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THE WILDLIFE FOUNDATION OF VIRGINIA

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March 18, 2005

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Jennifer K. West  
Executive Director

Department of Conservation and Recreation  
Attention: Virginia Land Conservation Fund Grant Program  
203 Governor Street, Suite 326  
Richmond, VA 23219-2010

Dear Sir or Madam:

On behalf of the Board of Directors of The Wildlife Foundation of Virginia, I am pleased to enclose a request for funding from the Virginia Land Conservation Foundation for acquisition of a 550-acre (approximate) tract of land in Madison County, Virginia.

The Fray Tract presents a valuable and unique opportunity for conservation of private lands in Virginia. The property owners' foremost concern is permanent protection of land that has been in their family for over 50 years, and they are willing to forgo a significant financial gain to ensure protection. The Fray Tract is located in a key conservation area: Rapidan Wildlife Management Area bounds the tract on the west and north; Virginia Byway Route 615 bounds the property on the south; and the Shenandoah National Park bounds the property on the east.

Acquisition of this tract meets many goals outlined in the 2002 Virginia Outdoors Plan; Madison County's Comprehensive Plan; the Rapidan Wildlife Management Area Plan; and guidelines set forth by the Virginia Land Conservation Foundation. It is our intent to acquire fee-simple title to the property, place it in conservation easement, and gift the land to the Virginia Department of Game and Inland Fisheries for inclusion in the Rapidan Wildlife Management Area. In doing so, unique and important wildlife and fisheries habitat will be protected in perpetuity, while serving an ever-growing need for public access in this rapidly developing region of the Commonwealth.

WFV is requesting \$190,500 from the Virginia Land Conservation Fund Grant Program for funding for this project, to be matched by a cash and land donation value of \$1,439,000. We hope that the Board of Trustees of the Virginia Land Conservation Foundation recognizes the importance and urgency of this request for funding. Please contact me if you have any questions. Thank you for your consideration.

Sincerely,

Jennifer K. West  
Executive Director

Post-it™ Fax Note	7671	Date	6/13/05	# of pages	10
To	Tate Hewer	From	Gary Waugh		
Co./Dept.		Co.	DCR		
Phone #		Phone #	804/796-5045		
Fax #	202/318-3031	Fax #			

Enclosure

P.O. Box 62 • AUSTIN, TEXAS 78761

**A Proposal to the Virginia Land Conservation Fund Grant Program  
For Acquisition of  
The Fray Property,  
550 Acres (Approximate)  
Madison County, Virginia**

**Submitted by:  
The Wildlife Foundation of Virginia  
P.O. Box 62  
Norge, VA 23127-0062  
757-566-4000  
757-566-0440 Fax**

March 18, 2005

**2005 Virginia Land Conservation Fund Grant Program**  
**Office of the Secretary of Natural Resources**  
**PROJECT APPLICATION**

1. Applicant: The Wildlife Foundation of Virginia
2. Address: P.O. Box 62, Norge, Virginia 23127-0062
3. Contact person: Jennifer K. West Phone Number: 757-566-4000
4. Government agency:  state  local  regional  
 public body  registered non-profit  conservation organization
5. Must choose one Primary Category (see pages 6 – 10): Open Spaces and Parks Category

List additional categories (if any) the project supports: Forest Lands Category

6. Type of Project:  fee simple acquisition  easement  PDR  site development
7. Name of Project: Fray Property Acquisition, Madison County, Virginia
8. Land/property Use:  public use allowed  no public use allowed  combination  
Note: Acquisition will result in public use allowed
9. a. Location(s) of project: Madison County, Virginia
- b. Virginia House District # 30<sup>th</sup> Virginia Senate District # 17<sup>th</sup>  
Virginia Congressional District # 7<sup>th</sup>
10. Give brief description of project. Describe, in this space, the scope of work and anticipated accomplishments. The Wildlife Foundation of Virginia (WV) is proposing to acquire fee-simple title to approximately 550 acres in Madison County. This property is bound on the west and north by the Rapidan Wildlife Management Area, and on the east by the Shenandoah National Park. Approximately 0.5 miles south of the property is an additional Rapidan WMA parcel. The parcel is privately owned, and there is significant development pressure in this region of the Commonwealth. The property owners are interested in preserving their land in perpetuity. Upon purchase of the property, WV will place a conservation easement on the tract, and gift the land to the Virginia Department of Game and Inland Fisheries for inclusion in the Rapidan WMA, thereby providing public access to the property.
11. Landowner(s) has/have been notified and is/are receptive to negotiation on proposed project  Yes  No  
Letter from landowner(s) attached - yes
12. Please include letter of transmittal with applications.

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Moncure Duncan  
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John G. Grover  
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**THE WILDLIFE FOUNDATION OF VIRGINIA**

**2005 Virginia Land Conservation Fund Grant Program  
Project Narrative  
Fray Property Acquisition, Madison County, Virginia**

**Board of Directors**

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*Executive Director*

***I. The Wildlife Foundation of Virginia***

The Wildlife Foundation of Virginia's (WFV) mission is to assist in the conservation, protection and enhancement of the wildlife and habitat resources throughout Virginia. Our goal is to work with landowners, other non-profit organizations, and state agencies to identify geographic areas that lack adequate public access; identify lands in these areas suitable for supporting outdoor recreation; acquire lands; and provide for the management of these properties for public use.

WFV is a non-profit 501(c)3 organization, founded in 1997 by a concerned group of citizens who recognized that, in order to conserve our outdoor heritage in Virginia, the ever-growing problem of diminishing public lands must be addressed. Without adequate opportunities for the public to enjoy outdoor recreation, the support base for conservation of these resources will disappear along with the land.

WFV has assisted the Virginia Department of Game and Inland Fisheries (VDGIF) with supplanting landholdings around several existing Wildlife Management Areas (WMA). In 2002, WFV gifted 110 acres of tidal marshland and beach, located just south of Saxis WMA in Accomack County, to VDGIF. In 2003, WFV raised the necessary funding to acquire a key 19-acre tract of land along the Hardware River in a successful effort to make the Hardware River WMA one continuous tract. WFV owns a 2,000-acre farm in Albemarle County, which is managed for wildlife habitat. This farm is open to the public on a no-fee permit basis. Several times a year, WFV hosts youth-oriented outdoor workshops on this property, to help instill generational support for conservation of Virginia's natural resources.

***II. Project Overview and Objectives***

WFV is proposing to acquire approximately 550 acres of land in Madison County, adjacent to the Rapidan Wildlife Management Area (WMA) and the Shenandoah National Park (SNP). This 631.5-acre tract is owned by brothers John and Jack Fray, and was purchased by the Frays' father in the 1950's. The land has never been occupied by the Fray family, however, it is used by family members for outdoor recreation. Like

much of the piedmont area of Virginia, this property is experiencing significant development pressure, however, the property owners are committed to pursuing permanent conservation of their land.

Each Fray brother would like to retain ownership of approximately 30-40 acres of land for future family parcels. WFV is proposing to acquire fee-simple title to the remaining 550 acres (approximate). Once title to the tract has been acquired, WFV will place a conservation easement on the parcel, and post-easement, gift the land to VDGIF for inclusion in the Rapidan WMA. As indicated on the enclosed project location map (Attachment 1), acquisition of this parcel for eventual inclusion in the Rapidan WMA fills a key conservation gap in the geographic area protected by the SNP and the Rapidan WMA.

The Fray Tract is located in the rugged mountainous terrain in the Blue Ridge Province, and is almost entirely forested. The tract contains steep slopes, deep valleys, and high ridges, and is part of the upper Rappahannock River Watershed. The property is bisected by Kinsey Run, which flows into the Rapidan River, designated as "worthy" of Scenic River designation by the Virginia Department of Conservation and Recreation.

### ***III. Project Need***

From 1990-2000, the Rappahannock – Rapidan Planning District Region, which includes Madison County, experienced a 15.7% increase in population. This area of Virginia, renowned for its memorable vistas and rural qualities, is beginning to experience the high population growth seen in areas to the north, south, and east. Landowners in Madison County have seen staggering increases in property assessments in the last five years. The Fray Tract, assessed in 1999 for \$379,000, was assessed by Madison County in December 2004 for \$1,579,000, a 416% increase over the immediate prior county assessment.

This project meets needs identified in the *2002 Virginia Outdoors Plan*, Madison County's *Comprehensive Plan*, the Virginia Land Conservation Foundation Grant Program Guidelines, and the Rapidan Wildlife Management Area Plan. Specifically, acquisition of the Fray Tract will result in 1) permanent protection of forest wildlife species habitat; 2) improved access to a 10,000+-acre WMA; 3) increased public access to meet demands for recreational needs; 4) meeting identified goals for Madison County as outlined in their *Comprehensive Plan*; 5) consolidation of the Rapidan WMA, identified as a goal in the *2002 Virginia Outdoors Plan*; 6) a highly cost-effective acquisition, driven by landowners whose primary goal is conservation of the property.

The Frays have received several recent (March 2005) purchase offers on their property from developers and entrepreneurs. If financially feasible, they are committed to protecting their property from development in perpetuity. Time is truly of the essence in acquiring this tract, and the landowners are willing to forgo a substantial financial windfall in order to conserve their land.

#### ***IV. Consistency with Local and Regional Plans***

*The 2002 Virginia Outdoors Plan:* The 2002 Virginia Outdoors Plan (VOP) identifies several needs in the Rappahannock-Rapidan Planning District. Acquisition of the Fray Tract addresses three of these specific needs: 1) "Access to water-based recreational opportunities. This includes facilities for swimming, boating and fishing and the development of water trails". The Fray Tract is bisected by Kinsey Run, a tributary of the Rapidan River. It is noted in the Rapidan WMA Plan that there are healthy and stable brook trout populations in most of the permanent streams, which includes Kinsey Run; 2) "Additional parks with playgrounds, as well as minimally developed open—space areas". The Fray Tract acquisition would result in an additional 550 acres (approximate) of open space, in an area virtually surrounded by conservation lands; 3) "Improve access to wildlife management areas for uses other than hunting and fishing". It is noted in the Rapidan WMA Plan that although the WMA was established to provide recreational hunting, fishing and trapping activities, there has been an increased usage by wildlife enthusiasts in wildlife watching, nature photography, field trips, research, hiking, camping and trail riding. The Fray Tract provides ideal opportunities for non-consumptive outdoor recreation. The VOP also proposes "consolidation of the Rapidan Wildlife Management Area in Madison County through land exchange with the Shenandoah National Park and the acquisition of private in-holdings as available". The Fray Tract acquisition project clearly addresses this proposal.

*Madison County Comprehensive Plan, 2000-2001:* The Madison County *Comprehensive Plan* clearly outlines the desire to protect the natural environment and rural way of life, while at the same time recognizing that recreation and tourism are increasingly important to the area's economy, providing a strong incentive to protect the beauty of the natural environment. To that end, the *Comprehensive Plan* outlines several goals that the Fray Tract Acquisition Project addresses.

**Goal:** "Maintain agriculture and forestry as the highest priority land uses in rural areas of the County, by promoting the preservation of important agricultural and forest lands through a combination of voluntary, economic, and regulatory programs". A Major Strategy to meet this goal includes "encouraging landowners to participate in voluntary open space easements". Acquisition of the Fray Tract will help Madison County achieve this goal.

**Goal:** "Protect the environmental qualities valued by county residents and visitors, in order to maintain the quality of life and to capitalize on the value of these assets for tourism and recreation". The first objective of this goal is to "conserve agricultural and forestal areas of the county in order to preserve and protect surface and groundwater supplies, natural resources, and critical wildlife habitat and fishery habitats". Acquisition of the Fray Tract will help preserve and protect surface water (Kinsey Run), natural resources, critical wildlife habitat, and fishery habitats.

**Goal:** "Limit residential development in agricultural and conservation areas, and treat residential development in such areas as subordinate to the normal

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operations of farming and forestry". WFV commits to placing a conservation easement on the Fray property after acquisition, which will eliminate the potential for residential development on the 550-acre tract.

**Goal:** "Expand recreational opportunities in Madison County". A Major Strategy to achieve this goal is to "designate public access areas along selected streams, in cooperation with landowners and the State Game Commission". The Fray Tract acquisition will allow for public access to Kinsey Run, as well as additional interior access to the Conway River, which runs through the Rapidan WMA.

***V. How This Project Meets "Open Spaces and Parks Category" Criteria***

*Criteria 1:* Protects and/or acquires greenways, blueways, viewsheds, abandoned rail corridors, and open space area. The Fray Tract is almost completely surrounded by conserved lands, including 10,000+ acres of Rapidan Wildlife Management Area, and 199,000+ acres of Shenandoah National Park. This geographic region of Virginia is renowned for outstanding vistas and one of the longest greenways in the Commonwealth. Acquisition of the Fray Tract fills a key gap in contiguous conserved lands in this area, and will provide an additional 550 acres (approximate) of open space.

*Criteria 2:* Acquires land or easements on land which provide increased protection and/or public access to state water. Kinsey Run bisects the Fray Tract. Kinsey Run is a tributary of the Rapidan River, which has been designated as "worthy of Scenic River designation" by the Virginia Department of Conservation and Recreation. Protecting the Fray Tract in perpetuity through fee-simple acquisition, then conservation easement, will have a significant positive impact on the water quality of Kinsey Run, and subsequently the Rapidan River. Acquiring the Fray Tract will also result in public access to Kinsey Run, and increased public access to the Conway River.

*Criteria 3:* Addresses a need identified in the Virginia Outdoors Plan. Please see "Consistency with Local and Regional Plans" above.

*Criteria 4:* Supports local and/or regional comprehensive plans for parks, open space, and recreational facilities and programs. Please see "Consistency with Local and Regional Plans" above.

*Criteria 5:* Supports the goals of the special use tax program, which is managed by the State Land Evaluation Advisory Council. The goal of the special use tax program is to foster "the preservation of real estate for agricultural, horticultural, forest and open space use in the public interest". By placing the Fray Tract under conservation easement, the property will be permanently preserved for forest and open space use in the public interest.

*Criteria 6:* Supports the conservation and planning for Virginia' Scenic Rivers, Scenic Roads, and Virginia Byways. The Fray Tract is bisected by Kinsey Run, a tributary of the Rapidan River, which has been designated as "worthy of Scenic River designation"

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by the Virginia Department of Conservation and Recreation. Route 615, which marks the southern property boundary, is a Virginia Byway. Permanent protection of the Fray property will result in conservation of a Virginia Byway, and if the Rapidan River is designated as State Scenic River, protection of Kinsey Run will help maintain the outstanding qualities of the Rapidan River.

*Criteria 7:* Demonstrates partnerships with public agencies, corporations, and non-profit organizations that will enhance, through easement and acquisition, the development of aesthetic parks, open space, and greenways in rapidly developing population areas. While The Wildlife Foundation of Virginia is the sole applicant on this request to the Virginia Land Conservation Foundation, should our grant application be funded, the ownership of the Fray Tract will be gifted to the Virginia Department of Game and Inland Fisheries for inclusion in the Rapidan Wildlife Management Area. WFV and VDGIF have partnered on several acquisition projects in the past, and both parties are fully committed to increasing public access opportunities through land acquisition. WFV has worked closely with VDGIF on developing this project, and VDGIF will be a key resource and partner during the conservation easement process on the Fray Tract. It is anticipated that VDGIF will hold the conservation easement, in addition to the title to the property.

*Criteria 8:* Acquires sensitive lands or easements contiguous to existing park systems that expand or protect public conservation or recreational interests. The Fray Tract is bound on the west and north by the Rapidan WMA, on the east by the Shenandoah National Park, and on the south by Virginia Byway Route 615. Acquisition of the Fray Tract will expand both conservation and recreational interests by protecting the property in perpetuity through conservation easement, and by providing public access to the tract.

*Criteria 9:* Provides needed infrastructure on property purchased with Foundation Funds. A key goal of the Rapidan WMA Plan is the development and maintenance of facilities to provide for safe access to the Rapidan WMA for the public to enjoy wildlife and fish related recreational activities. Long-term plans for the Rapidan WMA include gearing future facility development to increase public use of the area using wildlife viewing rails, shooting ranges, kiosks, and improved signage.

#### ***VI. How This Project Meets Other Funding Categories: Forest Lands Category***

This acquisition project also meets several of the criteria outlined in the Forest Lands Category, specifically: 1) The Fray Tract is in an area of potential development whereby the retention of forestland would be critical, as documented in Madison County's *Comprehensive Plan*, and evidenced by the numerous purchase offers the Frays have received from developers; 2) The property owners are offering purchase at a price well below market value. The property is currently assessed at approximately \$2,500 per acre. Preliminary negotiations between the property owners and WFV indicate that, if the property were placed in conservation easement, the owners would be willing to sell the land for approximately \$1,000 per acre; 3) The Fray Tract is contiguous to an existing



protected forest area. Shenandoah National Park, to the immediate east, is a "preservation only" landholder, meaning all natural resources, including forest resources, within the park boundary are to be left alone, unmanaged; 4) The Fray Tract is within an area identified in the Madison County *Comprehensive Plan* as important for open space and agricultural/forest district. Maintaining agricultural and forestal uses in rural areas of Madison County is the highest natural resource priority identified in the *Comprehensive Plan*.

#### ***Other Criteria***

*Chesapeake Bay Preservation Area* – Not in the Madison County Master Plan.

*Drinking Water Supply Protection* – The Fray Tract is located outside the public drinking water supply impact area.

*VOP Identified Need* – the Fray Tract acquisition project meets a public outdoor recreational need identified in the VOP.

*Water Quality of Recreation Benefit* – Water quality (Kinsey Run) and recreational benefits as a result of conserved private lands is a high priority as identified in the Madison County *Comprehensive Plan*.

*Wildlife Benefit* – Once acquired, the Fray Tract will be managed for wildlife benefits and will offer public use for hunting, fishing, or wildlife viewing, as part of the Rapidan Wildlife Management Area.

#### ***VII. Economic Impact on Madison County***

From the Madison County *Comprehensive Plan*: "Fundamental to Madison County's citizenry is the overwhelming desire to preserve their most important assets, the people, its natural resources, scenic views and valuable, historic and archaeological heritage. Madison County is endowed with an abundance of natural resources and areas. Clean air, clean water, and scenic beauty are viewed by many as the county's most valuable assets. **Agriculture and forestry are major economic activities; both are highly dependent on preservation of open areas and protection of soil and water resources**". There are many goals and objectives outlined in the *Comprehensive Plan* to protect the economic value of natural resources in Madison County. Acquisition and permanent protection of the Fray Tract will help further the goals and strategies outlined in the *Plan* as they relate to economic impact within Madison County.

#### ***VIII. Project Partners and Consultants***

The principal partner on this project is the Virginia Department of Game and Inland Fisheries. DGIF will work closely with WFV on terms of the property acquisition, conditions of the conservation easement, to include any applicable timber and wildlife management plans, and on tasks necessary for WFV to gift the tract to DGIF once the easement is in place. WFV will also work closely with a qualified conservation easements appraiser and an attorney experienced in easements law to ensure the legality and worth of the conservation easement. WFV will work closely with the property owners to ensure their interests are well represented throughout the process.

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***IX. Management of the Fray Tract/Project Timeline***

WFV anticipates completing the acquisition and concurrent easement process on or near December 2005. Immediately upon recordation of a conservation easement, WFV will begin the process of gifting the property to the Virginia Department of Game and Inland Fisheries, however, DGIF will assume management of the property once the acquisition process is complete. Long-term, the property will be included as part of the Rapidan Wildlife Management Area, and will be managed for forested wildlife habitat, fisheries habitat, and public access for consumptive and non-consumptive outdoor recreation.

WFV has initiated purchase negotiations with the landowners, and has established timeframes for completion of the conservation easement appraisal with a qualified appraiser. We are confident that we can move expeditiously on this acquisition project, and anticipate no delays beyond the timeframe outlined above.