

VIRGINIA OUTDOORS FOUNDATION
PRESENTATION FOR JOINT NATURAL
RESOURCES COMMITTEES – OCTOBER 1, 2008

My comments today will relate to the land conservation opportunities and challenges that face Virginia now and in the future. Before we look forward, however, a little retrospection may be helpful. I am sure everyone here has heard the old adage which suggests that “If you don’t know where you are going, any road will get you there.”

The Virginia land conservation road map has remained consistent for more than forty years although the private landowner inducements have changed radically in the last decade. The seminal text for the Virginia land conservation movement was the Report of the Virginia Outdoor Recreation Study Commission. The actual written report titled VIRGINIA’S COMMON WEALTH was published in November 1965. The Chairman of the Virginia Outdoor Recreation Study Commission was FitzGerald Bemiss and Harry F. Byrd, Jr. was the Vice Chairman. Forty-three years ago the preface to the Report intoned that:

“Virginia’s land and waters have abundantly nourished its citizens, in body and spirit, for nearly

four centuries. To neglect these resources – to abandon their conservation – to let heedless exploitation consume them or remove them from reach of the great majority of our citizens – is to sell their birthright for a mess of pottage. Once sold, it cannot be recovered. Virginia’s resources, abundant as they are, are neither inexhaustible nor indestructible.”

I think this warning issued in 1965 is even more relevant today. Some of the 21 farsighted recommendations of the Commission included:

- 6. Establish a System of Scenic Byways and provide for Recreation Access Roads.
- 14. Provide for the acquisition of scenic and conservation easements.
- 18 Create an Historic Landmarks Commission.
- 19 Establish the Virginia Outdoors Foundation.

Both the Virginia Open Space Land Act and the legislation that created the Virginia Outdoors Foundation were included in the appendices of the Report. Both legislative measures, as well as the creation of the Historic Landmarks Commission, were adopted by the Virginia General Assembly in 1966.

This then was the charge, and the Virginia land conservation course was charted.

Now, let's spring forward more than four decades. In April of 2006, at the 17th Annual Environment Virginia Symposium, Governor Kaine announced that it was his goal "... to preserve an additional 400,000 acres throughout Virginia by the end of the decade." This was a strong stretch goal when we consider that the goal represented more perpetual land conservation in four years than the Virginia Outdoors Foundation had protected in the previous 40 years of its existence.

Let's put this in a context that relates to today's land use patterns. At the present rate of open land conversion, Virginia will develop more land in the next 40 years than we have in the last 400 years. Everyone here today is familiar with the Chesapeake Bay 2000 Agreement where Virginia pledged to permanently protect 20% of the Chesapeake Bay watershed by 2010. The other states that made the same promise – Pennsylvania and Maryland – have already met that goal, but Virginia still needs to protect more than 300,000 acres to meet our part of the bargain.

Statistics kept by the Division of Natural Heritage in the Department of Conservation and Recreation indicate that we collectively have less than 150,000 acres remaining to meet the 400,000 acre goal. More than 70% of all recent permanent land conservation in the Commonwealth has been Virginia Outdoors Foundation recorded open space easements. Those assembled here today know that the Virginia Land Preservation Transferable State Income Tax Credit program, together with enhanced Federal Income Tax Deductions for voluntary perpetual land conservation, have been the primary drivers for the aforesaid momentum in Virginia land conservation.

The Virginia Outdoors Foundation holds more conservation easements than any public land trust in the nation, and our acreage growth has been exponential in the last few years. In 2004 VOF celebrated reaching the 250,000 acre milestone. It took 38 years to reach that level of conservation. Now, in 2008, just four years later we will surpass 500,000 acres under VOF easements. Even at this pace, however, the private landowner interest in conservation easements exceeds the VOF capacity to respond to all interested parties.

The Virginia, and VOF, success in land conservation represents a complex partnership of collaborations

where the whole is truly more than the sum of the parts. Partners like the Department of Historic Resources, and the more than 30 other organizations that constitute the Virginia United Land Trusts, have created efficiency and synergy in land conservation. The 40+ year partnership between VOF and DHR was celebrated at Montalto overlooking Monticello in 2006.

VOF celebrates Virginia's land conservation successes, but we would be remiss, as Paul Harvey says, if we did not broach the 'rest of the story'. New easements are newsworthy and we enjoy these compelling stories when we encounter them in the media. Saving cultural heritage landscapes helps define the enviable quality of life for which Virginia has long been revered. Virginia's identity is its land. Conservation easements maintain the integrity of that identity for future generations. The recorded easement in the county courthouse, however, represents only the tip of the land conservation iceberg. Perpetual stewardship represents the rest of the iceberg.

The biggest challenge that faces public land trusts, like DHR and VOF, for tomorrow and for the rest of time, is to fulfill the heritage trust with which we are charged. This means regular monitoring and reliable

enforcement of the easements we have accepted. The folks in our Stewardship Divisions understand empirically what Lewis Carroll meant when he admonishes Alice in Through the Looking Glass that “It takes all the running you can do, just to stay in the same place.”

Responsible stewardship for existing easements is mandatory and obligatory as a statutory public trust. I am confident, nonetheless, that prospective partnerships are possible for stewardship. I believe that productive relationships with the Virginia Department of Forestry, Virginia Soil & Water Conservation Districts, Local Governments, Virginia Department of Game & Inland Fisheries, Local and Regional Private Nonprofit Land Trusts, and other NGOs represent opportunities for efficiency and synergy.

I do not suggest that VOF or Virginia should in any way abate the rate of new land conservation, but I do want to propose that corollary efforts to enhance stewardship must be given equal emphasis and attention. Failure to grow Virginia’s stewardship capacity as a complement to new easements will certainly defame our land conservation programs over time.

