



Stewardship Report: March 2016

I. Overview:

This report provides an overview of Stewardship activity provided and completed in 2015 including the numerous Stewardship Services administered to landowners, the public, government representatives as well as fellow staff through interagency support. Please note that some Stewardship Services are not tracked due to the limitations of our tracking system.

II. Stewardship Services:

Over the past few years the Stewardship Division has needed to devote more time to requests from landowners, partners, government agencies, officials, public utilities and others seeking reviews or approvals related to a recorded open-space deed of easement. For categorization purposes Stewardship Services have been divided into two groups, General Easement Management Services and Requests for Review.

A. General Easement Management Services (GEMS):

These services are a critical component of open-space easement management and maintenance.

GEMS can include, but are not limited to the following:

- a. Post-recordation easement consultation (with landowner and other reps.)
- b. Addressing prospective buyer inquiries
- c. Records management related to new owners or an easement subdivision
- d. Records requests (standard and FOIA)
- e. Interagency support, including the review of easement proposals and BDRs.

Table 1-1 below outlines the GEMS provided in 2015. Please note that many of these services were not captured within our tracking system.

Table 1-1:

General Easement Management Service	#
VOF interagency support (BDR review)	118
Post-recordation easement consultation	40
New owner welcome packet	33
Records request (standard and FOIA)	33
Prospective buyer inquiry	13
Significant records management (Box, Greenfile, GIS)	13
VOF signature requested on deed, not required	3
Total	253

B. Requests for Review:

A Request for Review (RFR) is the process Stewardship Staff utilizes to review any request from an easement landowner, partner, or other entity whereby advance approval for the improvement, use or change is required by the language of the recorded open-space deed of easement or agency policy. A RFR may include but is not limited to the following items listed in **Appendix A**. Table 1-2 outlines the type and number of RFRs completely processed in 2015, additional RFRs remain open, as only closed RFRs are included within the tacking system.

Table 1-2:

2015 - Request for Review (RFR)	#
Built Environment	204
Natural Resources	71
Land Use	22
Property Title/ Boundary	22
Boundary Line Adjustment	9
Easement Amendment	4
Conversion or Diversion (10.1-1704)	2
Ecosystem Service	2
Total	336

In 2015 each RFR required approximately six (6) hours of staff time, not including management and counsel review time. Therefore 336 RFRs x 6.0 hrs = 2,016 total hours. One full-time regular non-exempt staff person is permitted no more than 2,080 hours per calendar year. As such, one could say these RFRs occupied nearly all of the time of one full-time staff person.

C. Infrastructure Review:

A subset of Requests for Review would be large-scale infrastructure reviews. 2015 was a benchmark year for such reviews due to several major pipeline and transmission line projects being proposed across the Commonwealth. A team-based environmental review process was implemented that includes the integration of GIS, tracking sheets, interagency collaboration and the centralization of communication through the introduction of the ImpactReview@vofonline.org email address. This email address was shared with utility companies as well as state agencies, such as VDOT, with the hope and intention that all infrastructure projects could be channeled to this clearinghouse. While the VOF Impact Review email address has been gaining traction, staff continues to field calls and read headlines related to a variety of large scale infrastructure projects occurring across the state. Although our current tracking system does not adequately demonstrate VOF's involvement with large scale infrastructure projects, the table in **Appendix B** provides a glimpse of the various projects reviewed by staff.

The review of large scale infrastructure projects is the fastest growing, and most time consuming type of Stewardship Service provided by VOF. Constant communication with the utilities companies is required, as project plans continuously change and evolve to traverse new routes. Should VOF continue this level of involvement with large scale infrastructure projects other Stewardship Services may require evaluation in order to satisfy demand.

III. Easement Monitoring:

2015 was a significant year for monitoring. Approximately 3,886 monitoring events were completed. The details, as provided below (Table 2-1), demonstrate that these high monitoring numbers were largely based on the utilization of remote monitoring methods such as the Landowner Surveys (LS) and Geographic Imagery analysis (GI), which did not require a physical presence on the easement property, nor incorporated courthouse research. Also, approximately 40% of easement monitoring was conducted through the use of volunteers (Table 2-2).

Table 2-1(from EMA report 15)

Stewardship Type Report		Time Period	From: 1/1/2015 To: 12/31/2015		
Totals	Total Visits	SFR	LS	VA	GI
	3886	887	1300	113	1557

Table 2-2 (from EMA report 18)

Monitoring Performed By Report		Time Period	From: 1/1/2015 To: 12/31/2015		
Totals	Total Visits	Staff	Volunteer	Third Party	Co-holder
	3886	2264	1597	15	10

The number of Easement Compliance Determination forms (ECD - which signifies the possible existence of an easement violation) submitted and tracked in 2015 were less than two percent (2%) of the total easement monitoring count, approximately 75 ECDs in total. It is clear that this level of monitoring has kept the volume of potential violations low, but due to the clear demand and need to create time to provide requested and required Stewardship Services, staff feels that it is in VOF’s best interest to return to the most basic, yet most comprehensive monitoring method, known as the SFR (Stewardship Field Report). The SFR monitoring method includes courthouse records research, tax ticket review, a thorough site visit of the property and a special emphasis on developing and nurturing relationships with landowners and property managers. By trimming away the excess monitoring methods (LS, GI, VA), staff will increase their availability to provide professional Stewardship Services to landowners, donors, the public, government representatives and fellow colleagues.

Although SFR monitoring may lower the overall monitoring numbers for 2016, we believe the true purpose of monitoring easement properties is to foster lasting relationships associated with the legacy of the donor and present landowner. By focusing on the fundamentals of easement monitoring, through the use of the SFR method, staff will be better situated to provide Stewardship Services, which are ever growing in scale.

Appendix A

Typical activities that trigger a Request for Review (RFR)

Duties with respect to Standard Template projects:

1. BLAs - Approval, drafting, processing, execution, acknowledgment, and recordation
2. Approval of *de minimis* road improvements
3. Approval of larger dwellings
4. Approval of larger barn buildings and structures
5. Approval of public roads required in conjunction with subdivisions
6. Approval of public or private utilities for adjacent properties
7. Approval of educational, recreational, or religious buildings
8. Approval of larger collective footprint
9. Approval of small-scale commercial or industrial activities compatible with agriculture, forestry, or equine activities
10. Approval of ecosystem functions
11. Approval of temporary or seasonal outdoor activities involving 100 or more people for more than 7 days
12. Approval of forest stewardship management plans
13. Approval of pre-harvest plans
14. Approval of erosion and sediment control practices for buildings, structures, roads, or utilities requiring VOF approval
15. Approval of restoration of property after violation
16. Approval of diversion/conversion
17. Amendments - Approval, drafting, processing, execution, and recordation

Duties with respect to ACUB projects:

18. Notify Army in ACUB easements for its approval of easement assignment
19. Obtain Army approval of amendment in ACUB easements

Duties with respect to Working Farm Variant projects:

20. Approval of boundaries of divisions to preserve agricultural viability in working farm variant easements
21. Approval of adjustment to boundaries of farmstead area(s) in working farm variant easements

Duties with respect to FRPP projects:

22. Approval of paving of roads outside of farmstead area
23. Approval for relocation or enlargement of existing utilities
24. Approval of buildings and structures outside the farmstead area
25. Secure compliance with conservation plan, including any necessary legal action (USDA requirement)
or
26. Ascertain from soil and water conservation district that landowner is in compliance with conservation plan (VOF preference)

Duties with respect to large credit projects:

27. Approval of new roads, other than farm or forest roads or roads necessary for public safety needs
28. Ascertain from soil and water conservation district that landowner is in compliance with conservation plan

Duties with respect to miscellaneous provisions inserted into deeds of easement:

29. Approval of demolition or replacement of historic house
30. Determination of whether historic structure's integrity is irremediably compromised
31. Approval of height of dwelling
32. Approval of alternate location for dwelling not being constructed within designation distance from current dwelling
33. Evaluation of siting and other attributes of dwelling to protect conservation values
34. Approval of location of dwelling to minimize or preclude visibility from public road
35. Approval of relocation of new or existing dwelling
36. Approval of additional residential sites on Property
37. Approval of larger riding ring
38. Approval of large-scale agricultural or horticultural buildings
39. Approval of location of additional poultry house(s), screening for same, and its nutrient management plan
40. Approval of increase in size of winery buildings and structures
41. Determination that rail line expansion minimizes harm to Property
42. Approval of all roads on the Property
43. Consultation with VDOT on expansion of road in 6-year plan
44. Approval of road expansion in localities comprehensive plan or transportation plan
45. Approval of road expansion on road in VDOT's long-range plan
46. Approval of expansion of Byrd Act roads
47. Approval of enlarged camp buildings or structures over allowed square footage
48. Determination that site and design of cell tower are compatible with conservation values being protected
49. Approval of enlarged park buildings or structures over allowed square footage
50. Approval of enlarged buildings and structures for sawmill over allowed square footage
51. Approval of construction and siting of water distribution tank
52. Approval of height, design, and siting of windmills
53. Approval of construction of dwellings or farm buildings outside of farmstead area
54. Approval of siting of wholesale or retail nursery or Christmas tree farm
55. Approval of enlargement of picnic area in riparian buffer
56. Approval of subsurface mining - methods and measures that will be taken to protect conservation values

Other post-recording duties:

57. Access easement (deeds) – Obtaining, approval, drafting, execution, and recordation
58. Confirmation (deeds) - Approval, drafting, processing, execution, and recordation
59. Correction (deeds) - Approval, drafting, execution, acknowledgment, and recordation
60. Processing of application for conversion or diversion
61. Release (deeds) - Approval, drafting, processing, execution, and recordation
62. Response to request for interpretation of deed of easement
63. Scriveners' errors (affidavits) - Approval, drafting, execution, acknowledgment, and recordation

Appendix B Infrastructure Review

Infrastructure Type	Project Name	New Construction or Rebuild/Upgrade	Easements Intersected	Stewardship Region	Ongoing Action
Natural Gas Pipeline	Atlantic Coast Pipeline (ACP)	New Construction	11	Staunton, Charlottesville, Richmond	Meetings, property boundary investigations, routine communication with landowners. Preparation for future Board meeting(s).
Natural Gas Pipeline	Mountain Valley Pipeline (MVP)	New Construction	3	Blacksburg	Meetings, property boundary investigations, routine communication with landowners. Preparation for future Board meeting(s).
Electrical - High Voltage	Remington-Pratts-Gordonsville line upgrade	Rebuild/Upgrade	26	Charlottesville	Letters sent to all landowners intersected by this upgrade.
Electrical - High Voltage	Dooms-Cunningham 500kV Transmission Line Rebuild	Rebuild/Upgrade	3	Charlottesville	General communication
Electrical - High Voltage	Abingdon and Washington area improvements	Rebuild/Upgrade	1	Abingdon	General communication
Electrical - High Voltage	Bland Area Improvements 138kV Transmission Line Rebuild	Rebuild/Upgrade	1	Abingdon	General communication
Electrical - High Voltage	500kV Double Circuit Greensville Transmission Line Connector	New Construction	0	Richmond	NA
Electrical - High Voltage	Belvoir-Gum Springs Double Circuit 230kV Line Rebuild	Rebuild/Upgrade	0	Warrenton	NA
Electrical - High Voltage	Gainesville to Haymarket 230kV	New Construction	0	Warrenton	NA
Electrical - High Voltage	Haymarket 230kV Transmission and Substation	New Construction	0	Warrenton	NA
Electrical - High Voltage	Idylwood Substation to Scotts Run Rd Substation	New Construction	0	Warrenton	NA
Electrical - High Voltage	Rappahannock River Transmission Line Rebuild	Rebuild/Upgrade	0	Tappahannock	NA
Electrical - High Voltage	Warrenton Wheeler Gainesville 230kV Reliability	Rebuild/Upgrade	0	Warrenton	NA
VDOT	General road improvement project	Rebuild/Upgrade	4	All	29 VDOT projects reviewed