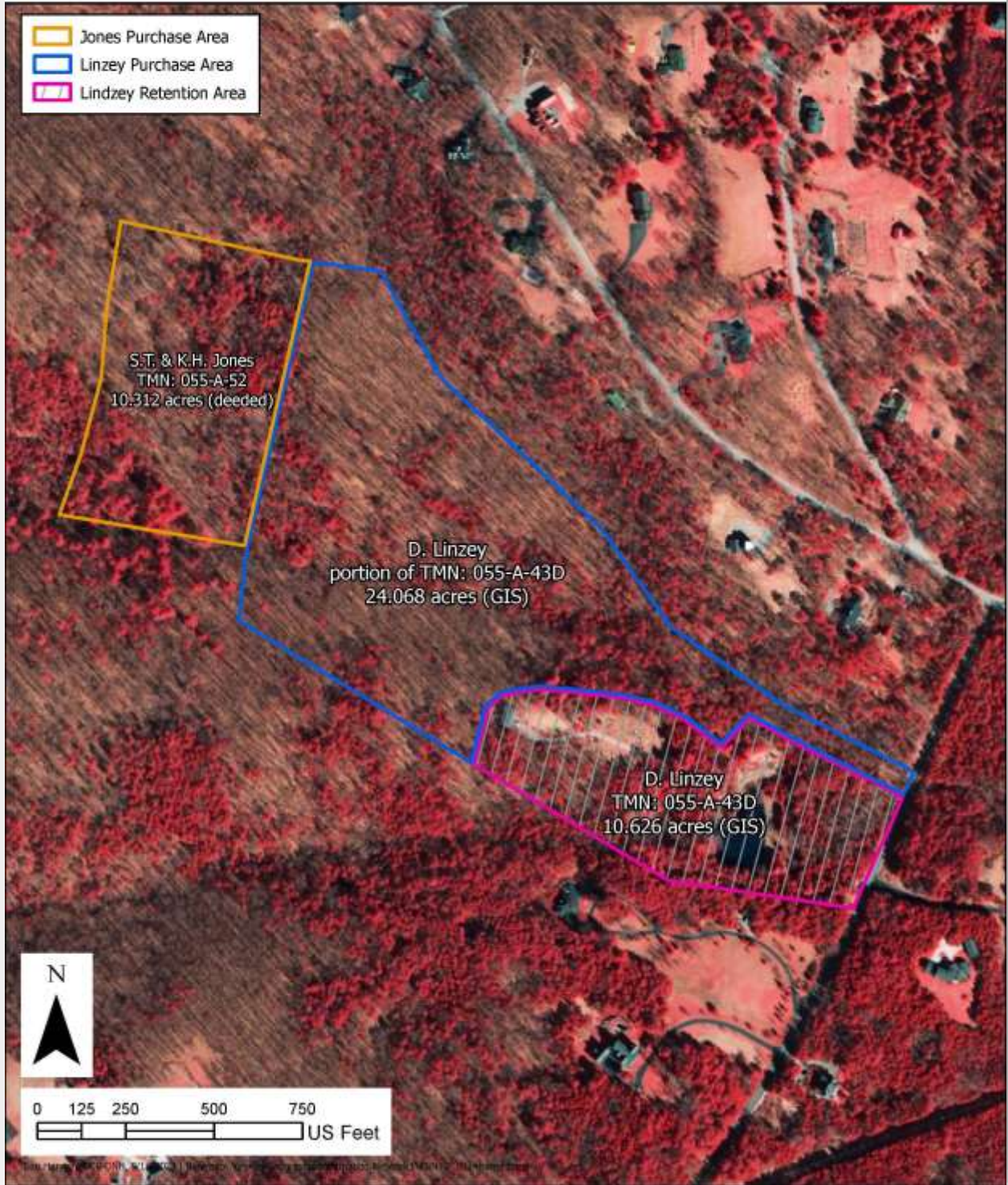
<b>Total Project Budget</b>	<b><u>\$247,835</u></b>
-----------------------------	-------------------------

<b>Potential Outlay for VOF</b>	<b><u>\$36,150 (to be reimbursed after closings)</u></b>
---------------------------------	--

*\*\*Note: DCR may incur additional project management costs for DGS and OAG reviews that need to be reimbursed by the grant*



Ellett Escarpment  
S.T. & K.H. Jones (TMN: 055-A-52; 10.312 acres)  
D.W. Linzey Trust (portion of TMN: 055-A-43D; 34.858 acres)





**RESOLUTION**  
**VIRGINIA OUTDOORS FOUNDATION (VOF)**  
**A RESOLUTION TO AUTHORIZE ACQUISITION OF PARCELS FOR STATE NATURAL AREAS**

WHEREAS, the Virginia Department of Conservation and Recreation (DCR) has requested VOF assistance with the acquisition of parcels for creation of new State Natural Area Preserves, or addition to, an existing State Natural Area Preserve; and

WHEREAS, the funding for the parcels is available by virtue of Virginia Land Conservation Foundation FY23 awards for FY24 acquisitions and the landowners are willing to sell said parcels to DCR; and

WHEREAS, VOF is authorized to acquire real property on behalf of the Commonwealth for open space preservation pursuant to the purposes of § 10.1-1800; and

WHEREAS, DCR cannot complete acquisitions until the specific units are listed on the Item C-51 list for State Natural Area Preserves, approved by the General Assembly; and

WHEREAS, the opportunity to acquire the parcels is time sensitive and the funds are available; and

WHEREAS, staff recommends that VOF assist and facilitate the acquisition of the identified parcels for DCR and transfer said parcels to be incorporated into the State Natural Area Preserve system as soon as practical; now, therefore, be it

RESOLVED by the Virginia Outdoors Foundation Board of Trustees this 12<sup>th</sup> day of October, 2023, that the Trustees hereby authorize the acquisition of parcels as follows: 1.) Camp Branch Wetlands, Floyd County, for addition to the existing preserve, 2.) Brock’s Gap, Rockingham County, for creation of a new preserve, and 3.) Ellett’s Escarpment, Montgomery County, for creation of a new preserve, and the holding of said parcels until such time as they can be transferred to DCR and into the State Natural Area Preserve system; and,

FURTHER RESOLVED that the Executive Director is authorized to enter into a Memorandum of Agreement (MOA) with DCR regarding the acquisition, temporary management, and transfer of these parcels to DCR when authorized; and,

FURTHER RESOLVED that the Executive Director is authorized to execute all documents and take actions necessary on behalf of the Foundation to acquire the parcels in fee on behalf of the Commonwealth.

ADOPTED by a vote of \_\_\_\_ in favor and \_\_\_\_ against.

-----  
ATTEST: Brett Christina Glymph, Executive Director