

SILVER LAKE
A PROPOSAL BY THE BULL RUN MOUNTAINS CONSERVANCY
BOARD OF COUNTY SUPERVISORS CRITERIA CONFORMANCE STATEMENT

1. Qualifications and Experience of Proposing Entity

Bull Run Mountains Conservancy, Inc. (BRMC), is a private nonprofit 501(c)(3) organization founded in 1995 to conserve, protect and restore the natural environment of the Bull Run Mountains area through education, research, and stewardship. As the most easterly chain in the Piedmont, the Bull Run Mountains area protects unique ecosystems and the environmentally significant headwaters of both the Occoquan and Goose Creek watersheds. BRMC has served the region and, particularly western Prince William, for 12 years. More than 8,000 individuals annually attend BRMC's public programs or simply hike the more than ten miles of hiking trails. BRMC provides education programs for teachers, students, and residents; professional-caliber research of lasting importance; and internships and research opportunities for middle, high school, college, and graduate students.

BRMC's educational programs are designed to develop in individuals of every age an insatiable curiosity about the amazing natural diversity of Virginia, and a desire to help preserve these resources for future generations. BRMC serves as a unique, and close by, outdoor classroom for local public and private schools in the area

BRMC offers educational programs to adults and children, a strong link to local history, and the simple pleasure of walking or riding a trail. At BRMC preservation does not mean a hands-off policy, but rather a focus on drawing people to appreciate the resources at hand, and the completion of research to better understand and protect those resources.

In a cover letter for a grant an intern wrote: "I love BRMC. It holds wonderful memories for me and I know, for thousands of kids like me...BRMC makes learning, about history or ecology a personal, enjoyable experience. I feel compelled to help fundraise for BRMC because I want to make sure that BRMC can provide these same opportunities to other students of Virginia's natural and cultural history."

2. Extent, type and location of recreational benefits to citizens

The *natural recreation area* will be available to all citizens of Prince William County so they can enjoy nature and the outdoors. Bicycling, birding, non-motorized boating, fishing, hiking, horseback riding, primitive camping, jogging, picnicking, walking, and walking domestic pets will be allowed. Unique education programs for Prince William County students and teachers, environmental studies, interpretive programs, and other similar programs will be available to Prince William children. Access will be limited to daylight hours, and the existing Antioch Road entrance will be the sole non-emergency access point for the public.

BRMC will bring these amenities to county citizens as quickly as possible. Within one year, BRMC will bring residents and school children to Silver Lake through public education programs and events for which they pre-register. These program events will provide controlled access to portions of the site, while other portions are being made ready for public accommodations (e.g., restrooms, trails, parking areas, environmental protections, etc.).

Assuming minimal County permitting requirements before opening to the public, BRMC will have guided programs, public events and some trails open within three or four months after acquiring the 481± acres. BRMC will have a grand opening within one year after the site is acquired. After this grand opening, the site will be available during daylight hours (sunrise to sunset) for self-guided public use and exploration.

3. Consistency with Parks & Open Space Chapter of the Comprehensive Plan

The BRMC proposal implements the intent of the parks and open space section of the adopted Comprehensive Plan in that it provides 481 acres of public natural open space that meets a variety of the passive recreational needs of Prince William County citizens of all ages. This public natural open space will also meet the intent expressed in the adopted Comprehensive Plan to preserve trees and green areas in order to make the County more attractive to those who live here, those who visit, and those who wish to invest in the County. The BRMC proposal specifically implements Action Strategy #6 of REC-Policy #2. This action strategy states that the County should "encourage the use of public-private partnerships for the purposes of acquiring, constructing and/or operating parks and park facilities." The BRMC proposal also specifically implements Action Strategy #12 of REC-Policy #4. This action strategy states that the County should consider incorporating scenic vistas and natural view sheds into the trails and greenway system. The BRMC proposal provides two tiers of trail systems which will interrelate with scenic vistas and natural view sheds within the 481 acres and the greater Bull Run Mountains area. These trails will consist of Prince William County Park Authority owned and maintained hiking, biking trails and equestrian trails. In addition, more extensive natural hiking and equestrian trails will be established and maintained by BRMC.

4. Short and Long Term Public Accessibility

Public accessibility will be guaranteed, in perpetuity, by deed restrictions established by the Board of County Supervisors at the time it conveys title to the Property to BRMC. The nature and extent of the public access will be public knowledge immediately, rather than having to be determined later through a Park Master Planning process. Because BRMC has \$500,000 available immediately for this project, full public access will be available within one year of the Board's decision. The uses proposed by BRMC allow broad, unprogrammed and unrestricted public access. Unlike the other proposals by the Prince William and Northern Virginia Park Authorities, BRMC will not reserve priority or exclusive use to youth leagues, RV users, equestrian clubs, model airplane clubs, or any other special interest groups. Use and enjoyment of Silver Lake will be primarily unprogrammed and open for all to enjoy.

5. Short and Long Term Fiscal Impacts to County

The BRMC proposal has a positive fiscal impact by providing a 481 acre public natural recreation area for Prince William residents with no County capital or operating funds being required, either directly or indirectly through its Park Authority or annual contribution to the NVRPA. Private funding will provide all of the initial start up funds that are required. User fees and continuing private donations will provide all of the annual operating funds required. It is anticipated that the fee structure will be similar to that at Leesylvania State Park, where there are specific user fees and an automobile parking fee. Pedestrian or equestrian entry into the natural recreation areas will be free. No new County or Park Authority employees will need to be hired to establish or operate the 481 acre Silver Lake Natural Recreation Area.

The Park Authority 2002 Needs Assessment Survey report states that county residents *"agreed overwhelmingly (73.7%) that the Park Authority should enter into more public/private initiatives to provide more diverse facilities."* This BRMC proposal to establish and operate a 481 acre natural recreation area is a great example of such a public/private initiative to provide a public natural open space park which does not now exist in Prince William County. This initiative leverages 213 acres of County land into a 481 acre public natural recreation area – with no subsidy from the County or Park Authority.

The BRMC proposal adds 268 acres to the County's public open space inventory. This 268 acres has a county assessed value of \$3,488,000. This addition of the 268 acre Antioch parcel is equal to a \$3,488,000 windfall to the County budget.

BRMC will provide necessary improvements and maintenance of the *natural recreation area* WITH NO SUBSIDY OR MONETARY CONTRIBUTION FROM THE COUNTY OR THE PARK AUTHORITY. Why allocate tax dollars to Silver Lake when the same public access and programs are being offered with no County subsidy? The Park Authority will need additional staff and additional operating funds in FY '08 (and each year thereafter) to provide the same public programs and events BRMC will provide. Why allocate NVRPA contributions to Silver Lake when the same public access is being offered free? Why not ask the NVRPA to purchase and establish a new park in the County which is not otherwise available?

6. Compatibility with Adjacent Uses and Properties

The BRMC proposal limits use of the 481 acre Natural Recreation Area to certain low intensity recreation and open space uses, which are compatible with its AE designation as part of the "Rural Crescent." This low level of intensity proposed by BRMC is consistent with, and will not overburden the two-lane rural Antioch Road—which provides the sole point of access to Silver Lake. The BRMC proposal will not require a widening of Antioch Road or the installation of a traffic signal on Antioch Road. The preservation of the natural environment of Silver Lake and the 268 acre Antioch Property as a public natural recreation area and open space will interdict encroachments onto the Rural Crescent and create a 481 acre buffer between the Rural Crescent and the more suburban Dominion Valley community. The BRMC proposal does not include a travel trailer and camp park for RVs, which is a special use permit use due to its potential adverse impacts

upon neighboring properties. The BRMC proposal also does not include an outdoor RV and boat storage area, which does not appear to be allowed at all in the A-1 zoning district. The BRMC proposal does not require an extension of public sewer to within 1,000 linear feet of the western boundary of the Property.

7. Sensitivity to Environmental Features of Site and Adjacent Properties

The BRMC proposal will avoid disruptions to wetland ecosystems, flood plain areas, water bodies, upland grasslands, and the natural terrain. The 481 acre Natural Recreation Area will be operated and managed so as to (i) limit the area of impervious surfaces; (ii) preserve existing natural features; and (iii) perpetuate a mosaic of important natural habitats and ecosystems.

8. Public Safety Impacts

The low intensity uses BRMC proposes will have minimal impact upon existing and planned public safety facilities. There are no large events or event facilities planned for the site, which would overburden the County's public safety response resources.

9. Conformance with Proffer Provisions

The Dominion Valley zoning established a clear proffered pattern of development and intensity whereby Silver Lake is intended to provide a low intensity natural buffer and transition between the suburban development pattern of Dominion Valley and the Rural Crescent. This pattern helps to preserve the Rural Crescent and continues the two-lane rural character of Antioch Road. For example, Proffer number 103 states that the existing condition of the Silver Lake Property *shall not be altered*, except as may be *required* to satisfy the proffers. In addition, the proffered Trails Plan for Dominion Valley shows the Silver Lake Property as a low intensity natural open space area. As another example, Proffers 9.A and 9.B provide for only a 54 ft. wide right-of-way for Antioch Road, with no roadway connection between Antioch Road and the Dominion RPC Property. Proffer #12 also expressly precludes a connection between Antioch Drive and Dominion Valley Drive. Proffer #100 precludes a vehicular connection through Silver Lake between Antioch Road and Dominion Valley. The clear intent of the proffered zoning is to limit the intensity of the uses accessed by Antioch Road so as to not overburden a rural two-lane road and so as to not upgrade Antioch Road to a wider road. Consistent with this intent, Proffer #86 limits road widths with Dominion Valley to ensure they are not widened in the future.

Both the PWCPA and the NVRPA concept plans appear to show vehicular access to RV camping and RV/boat storage areas from the new road serving the middle school. This would result in RV and boat trailer traffic through Dominion Valley neighborhoods. This should not be allowed. However, the only alternative is to limit this RV and boat-trailer traffic to Antioch Road. This would overburden Antioch Road. The character and extent of these RV and boat-trailer areas should be closely scrutinized.

Silver Lake was conveyed in December 2006 by Toll Brothers to the County for public use. Proffer #90 requires that any proceeds from a conveyance of the land from the County shall be used exclusively for public purposes in the Gainesville District. Although there will be no proceeds from

a conveyance from the Board to either BRMC or the PWCPA, however, the NVRPA is crediting the first annual PWC contribution (approximately \$1.6 M) as *consideration* for the conveyance of Silver Lake. Since this is a credit rather than a payment to the County, how will the County fund \$1.6M of public purpose improvements within the Gainesville Magisterial District to satisfy this proffer?

10. Short and Long Term Ability of County to Influence Use of Property

In selecting the BRMC proposal, the County will also be establishing the use of both the Silver Lake Property and the adjacent 268 acre Antioch Property. This is so because BRMC proposes to own, manage and operate the 481 acre recreation area subject to deed restrictions and covenants, which will be established, monitored and enforced by the County. The County will directly control the short and long-term use of Silver Lake through these deed restrictions and covenants. Neighboring landowners and the public will be assured that these uses will not change. The uses mandated by the deed restrictions and covenants will not be subject to the uncertainty of a future "park master plan process" which is completely controlled by a regional authority and not the County.

SUMMARY WRITTEN STATEMENT
BULL RUN MOUNTAINS CONSERVANCY
PROPOSAL TO DOUBLE THE SIZE
OF
THE PROFFERED SILVER LAKE NATURAL RECREATION AREA

Prince William County now has the opportunity to create a 481± acre public *natural recreation area* around Silver Lake, which is located in the Gainesville/Haymarket area.

Pursuant to the Toll Brothers proffer package for the Dominion Valley rezoning (REZ PLN#2005-00197), 318± acres surrounding Silver Lake was conveyed to the County for a school site, as well as for park and recreation purposes. Forty two acres has been dedicated for a middle school site. The County has leased 43 acres to Rainbow Therapeutic Riding, Inc. Pursuant to the proffers, the remaining portion of this acreage (which is to be used for parks and recreation) may be divided among, and controlled separately by, the Bull Run Mountains Conservancy, Inc. (BRMC) and the County (or if the Board so chooses, any other non-profit entity). The County has leased 43 acres to Rainbow Therapeutic Riding, Inc.

BRMC is a not-for-profit conservation entity, which, among other pursuits, operates and manages the Bull Run Mountains State Natural Area Preserve for the Commonwealth of Virginia.

The owner of an adjoining 268 acre parcel (the "Antioch Property") has generously offered to donate its land to BRMC to be used as part of a larger *natural recreation area*, provided that BRMC owns and manages a 213 acre portion of the Silver Lake Property as a *natural recreation area*. BRMC proposes to own and operate this combined 481± acres in trust for the benefit of the general public—in a manner similar to that of the Nature Conservancy and the Civil War Preservation Trust. BRMC does not request nor does it require any monetary subsidy or contribution from Prince William County or its Park Authority.

BRMC requests that the Board of County Supervisors authorize the following actions relative to the 318 acre Silver Lake Property: (1) retain 20± acres for County Park uses ; and (2) convey 213± acres to BRMC to become part of a larger 481± public *natural recreation area*. These separate areas are shown on the attached map, entitled "Silver Lake Natural Recreation Area."

The land conveyed to BRMC will be made subject to certain terms, conditions, restrictions and covenants, prior to its conveyance from the County, which will ensure public use and access in perpetuity. Title to this 213 acres will revert to Prince William County or its Park Authority in the event BRMC either ceases to exist or does not abide by the terms, conditions, restrictions and covenants of the conveyance.

This beautiful 481 acre *natural recreation area*, in combination with the Bull Run Mountains State Natural Area Preserve, will provide over 1,300 acres of pristine, natural open space which is accessible to the public during daylight hours. The maintenance of this area by BRMC will preserve and perpetuate a mosaic of important natural habitats, specifically a

wetland ecosystem, a lake ecosystem, and an upland grassland. These unique ecosystems are not found in the Bull Run Mountains State Natural Area Preserve and will greatly enhance the conservation value of the region.

Ownership of this 213 acre portion of Silver Lake by BRMC offers significant advantages to the public, as compared to ownership by the County or by another organization. Among these:

- BRMC will more than DOUBLE THE SIZE of the public *natural recreation area* by adding an additional 268 acres of mature hardwood forests, pristine streams, and upland grasslands.
- BRMC can provide necessary improvements and maintenance of the *natural recreation area* WITH NO SUBSIDY OR MONETARY CONTRIBUTION FROM THE COUNTY OR THE PARK AUTHORITY. Why allocate tax dollars to Silver Lake when the same public access and programs are being offered by a non-profit entity with no County subsidy?
- BRMC will open the entire 481± acre *natural recreation area* for public programs and events within three to four months, and for general admission within one year. Neither the Park Authority nor the Regional Park Authority is prepared to develop and staff the new facility without significant yearly County funding. There is no operating or CIP funding for this purpose in either the County or the Park Authority budgets. Projected County revenue shortfalls for fiscal year 2008 and 2009 make it unwise, at this time, to increase Park Authority staff and initiate new park programs.
- BRMC's Youth Outdoors program and interpretive programs sponsored by other conservation entities will utilize Silver Lake, thereby providing an invaluable asset to the three nearby schools in Dominion Valley, as well as for all other Prince William County schools.
- In combination with the nearby Camp William B. Snyder's 350 acres, there will be over 830 acres of perpetually protected natural open space in the rural crescent.

The *natural recreation area* will be available to all citizens of Prince William County so they can enjoy nature and the outdoors. Bicycling, birding, non-motorized boating, fishing, hiking, horseback riding, primitive camping, jogging, picnicking, walking, and walking domestic pets will be allowed. Unique education programs for Prince William County students and teachers, environmental studies, interpretive programs, and other similar programs will be available to Prince William children. Access will be limited to daylight hours, and the existing Antioch Road entrance would be the sole non-emergency access point for the public. For liability and security purposes, this entrance will be closed from sunset to sunrise. BRMC will require all visitors to sign liability waivers acknowledging their agreement to comply with all rules and regulations regarding site use. BRMC will add this site to its existing liability insurance policy.

BRMC will bring these amenities to county citizens as quickly as possible. Within one year, BRMC will bring residents and school children to Silver Lake through public education programs and events for which they pre-register. These program events will provide controlled access to portions of the site, while other portions are being made ready for public accommodations (e.g., restrooms, trails, parking areas, environmental protections, etc.).

BRMC has a challenge grant of \$500,000 to commence the infrastructure improvements necessary to open the area to the public. This enables it to immediately begin to maintain the Property, as well as identify and mark hiking, equestrian and nature trails. BRMC will coordinate with the Park Authority, as well as various equestrian, hiking and other user groups to locate, establish and maintain trails throughout the 481± acre *natural recreation area*.

The timetable to open the *natural recreation area* depends on the types of permits required by Prince William County and the specific requirements imposed on their issuance. To keep the land in as natural a state as possible, BRMC will endeavor to minimize the extent to which the site will be disturbed or developed to accommodate public access. Moreover, the more requirements are imposed for site improvements, the longer it will take to open the entire *natural recreation area* to the public.

Assuming minimal County permitting requirements before opening to the public, BRMC will have guided programs, public events and some trails open within three or four months after acquiring the 481± acres. BRMC will have a grand opening within one year after the site is acquired. After this grand opening, the site will be available during daylight hours (sunrise to sunset) for self-guided public use and exploration. BRMC may charge user fees, but will provide a discounted rate for all Prince William County residents.

Respectfully submitted on behalf of the
Bull Run Mountains Conservancy, Inc.
Board of Directors

By:


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