Agenda item # 9

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

July 15, 2015

MOTION

Made By: Mr. Connors, Seconded By: Mr. Kasprowicz
Action: Motion Carried, Unanimously

Title: Recreational Access to Crow's Nest Natural Area Preserve
Project RECR-089-716, N501, Stafford County

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "... in the public interest that access roads and bikeways for public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, "… [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such … and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area"; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Stafford County Board of Supervisors has, by appropriate resolution, requested Recreational Access funds to provide road access to adequately serve the proposed Crow's Nest Nature Preserve located off of Route 609 (Raven Road) in Stafford County and said access road is estimated to cost $400,000; and

WHEREAS, this request is under consideration by the Director of DCR for full compliance with the provisions of § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, it is anticipated that the Director of DCR will designate the proposed Crow's Nest Natural Area Preserve as a public recreation area and will recommend utilization of Recreational Access funds in the construction of the aforementioned access road project; and

WHEREAS, the Stafford County Board of Supervisors has, within its aforementioned resolution, approved of DCR maintaining the requested recreational access road, and

WHEREAS, pursuant to previous Board policy as set forth in the Virginia Department of Transportation (VDOT) Policy Memorandum Number 8-4 (also filed as the Virginia Administrative Code regulation 24VAC30-500), State Secondary routes located completely within State parks, Government parks, reservations, and recreational areas may be closed or turned over maintenance and construction to the various authorities in charge of such parks, areas, etc., if they request, and the Board of Supervisors of the county in which the road is located approves of the action.

NOW, **THEREFORE**, **BE IT RESOLVED,** that $400,000 (unmatched) from the Recreational Access Fund be allocated to provide adequate access to Crow's Nest Natural Area Preserve located off Route 609 in Stafford County, Project RECR-089-716, N501, contingent upon:

1. The Director of DCR designating Crow's Nest Natural Area Preserve as a public recreational area and recommending the use of the Recreational Access Fund for the construction of the access roadway; and

2. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and

3. Execution of an appropriate contractual agreement between DCR and the Department of Transportation (VDOT) to provide for:

   a. design, administration, construction and maintenance of this project; and

   b. payment of all ineligible project costs, and of any eligible project costs in excess of the $400,000 allocation for the access road construction from sources other than those administered by VDOT.

   c. DCR's perpetual maintenance of the access road within Crow's Nest Natural Area Preserve, upon completion of the project.

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