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**Minutes
Virginia Outdoors Foundation (VOF)
Board of Trustees meeting
November 5, 2015**

ATTENDEES:

Board of Trustees

Ms. Stephanie Ridder, Chair
Mr. Childs Burden
Ms. Elizabeth Obenshain
Mr. John Richardson
Mr. Thomas Slater

Other Attendees

Gregg Amonette, Rockbridge County easement owner and Co-President of Rockbridge Area Conservation Council (RACC)
Kristopher Baumann, easement owner
Heather Richards, Conservation Fund
Kate Woolford, Shenandoah Valley Network
Chris Miller, Piedmont Environmental Council (PEC)
Maggie McQuillen, PEC
Dan Holmes, PEC
Brian Wilson – Dominion Resources Services, Inc.
Christine Conrad, Stantec
Emily Larson, Power Engineers
Scott Kennedy, American Electric Power
Joseph Dawley, EQT Corp
Molly Plautz, Dominion Resources Services, Inc.
Gregg Baka, Dominion Resources
Rusty Meadows, Dominion Resources
Lindsey Hesch, NextEra Energy
James Bacon, Bacon's Rebellion
Grace Terry, easement owner
Elizabeth Terry Reynolds, easement owner

VOF Staff

Brett Glymph, Executive Director
Bobbie Cabibbo, Executive Assistant
Brian Fuller, Assistant Director, Stewardship
Leslie Grayson, Deputy Director, Policy & Acquisitions
Mike Hallock-Salomon, GIS/IT Specialist
Harry Hibbits, Assistant Director, Stewardship
Kristin Jones, Assistant Director, Easements
Martha Little, Deputy Director, Stewardship
Jason McGarvey, Communications & Outreach Manager
Dave Morton, IT/GIS Manager

Advisors

Fred Fisher, Office of the Attorney General
Rich Mahevich, Office of the Attorney General

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The Board of Trustees Chair, Steph Ridder brought the meeting to order at 9:05 am

Public Comments

Grace Minor Terry voiced her concerns about the Mountain Valley Pipeline (MVP) project and its potential impact on her easement property as well as adjacent family land.

Mr. Greg Amonette conveyed his disappointment in Dominion Power's process used in the Doods-Lexington line. He repeated his request from the September meeting that VOF join as a party to Mr. Baumann's lawsuit against Dominion.

Mr. Baumann expressed his frustration with the State Corporation Commission (SCC).

Kate Woolford of the Shenandoah Valley Network (SVN) said that landowners from Augusta and Rockbridge Counties are very upset and feel misled by the information from Dominion Power.

Dan Holmes of PEC shared his concern that the assumptions regarding increasing demand and needs for power are not true.

Chris Miller – President of PEC. The process that Virginia has used in the past 40 years to determine where utilities are located needs to change. He distributed *the Piedmont View – Special Edition*, *Fauquier County 2015*, *The Piedmont View Autumn 2015*, *Piedmont Environmental Council 2014 Annual Report*, *Go Native-Go Local newsletter*). These documents will be on file with the permanent record of this meeting along with the maps exhibited at the meeting.

Brett Glymph provided the following background and remarks regarding the formation of this VOF Committee – “Over the last couple of years, we have seen a significant increase in the number of road, utility, and other public infrastructure projects that cross VOF-protected land. As a public agency, we have always been mindful of the competing public interests on land. Finding the right balance between resource conservation and resource use is no easy task. Our easement language and policies have been designed to minimize conflict. However, we can't predict every scenario or every potential conflict, and so policies and easement restrictions have relied on determinations at the staff level to resolve issues before they become problems.”

We base these determinations on a few questions:

- Does the infrastructure project directly encroach upon VOF-protected land?
- If yes, would the encroachment impair conservation values of the easement?
- If yes, what reasonable options exist to minimize or avoid impairment?
- If no reasonable options exist, will we need to invoke the conversion-diverse process laid out in section 1704 of the Open Space Land Act.

When we started encountering more of these issues in the mid 2000s, there was a steep learning curve. Over time, we have become more efficient at detecting potential conflicts early and working out solutions

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that are consistent with our mission to protect land without impeding the orderly development and growth of the Commonwealth.

However, as the pace of public infrastructure expansion has quickened in Virginia in recent years, and as the number of intersections with VOF easements has increased, and the types of alternative energy requests have increased that don't fit neatly into existing policies or past practices, the staff suggested the formation of a board working committee to begin to address these issues.

This committee was formed to gather information about our current policies and practices and to begin thinking about energy and infrastructure requests on VOF easements in a comprehensive way. This coincided with a discussion at the last Board meeting prompted by citizen concern regarding the impacts of overhead transmission lines on scenic resources. To that end, today we will provide the committee with a brief overview of current policy and practices, followed by presentations of four active public infrastructure projects that will, or could, intersect VOF easements. Staff will then provide the committee members with a summary of next steps based on existing policy.

There will be no votes to change VOF policy at today's meeting; that can only occur at a meeting of the full board. As such, anyone from the public who wishes to provide comments, suggestions, or other information for the board to consider in the development of policy will have plenty of time to do so."

Leslie Grayson gave an overview of past policies providing a context and backdrop for the current policy, processes and practices.

Committee lunch break

Brian Fuller, VOF Assistant Director of Stewardship introduced the first project - the rebuild of the Dominion Remington-Gordonsville Power line and introduced Greg Baka from Dominion Power who gave a presentation on this line. All projected maps and charts are on file with the permanent record of this meeting. Rusty Meadows, Project Manager with Dominion Power spoke to technical issues with the line.

Harry Hibbitts, VOF Assistant Director of Stewardship introduced the next project – Appalachian Power Company. Scott Kennedy from AEP spoke first and Emily Larsen from Power Engineers subsequently, the maps displayed during this presentation are on file with the permanent record.

The next presenter was Brian Wilson, of Dominion Resources concerning the Atlantic Coast Pipeline. The presentation is on file with the permanent record of this meeting.

The final presentation was Lindsey Hesch and Joseph Dawley of EQT who briefed the group on the Mountain Valley Pipeline project. The presentation is on record with the permanent record of this meeting.

Brian Fuller reviewed a flow chart of the VOF review process that was included in the board committee packet. This process is used to review proposed electrical and gas transmission lines, water & sewer lines, roads & bridges, rail lines, cell towers, solar arrays, windmills, military & airport fly zones etc. and to determine if such projects may impact existing VOF easements.

Brett explained that staff has been considering changes to this process and is mindful of staffing and time constraints.

1. “This committee should continue to stand and do its work to help staff on refinements and improvements to the process.
2. There are opportunities to streamline the notification process. We do a very good job of catching what comes over the transom but there is room to improve the notification process so we can engage stakeholders, our landowners, partners, conservation interests and localities on an earlier basis.
3. We would like a chance to examine our role within the DEQ coordinated review process. You heard some commentary today about what would be appropriate for VOF to do to participate as a respondent to verify the developer’s information through increased due diligence. That would be a mid-step vs. participating as a respondents, which frankly we do not have the budget for at this time without an allocation and shifting of resources.
4. More outreach & education with decision makers. We recently met with the SCC and they learned much about us and we learned a lot about them. You saw in your board packet they have a preliminary review guidance memo dated back to 1991 and we think there are some things we can do to make some adjustments. We’d like to work through channels to increase our outreach and communication and see if that brings any better results to this process.

VOF easements represent a legal public interest in properties, and it’s an interest that CANNOT be extinguished. As a public agency, we emphasize transparency and accountability in all of our processes. So we are concerned when landowners tell us that we were misinformed during the review process. This meeting was about us relaying those concerns and seeking SCC’s guidance on ways we can improve these processes to ensure that communications are clear, accurate and transparent in the future.”

Mr. Slater stated that this committee wants to avoid what happened in the Waynesboro – Lexington-to Dooms power line project. The project changed significantly after the VOF review and we do not want that to happen again. We want to ensure that information given to us is more current as VOF does have a vested interest which other state agencies must recognize.

Mr. Amonette made a direct request for VOF to join as an additional party in the Baumann suit against the SCC. John Richardson said the trustees would benefit from more information from our legal counsel on this matter.

Mr. Richardson made a motion to adjourn the meeting and Ms. Obenshain seconded it.