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AUDIT & REVIEW
COMMISSION

THE
VIRGINIA
GENERAL
ASSEMBLY

OPERATIONAL REVIEW
MANAGEMENT
OF STATE-OWNED LAND
IN VIRGINIA

April 19, 1977

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STATE-OWNED LAND IN PERSPECTIVE

The State of Virginia holds as much as 629,000 acres of land that are used in support of functions such as transportation, conservation, recreation, education, health, and corrections. In addition to land used by its agencies, the Commonwealth also owns common land and marshland, much of which exists on the Eastern Shore. Efficient management and productive use of the Commonwealth's present land holdings can help curtail the need to acquire additional acreage. This objective is especially important in light of increasing costs of land and the fact that if it is owned by the State, it is no longer available for local community growth or economic development. Agency ownership of land that has no intended use should be avoided, particularly in areas where land constitutes an important part of the local tax base.

Although there is no central land management program, State land holdings are subject to certain review and coordinative functions carried out by the Division of Engineering and Buildings (DEB). For example, legislation allows agencies and institutions to acquire, sell, transfer, and establish agreements for the shared use of land. In addition to requiring that each agency and institution notify DEB of any land not required for current or future programs, existing law requires that DEB keep records of State land holdings and coordinate, review, and approve new acquisitions. Right-of-way acquired by the Department of Highways and Transportation is excluded from the acquisition processes. Legislation also requires that DEB coordinate the disposition of all surplus land, except for that belonging to institutions of higher education.

In carrying out this study, JLARC staff reviewed the full range of land activities--acquisition, management, and disposition. This report, however, is concerned primarily with management and disposition processes. The data and case studies used to analyze management activities were developed from surveys of 16 agencies and institutions. Four issues were identified through the surveys as being particularly important:

- the quality of the State's land inventories;
- the identification of surplus land;
- the disposition of surplus land; and
- the management of natural resources.

INVENTORIES OF STATE-OWNED LAND

Section 2.1-82.1, *Code of Virginia*, requires DEB to keep records of all State land holdings. However, legislative interest in having land records was first expressed in Senate Joint Resolution 50 in 1958. Although legislative language does not specifically identify the kinds of records that should be kept, prudent management requires that land records be integrated into a useful inventory. Along with the clerical and legal functions of keeping accurate records, an inventory is helpful in:

- evaluating the impact of program changes on agency land needs and ensuring that land holdings are kept at a compatible level;

- identifying potentially surplus land or land that might be shared;
- making reviews necessary to granting easements; and
- evaluating the need to bank unused land for future use.

Deficiencies in the DEB Inventory (pp. 10-13)

JLARC's review of the DEB inventory revealed some deficiencies in its comprehensiveness, accuracy, and format. Legislation does not exclude any State land from DEB's record-keeping responsibility, but land owned by the Department of Highways and Transportation (DHT) is not covered--neither right-of-way acquired for the construction of highways nor land occupied by DHT buildings and maintenance yards.

JLARC staff also found numerous conflicts in data between agency land records and the central inventory. The discrepancies between the DEB summary inventory and agency or institution records provided to JLARC staff ranged from just under ten acres for a tract of partly developed land owned by the Department of Corrections in Louisa County to over 923 acres for the University of Virginia.

Some of the discrepancies can be attributed to inaccurate reporting of land transactions to DEB. For example, University of Virginia's records of land sold since 1966 do not agree with the DEB inventory. There were 3,093 acres of forest land sold by the University in 1975 listed in the DEB inventory as 4,161 acres. This discrepancy appears to be the result of the University's failure to notify DEB that the original figures were in error. Another example of discrepancies concerns Camp Pendleton, the training facility of the Department of Military Affairs. In this case, JLARC staff found three different figures, one in the DEB inventory, a second in the Department of Military Affairs records, and a third in the City of Virginia Beach property tax records.

The third shortcoming noted in the DEB inventory is in its format. The present format and data serve to meet only minimal management information needs. The most useful information available in the inventory is the size and general location of each tract.

Department of Highways and Transportation Land Inventory (pp. 13-16)

The exclusion of DHT land from the DEB inventory led JLARC staff to carry out a review of DHT's land records. DHT keeps no inventory of right-of-way land other than what is available through files of deeds and plats. DHT headquarters does collect information on land used for buildings and maintenance yards and on surplus land, but neither listing is comprehensive or accurate.

The information on departmental facilities land received by DHT headquarters comes from each of eight district offices. Although the district inventories contain similar types of data, districts have not followed the inventory format requested by DHT central staff. Also, DHT's central facilities land inventory is not current. For example, DHT central administrative staff

collected the district inventories in July, 1976, during the course of this review and for the first time in more than five years.

The problem of excluding DHT facilities land from the DEB inventory was underscored by the finding that the relationship between certain acreage at correctional field units owned partially by DHT and partially by the Department of Corrections could not be determined by these agencies at the outset of this review. In fact, JLARC staff found that DHT district personnel had excluded more than 800 acres of DHT land from their facilities inventories. Efforts are now underway by the Department of Corrections and DHT to clarify ownership of these field unit properties.

Improving the DEB Inventory (pp. 56-57)

From its inception, the central inventory has been kept by DEB's Section of Engineering and Architecture. Today, however, the responsibilities of the Property and Facilities Coordinator are more directly related to the inventory. Accordingly, JLARC recommends the Property and Facilities Coordinator be made responsible for the inventory. In addition, all DHT land used to support departmental facilities should be included in the central inventory in order to provide a complete picture of the State's land holdings. In light of the singular use of right-of-way, however, there is no need to include this type of land in the central inventory. It is also recommended that the data available in the inventory be modified so that it can become a more useful management tool. Among the types of data that might be considered for the inventory are current use, appraised value, topography, and availability of natural resources. Photo maps or composite plats might also be made a part of the inventory if available.

STATE-OWNED LAND AND PROGRAM NEEDS

Periodic reviews of State land are important to the productive use of present holdings and the identification of land which is surplus. In keeping with this concept, legislation requires State agencies and institutions to identify any land they own which is either unused or surplus to present and future programs and to notify DEB of its availability.

JLARC Review of State-Owned Land (pp. 20-46)

JLARC's examination of the agency land review process was carried out through on-site inspections of land holdings and interviews with personnel of the agencies and institutions surveyed. The responses of State agencies to the task of identifying unused or surplus land were found to vary considerably. Historically, there were no specific criteria developed which could be used to identify the kind of land that should be considered surplus. In addition, some agencies were reluctant to declare land surplus because revenues from the sale of most land are returned to the General Fund, rather than to the agency.

For purposes of this study, the JLARC staff developed general criteria for two categories of unused land which were applied to selected acreage of the 16 agencies and institutions in the survey.

Potentially surplus land was defined as:

- (1) land which is unused for current programs and not covered by written plans for future use; and
- (2) noncontiguous or on the border of a larger tract.

Underutilized land was defined as:

- (1) land which is accessible only by entry through State land; and
- (2) not used for the primary mission of the agency.

The primary distinction between the two categories is that potentially surplus land can be made available either for other State use or sold without disrupting agency programs. The location of underutilized land, however, tends to make it inappropriate for use by entities other than the State because it lacks public access or is located in the middle of an institution's grounds. At some facilities, topographical characteristics such as a steep mountain slope or swamp prohibit the use of land even though it may be a sizeable portion of the total. Nevertheless, underutilized land should be identified because of its potential, in most cases, for future State development, and to distinguish it from surplus land which could be sold.

When this study was initiated, the agencies and institutions reviewed by JLARC had reported a total of 343 acres as surplus. In contrast, the field inspections carried out by JLARC staff and application of the above criteria suggest there may be as much as 9,159 acres of potentially surplus land and an additional 4,998 acres of underutilized land. Based on these criteria, the amounts of surplus and underutilized land were determined without modifications in current land use. It is certain, however, that shifts in land use on some tracts would have resulted in greater amounts of surplus land. At some penal institutions, for example, additional surplus land could be acquired by relocating farming operations from one parcel to other unused land. Table S-1 summarizes the potentially surplus and underutilized land for each agency and institution surveyed. Based on local tax estimates, 5,424 acres of the potentially surplus land may be worth as much as \$10.3 million.

Recently, the Secretary of Administration and Finance and the Director of DEB have attempted to achieve more effective reviews of land holdings by clarifying present executive policy and by surveying agencies about the status of land which they hold. In November, 1976, the Secretary directed each State agency and institution to carry out a biennial review of present and anticipated land needs. But these efforts do not alleviate the most important impediment to comprehensive reviews--the lack of criteria to assess the status of State land holdings. Accordingly, JLARC recommends that DEB immediately undertake to develop realistic criteria for assessing the status of State land holdings which it can use in the biennial review process. Furthermore, existing legislation might be amended to require the use of these criteria by agencies in their biennial reviews and to strengthen the DEB role in the review process.

After DEB and the agencies have completed the land review for the 1978-80 biennium, DEB should compile lists of any disputed land which has not

Table S-1

TOTAL LAND HOLDINGS COMPARED TO POTENTIALLY
SURPLUS AND UNDERUTILIZED LAND

<u>Agency/Institution</u>	<u>All Acreage</u>	<u>Application of JLARC Criteria To Land Holdings (Acres)</u>	
		<u>Potentially Surplus</u>	<u>Underutilized</u>
Commission of Game and Inland Fisheries	156,600	NA ^b	NA
Department of Conservation and Economic Development	88,795	NA	NA
Department of Corrections	15,870	1,605	3,878
Institutions of Higher Education			
Virginia Polytechnic Institute and State University	5,493	0	0
Virginia Community College System	3,444	525	0
University of Virginia	3,077	172	0
College of William and Mary	1,966	336	0
Radford College	663	27	0
Virginia State College	653	5	134
Department of Highways and Transportation ^a	4,786	1,710	160
Department of Mental Health and Mental Retardation	4,697	1,727	826
Division of Engineering and Buildings	2,362	2,272	0
Department of Military Affairs	1,242	580	0
Department of Health	247	200	0
Virginia Commission for the Visually Handicapped	138	0	0
Division of Motor Vehicles	43	0	0
Total	290,076	9,159	4,998

^aExcludes all right-of-way, except surplus or leased.^bNot applicable.

been declared surplus. At that time, the lists can be organized for review by each of the Governor's Secretaries to resolve disagreements between DEB and the agencies over the classification of unused or surplus land.

DISPOSITION OF SURPLUS LAND

JLARC's survey also revealed the need to address three issues pertaining to the disposition of surplus land:

- how surplus land is sold;
- the retention of surplus land for speculative purposes; and
- the transfer of land and facilities from one State agency to another.

Sale of Surplus Land (pp. 50-52, 60)

Legislation authorizes the sale of surplus land by DEB or, with the consent of the Governor, by a State agency. Most surplus parcels are sold soon after determining that they are not useful to another agency. Except for advertisements required by law to indicate that a public auction will be held or that sealed bids will be accepted, these parcels do not require the use of "For Sale" signs or newspaper advertisements. However, in two cases, the attempted sale of surplus land was shown to require more aggressive marketing techniques.

The first case involves six acres of land in Henrico County declared surplus by the Division of Motor Vehicles (DMV) in 1971. The parcel was originally acquired as a site for a DMV service center, but construction plans were abandoned in the face of opposition from area citizens. The second case involves 102 acres owned by the Virginia Commission for the Visually Handicapped (VCVH) in Albemarle County. Part of a 172 acre tract acquired in 1924, the Commission declared the land surplus in 1968 following the transfer of 70 acres to the Division of Forestry and the Department of Highways and Transportation. Neither parcel has been sold even though they have been surplus more than six and nine years, respectively.

DEB policy regarding surplus parcels such as the above is to advertise for public auction or sealed bids only after a potential buyer states a willingness to submit a bid equal to DEB's assigned value. Until that time, DEB does not advertise or place "For Sale" signs on such parcels. Although signs and advertising do not guarantee a quick sale, they would expose more people to the availability of the land. Therefore, JLARC recommends that DEB place signs on any surplus land which it is selling and that it periodically advertise these parcels in area newspapers.

The lack of a specific policy for determining the value of surplus land may also hinder the expeditious sale of surplus land. Disregarding the lack of advertising, the inability to sell the DMV tract six years after it was declared surplus suggests that it may not be possible to recover the \$130,000 originally paid for the property at this time. According to Henrico County tax records, the present market value of the DMV tract is about \$78,000. In addition, little progress has been made in selling the surplus VCVH land in Albemarle County, even though at least nine inquiries have been received since it was declared surplus.

The disposition process needs to be streamlined and agency authority needs to be made clearer. This could be achieved if DEB were to fully assume the authority entrusted to it by existing law. Section 2.1-106.3, *Code of Virginia*, authorizes the transfer of surplus parcels to DEB. Therefore, JLARC recommends that DEB assume control of land which remains unsold three months after it has been declared surplus. The effect of this transfer would be to make DEB clearly responsible for the sale of the surplus land and to provide it the authority to determine its market value.

The disposition process would also benefit from a review of the statutory requirement that all surplus land be sold only by public auction or sealed bid. This limitation may hinder the sale of land parcels which lack public access except through land of adjacent owners. In cases such as these, sale by public auction or sealed bids may not generate interest. Therefore, JLARC

recommends that consideration be given to revising present legislation to enable DEB to negotiate the sale of specifically identified landlocked parcels with adjacent landowners. This would provide DEB the same flexibility in disposing of landlocked surplus parcels as is already available to DHT with regard to nuisance right-of-way parcels.

Land Speculation (pp. 52-53, 59)

JLARC also determined that State agencies have *retained* surplus land solely as an economic investment. One example of this practice involves 2.5 acres in Fairfax County purchased by DHT in 1950. This land was originally intended to be the site for DHT area facilities, but citizen opposition to the proposed construction led the department to purchase an alternate tract in Loudoun County in 1955. Despite having received a bid in excess of DHT's appraised value of the parcel in 1955, the property was not sold. DHT's latest appraised value of this tract suggests that it is worth more than 25 times the original purchase price.

This example suggests the need to clarify legislative policy for retaining surplus land to distinguish between land speculation and land banking. While the retention of land for speculative purposes may be an effective investment practice for the private investor, the General Assembly should consider whether this is an appropriate practice for a State agency.

Transfer of Surplus Land (pp. 53-54, 57)

More efficient management of the Commonwealth's land also requires improved coordination of its transfer among agencies. For example, the removal of essential equipment from the facilities at Western State Hospital in Staunton prior to the transfer to the Department of Corrections in 1975 resulted in unnecessary equipment replacement costs. These costs would have been avoided if the Department of Corrections, the Department of Mental Health and Mental Retardation, and DEB had conferred on the details of the transfer at an earlier stage. To prevent such mishaps in the future, JLARC recommends that DEB fully assume its responsibility for approving the transfer of land and facilities by reviewing all the terms and conditions agreed upon between agencies involved in such transfers.

NATURAL RESOURCE MANAGEMENT (pp. 48-50, 57-58)

Timber is the primary natural resource on the State's land. Reflecting the importance of this resource, the protection and preservation of forest resources through reforestation and continuous growth of timber has been a policy of the Commonwealth since 1952. Implicit in this policy is the responsibility of State agencies to make productive use of their forest resources.

The benefits of scientific forest management can include revenue through timber sales and, at the same time, upgrading the quality of the forests. The Division of Forestry offers a wide range of forest management services to private and public agencies. The State agencies surveyed by JLARC for this

study own more than 8,000 acres of forest land (excluding the Commission of Game and Inland Fisheries and the Division of Forestry). However, most of these agencies have not developed any plan for managing timber and do not take full advantage of the technical assistance available from the Division of Forestry.

To ensure more productive use of the forested land owned by the State, JLARC recommends that the Division of Forestry be assigned responsibility by statute for providing forest management services to appropriate State agencies and institutions. The division has indicated that most district foresters can provide required assistance within current staff levels.

CONCLUSION

Management of the Commonwealth's land holdings has involved granting maximum authority to the agencies with little emphasis placed on central management, planning, and review functions. Current legislation does not provide for a central State land management program, but this review indicates that one is needed. Central to this need is increased executive involvement in and coordination of State land management activities. Three actions would bring about immediate progress toward these objectives.

First, the Secretary of Administration and Finance has already emphasized the importance of an effective central review, as evidenced by the survey of State land holdings which was initiated in October 1975. Contrary to the analysis in this study, however, the 1975 survey did not result in the identification of unused or surplus land. Therefore, JLARC recommends that department heads once again be reminded of the importance of effective land management, particularly with respect to the identification of unused or surplus land.

Second, to facilitate the review of the Commonwealth's land holdings, it is recommended that the Division of Engineering and Buildings immediately begin to develop uniform criteria for potentially surplus and underutilized land. Acceptance of the criteria by the agencies will require that they be flexible enough to take into account differing land needs, but it is important this flexibility not undermine the importance of the criteria in a legitimate, conscientious review process.

Third, although agency actions can bring about substantial improvements in the management of State land holdings, legislative action is required to provide a basis for a comprehensive land management program. Considering the importance of land as a valuable and finite resource, its management should be given a higher priority in future State administrative affairs to ensure that it is used efficiently and productively.

Commission Actions

On April 19, 1977, the Joint Legislative Audit and Review Commission accepted and approved for release the Operational Review, Management of State-Owned Land. In order to communicate the recommendations included in the report, the Commission adopted the following resolution:

Resolved:

That it is the sense of the Commission that:

1. The Secretary of Administration and Finance be urged to once again bring the need for effective and efficient management of the Commonwealth's land holdings to the attention of all department heads, especially with regard to the identification and disposition of surplus land;
2. The Division of Engineering and Buildings should
 - immediately undertake to develop uniform criteria for potentially surplus and underutilized land, and
 - improve the central inventory with respect to the accuracy of its data, the inclusion of land pertaining to the buildings and grounds of all State facilities, and the inclusion of data which is helpful to the management of current land holdings in addition to identifying future State land needs;
3. Legislation should be drafted to
 - require the use of uniform criteria for potentially surplus and underutilized land in each biennial land review,
 - clarify authority for the disposition of surplus land, and
 - require the Division of Forestry to cooperate with the Department of Support Services and other appropriate agencies to identify forest resources and to develop plans for their management, including harvesting and reforestation.

ABBREVIATIONS USED IN THIS REPORT

Division of Engineering and Buildings	DEB
Department of Highways and Transportation	DHT
Commission of Game and Inland Fisheries	CGIF
Department of Conservation and Economic Development	DCED
Department of Mental Health and Mental Retardation	MHMR
Virginia Commission for the Visually Handicapped	VCVH
Division of Motor Vehicles	DMV
Virginia Polytechnic Institute and State University	VPI&SU
Virginia Community College System	VCCS
University of Virginia	UVa

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FOREWORD

The General Assembly has authorized the Joint Legislative Audit and Review Commission to carry out operational and performance evaluations of State agencies and programs. JLARC studies are designed to assess the extent to which legislative intent is being met as well as to comment on the effectiveness and efficiency of program activities. This report deals with the management of land owned by the Commonwealth's agencies and institutions.

Historically, land management in Virginia has been a responsibility of individual agencies. This report, however, points to a need for increased state-level review and coordination of land management functions. Four areas were found to need particularly careful attention including: inventory practices; development of criteria which can be used to identify surplus land; disposition procedures; and management of available natural resources. An important part of the report is contained in Chapter III where specific utilization criteria were applied to selected land holdings of 16 agencies and institutions. This analysis identified over 9,000 acres of potentially surplus land--valued well in excess of \$10 million.

On April 19, 1977, the Joint Legislative Audit and Review Commission met to consider the report. At that meeting, the Commission adopted a resolution which urges the Secretary of Administration and Finance and the Department of Engineering and Buildings to take specific action to implement many of the recommendations contained in the report. The text of the resolution is contained in the legislative summary.

On behalf of the Commission staff, I wish to acknowledge the cooperation and assistance provided by the many agencies involved in this study. Special appreciation is extended to the Division of Engineering and Buildings and to the Department of Highways and Transportation for assistance during the review.



Ray D. Pethtel
Director

April 19, 1977

STATE-OWNED LAND IN PERSPECTIVE

The Commonwealth's land holdings include more than 332,000 acres used for roads and highways, about 297,000 acres used by State agencies and institutions, and extensive amounts of waste, unappropriated, or common land. As Virginia's economy grows, there is increasing competition for land and its cost continues to rise. It is especially important, therefore, that the Commonwealth's agencies and institutions use their land resources efficiently.

This chapter presents an overview of agency responsibilities for the acquisition, management, and disposition of State-owned land. Although State agencies and institutions manage their land holdings with a large degree of autonomy, legislation grants the Division of Engineering and Buildings (DEB) authority to review and coordinate the acquisition and disposition of most State land. Especially important is DEB's role as a central clearinghouse for the disposition of surplus State land.

JLARC's review of the management and disposition of land by 16 State agencies and institutions resulted in the identification of four issues which are the subject of this report:

- the State's land inventories;
- how potentially surplus land is identified;
- the use of natural resources on agency land; and
- the methods used to dispose of surplus land.

1. STATE-OWNED LAND IN PERSPECTIVE

Every agency of the Commonwealth needs to use its land efficiently. This objective becomes increasingly important with the growing gap between demand for services and available revenues and the deferment of important capital outlay programs. Like any organization that requires land for its programs, the State government is a competitor for this unique and finite resource. As Virginia's economy grows, increasing amounts of land are needed for housing, business, industry, and recreation. At the same time, the decreasing amount of agricultural land must be utilized more intensely. Consequently, the cost of land is increasing. Perhaps nowhere is this more evident than in the Northern Virginia and Tidewater areas, where population growth rates are three times the State average. Efficient management of existing State landholdings and careful acquisition of additional parcels must be given attention as the State seeks to meet the needs of its citizens.

The State also needs to be concerned about the land it owns but no longer needs for current or planned programs. First, continued State ownership of such land not only decreases the amount of acreage available for private purposes but also reduces potential local property tax revenues. Second, the sale of unneeded land can serve as a source of revenue.

The precise amount of land owned by the Commonwealth is not known, but estimates indicate the total may range up to 629,000 acres (Table 1). Ninety-nine percent of this amount is used for five State functions--transportation, conservation, higher education, mental health, and corrections. The Department of Highways and Transportation accounts for the greatest share of State land, with approximately 332,000 acres of right-of-way for the highway network and about 4,800 acres for departmental facilities, field units, and surplus right-of-way.¹ The Department of Conservation and Economic Development and the Commission of Game and Inland Fisheries hold the next largest shares of land with 88,795 acres of land dedicated to forestry and parks, and about 156,600 acres used as public game preserves and inland fishing sites.

State correctional facilities for adults and juveniles account for about 15,870 acres of land, much of which consists of forests and cropland. Virginia's institutions of higher education (including the community colleges) own 19,133 acres of land. Finally, 16 facilities of the Department of Mental Health and Mental Retardation account for 4,697 acres of State-owned land.

In addition to land of State agencies and institutions, the Commonwealth also owns: (1) common land, (2) waste, unappropriated and marshland, and (3) subaqueous land (beds of bays, rivers, and creeks and shores of the sea). Precisely how much land of this type is owned by Virginia is not known. Common land has existed in the Commonwealth since its beginnings as a colony. This kind of land was reserved for the use of the public, sometimes as fishing and hunting grounds and other times as common farming gardens. The disposition of all known parcels of common land has been accomplished through special acts of the General Assembly.

A series of statutes dating from 1780 provide for the disposition of waste, unappropriated, and marshland. Unless conveyed by a specific land grant, all land of this type continues to be owned by the Commonwealth. Today, Sections

Table 1

STATE-OWNED LAND BY AGENCY
(holdings in excess of 100 acres)

<u>Agency/Institution</u>	<u>Estimated Total Acreage</u>
Department of Highways and Transportation	
Roads and highways.	332,000
Surplus right-of-way, facilities land, field units.	4,786
Commission of Game and Inland Fisheries	156,600
Department of Conservation and Economic Development	88,795
Department of Corrections	15,870
Institutions of Higher Education	
Virginia Polytechnic Institute and State University	5,493
Virginia Community College System	3,444
University of Virginia.	3,077
College of William and Mary	1,966
Radford College	663
Virginia State College.	653
George Mason University	576
Virginia Military Institute	465
Mary Washington College	398
Madison College	345
Longwood College.	162
Virginia Commonwealth University.	140
Virginia School at Hampton.	109
Department of Mental Health and Mental Retardation.	4,697
Division of Engineering and Buildings	2,362
Department of Military Affairs.	1,242
Virginia Port Authority	879
Gunston Hall.	556
Virginia Truck and Ornamentals Research Station	296
Department of Health.	247
Department of Vocational Rehabilitation	225
Department of State Police.	181
Virginia Commission for the Visually Handicapped.	138
Virginia Airports Authority	121
Virginia Institute of Marine Science.	103
<i>All Other State Agencies and Institutions</i>	<u>2,758</u>
	629,347

Source: Division of Engineering and Buildings real property records and other State agencies and institutions.

41.1-1 through 41.1-16 of the *Code of Virginia* provide for the transfer of waste, unappropriated, and marshland to individuals through proceedings in appropriate circuit or corporation courts. However, these provisions exempt certain marsh and meadowland on the Eastern Shore which is reserved for fishing, fowling, and hunting by all Virginians.

Essentials of a Land Management Program

The management of State-owned land involves many agencies. Even though there is no standard nationwide program which provides guidelines for the land management activities of State agencies, a few management tools are available to help ensure the productive use of land. These include:

- periodic reviews of State land needs;
- productive management of natural resources; and
- effective land disposition methods.

Review of State Land Needs. A periodic assessment of State land needs is important to: determine whether land previously acquired continues to be necessary for current or planned future programs; review the proposed acquisition of additional land; prepare the capital outlay budget; and identify surplus land. Implicit in the objective of a periodic review process is the assessment of both the internal needs of each agency and, additionally, common land needs. The latter type of survey is important to guard against the sale of land by one agency while another agency is searching for comparable land. In order that adequate periodic reviews can take place, there must be accurate agency records, up-to-date program plans, and a comprehensive central land inventory.

Natural Resources Management. The natural resources on State land can include timber, minerals, wildlife, and crops. Productive management of these resources can maintain and, in some cases, upgrade the quality of State-owned land in addition to help defray the cost of land maintenance. For example, unused land often supports substantial amounts of timber which would benefit from planned harvesting--and sale of the harvest can return monies to the State.

Disposition of State Land. Finally, as the goals of agency programs change, the State may find it owns land which is not required for current programs and not likely to be used in the future. When this occurs, it provides an opportunity to sell land for current value and return it to local tax rolls. Effective, fair methods for disposing of unwanted State land are important to the attainment of both objectives.

Land Management Processes

The acquisition, management, and disposition of land by the Commonwealth's agencies and institutions is governed by permissive and mandatory statutes scattered throughout the *Code of Virginia*. Permissive legislation is responsible for a decentralized approach to State land management. Legislation of this type allows:

- the acquisition and ownership of land by individual agencies and institutions;
- the permanent transfer of land among agencies and institutions;
- the establishment of agreements between agencies and institutions for the short-term use of State-owned land;

- the permanent transfer of surplus land to the Division of Engineering and Buildings; and
- the sale of surplus land through public auction or sealed bid.

The mandatory provisions, however, reflect a concern for the efficient use of land and highlight the need for a coordinated approach to its use. These provisions require that the Division of Engineering and Buildings (DEB):

- coordinate, review, and approve the acquisition of all real property (except for that of the Department of Highways and Transportation);
- maintain an inventory of State-owned land; and
- coordinate the disposition of all surplus real property (except for that of Institutions of Higher Education).

Furthermore, various provisions require that:

- each State agency and institution is to notify DEB of any land not required for current or planned future programs; and
- State agencies and institutions are to review the availability of presently-owned State land with DEB before acquiring any new land.

In addition to the above duties, DEB is responsible for preparing and administering the capital outlay budget, coordinating the disposal of federal surplus real property, and maintaining the buildings and grounds in addition to developing a master site plan for State facilities in the Richmond metropolitan area. While this decentralized approach rules out the existence of a central State land program and a single "land" agency, DEB clearly is the principal agency involved in land management activities for the Commonwealth.

Regardless of the method used to acquire land--outright purchase, eminent domain, or gift--each of Virginia's agencies and institutions is responsible for the day-to-day management of its own land. These responsibilities include preparation of master site plans, record keeping, managing any available natural resources, and upkeep of facilities.

Whenever an agency or institution finds it owns land which it no longer requires for current or future programs, it is supposed to declare the land surplus and notify DEB of its availability. At that point, DEB is required to assess the potential need for the land by all other State agencies and institutions. If there is no other State need for the land, it may either be transferred to DEB or sold. As will be shown later, considerable time may pass between an agency's determination of land as surplus and the sale of a tract. (The General Assembly may also dispose of State real property by legislative act.) Finally, the DEB central land inventory is intended to record the acquisition of new land, the transfer of land between agencies, and the sale of surplus land.

Scope of JLARC Review

Although JLARC staff reviewed the complete range of State land activities--acquisition, management, and disposition--this report is directed primarily at the management and disposition processes. (Land acquisition is planned to be the subject of another report.) Concern for the extent of compliance with existing legislation and with the efficiency of State land management practices led to the identification of four key questions which are discussed in detail:

- the quality and usefulness of land inventories kept by State agencies and institutions;
- how potentially surplus land is identified;
- how natural resources found on State land are used; and
- how surplus land is sold.

To carry out its review, the JLARC staff surveyed the following 16 State agencies and institutions about the management and disposition of their land. Special emphasis was placed on the role of the Division of Engineering and Buildings in coordinating the use of State land. Agency surveys consisted of interviews of central staff personnel (usually in the capitol area) and on-site inspections.

STATE AGENCIES AND INSTITUTIONS SURVEYED BY JLARC

Departments

- Highways and Transportation
- Corrections
- Conservation and Economic Development
- Mental Health and Mental Retardation
- Military Affairs
- Health

Commissions

- Visually Handicapped
- Game and Inland Fisheries

Institutions of Higher Education

- Virginia Polytechnic Institute and State University
- Virginia Community College System
- University of Virginia
- College of William and Mary
- Radford College
- Virginia State College

Divisions

- Engineering and Buildings
- Motor Vehicles

To illustrate the importance of reviewing agency land holdings, criteria were developed for different types of unused land. Visits to selected facilities gave JLARC staff the opportunity to inspect land holdings and review future land needs with agency personnel. In addition, local assessors were consulted about the value of unused State land holdings.

INVENTORIES OF STATE-OWNED LAND

A comprehensive central inventory is an indispensable tool for managing the State's land holdings. In recognition of this fact, the General Assembly has enacted legislation which requires the Division of Engineering and Buildings (DEB) to keep records of all State land.

This chapter focuses on the land inventories kept by DEB and the Department of Highways and Transportation (DHT). The DEB inventory was found to have an inadequate format for management review of State land and to contain data which conflicted with agency land records. A comparison of the inventory to the land records of seven agencies revealed numerous discrepancies in data.

DHT keeps records of land on which its facilities are located, land acquired for the construction of highways, and surplus land of both types. However, the exclusion of DHT data from the central State inventory hinders the identification of unused land as required by legislation. In fact, until informed by JLARC staff, DHT was not aware that it owned various tracts of land used by the Department of Corrections as field units.

11. INVENTORIES OF STATE-OWNED LAND

An accurate, comprehensive inventory is a useful tool in managing and coordinating the use of the State's land. For example, an inventory can be used in: evaluating the impact of program changes on State land needs; making reviews for granting utility easements; identifying land that can be shared between agencies; planning future State land needs, and identifying surplus land. An accurate inventory also provides a permanent record of State land holdings and makes it unnecessary to rely on the memories of individuals.

DIVISION OF ENGINEERING AND BUILDINGS

Legislative recognition of the importance of records of the State's land holdings was first expressed with the enactment of Senate Joint Resolution 50 of 1958:

Whereas, numerous parcels of widely scattered lands are owned and held by the several institutions and agencies of the State; and

Whereas, the Commonwealth now has no central record or listing of the lands so owned and held; now, therefore, be it

Resolved by the Senate of Virginia, the House of Delegates concurring, That the Director of the Division of the Budget is hereby directed to obtain from all institutions and agencies of the State a record of the lands owned and held by each, such data to be compiled and furnished in accordance with rules and regulations promulgated by the Section of Institutional Engineers of the Division of the Budget, and filed and maintained in the Section of Institutional Engineers of the Division of the Budget. The Director of the Budget shall complete his compilation of such data by January one, nineteen hundred sixty.

Today, land records are required by Section 2.1-82.1 of the *Code*, which states that:

The Director (DEB) shall be responsible for the maintenance of real property records of all State agencies and institutions...

The format of the DEB land inventory has changed little since its initial design and compilation by DEB's Section of Engineering and Architecture. The inventory consists of three principal components: deed listings; pending transaction and deed files; and maps.

Deed Listings. The heart of the DEB land inventory is a six-volume set of deed listings which are organized into loose-leaf binders by name of State agency, institution, or facility. Each page permits the recording of seven tracts, listed in chronological order by date of acquisition. Space is provided for the following information on each parcel:

- popular or common name
- county or city of location
- deed book and page number
- grantor
- date of deed
- plat or reference
- acreage

In addition to land acquired, the deed listings record deeds of easement granted to public utilities and the disposition of land to other State agencies. Figure 1 shows a page reproduced from the deed listings for the Bon Air Learning Center of the Department of Corrections.

Figure 1

SAMPLE DEED LISTING
Division of Engineering and Buildings Inventory

ITEM	PARCEL				DATE OF DEED	PLAT OR REFERENCE	ACREAGE		
	COUNTY OR CITY	D.B.	PAGE	GRANTOR			COURT RECORDS	COMPUTER	CUMULATIVE TOTALS
1	Carter Tract (original site)				July, 1914	La Prade Mar., 1910	206.00		
	Chesterfield	-	-	Virginia Home and Industrial School for Girls					
2	Ransone Tract				11-04-18	19-C and DB 122, p. 22	60.00	60.05	
	Chesterfield	151	586	B. F. Ransone et ux.					
3	Glinn Tract (Abstract of Title attached)				10-12-21	19-C and Attached	24.35		
	Chesterfield	165	45	Mrs. Broocks P. Glinn et vir.					
4	McDonough Tracts:						96.15		
	Parcel 1								
	Parcel 2				12-D3-27	19-C and Attached	43.93		
	Chesterfield	190	381	Leon M. Bazile, Sp.Com'r.					
5	Easement for sanitary sewer line granted to County of				01-21-65	Attached	-		
	Chesterfield								
6	Easement for connection to County sewer system granted to				04-28-71	Attached	-		430.48
	DWI								
	Chesterfield	1021	263	Wilfred A. Jarvis et ux.					

Agency or Institution BON AIR LEARNING CENTER

Pending Transaction and Deed Files. Pending transaction files contain letters and other documents concerning acquisition, sale, and transfer. In the past, these files were intended to remind the person in charge of keeping the inventory to make future adjustments to the deed listings. However, there are indications this procedure was not very effective. After the former employee in

this position retired, his replacement found a number of items in the pending transaction files which had not been addressed for several years. In addition, JLARC staff referred to the pending transaction files on numerous occasions and found them in general disorder.

The deed files contain copies of deeds and plats and are arranged by agency, institution, or facility. (A plat is a schematic drawing which shows the shape and boundaries of a tract of land.) Although the deed files were found to be better organized than the pending transaction files, some deed files were incomplete. DEB is not entirely responsible for this shortcoming, however, since original deeds for various tracts of the College of William and Mary were destroyed in a fire at the Williamsburg Courthouse, and Virginia Military Institute has not furnished copies of deeds to DEB.

Maps. The third part of the DEB land inventory consists of aerial photo maps, composite plats, and topographical maps kept by the Division's Section of Engineering and Architecture. Availability of these items varies from all three for some agencies and institutions to none at all for others. DEB has contracted with the Department of Highways and Transportation for several years to prepare aerial photographs and topographical maps, but the files are not yet complete.

Deficiencies in the DEB Inventory

JLARC's review of the DEB land inventory disclosed deficiencies pertaining to comprehensiveness, accuracy, and format. This finding is consistent with the reasons behind a 1975 survey of the State's landholdings initiated by the Secretary of Administration and Finance. The purpose of the survey was to identify acreage that might be shared by agencies and review agency plans for acquiring additional land. However, a cover letter accompanying the questionnaires stated that:

Experience has indicated the need for a more detailed centralized inventory of State-owned land to provide better information than now exists with respect to present and planned usage.²

Comprehensiveness. The DEB inventory does not include DHT land for district, residence, and area headquarters, maintenance grounds, or right-of-way acquired for construction of roads. DEB's reluctance to keep an inventory of DHT right-of-way land is explained by the fact that most right-of-way will never become available for nonhighway purposes. However, the inclusion of DHT facilities land and surplus right-of-way is justified by the possibility of sharing land with agencies having comparable and compatible land needs, such as the Division of Motor Vehicles and the Department of State Police. But regardless of the relative advantages of including DHT land in the inventory, Section 2.1-82.1 of the *Code* clearly states that the Director of DEB is "...responsible for the maintenance of real property records of all State agencies and institutions". When this study was begun, however, the Director and Assistant Director of DEB thought the *Code* exempted DHT land from the central inventory.

Accuracy. County summaries of land holdings identify State-owned land as owned by the "Commonwealth of Virginia" rather than by an individual State agency or institution. As a result, it is not possible to make an

Table 2

COMPARISON OF DEB AND AGENCY LAND RECORDS
(Selected State Agencies and Institutions)

<u>Agency or Institution</u>	<u>DEB Records (Acres)</u>	<u>Agency or Institution Land Records (Acres)</u>	<u>Difference (Acres)</u>
MENTAL HEALTH AND MENTAL RETARDATION			
Eastern State Hospital	638.90	655.00	16.10
Western State (new site)	301.91	563.00	261.09
Southwestern State	498.72	175.84	322.88
Lynchburg Training School	344.50	401.40	56.90
CORRECTIONS			
James River, Powhatan	3811.81	3860.00	48.19
Bland Corr. Center	2145.46	2193.00	47.54
Southampton Corr. Center	2778.60	2675.00	103.60
Women's Corr. Center	254.20	266.50	12.30
Hanover Learning Center	1805.76	1930.00	124.24
Louisa County	195.00	204.85	9.85
MILITARY AFFAIRS			
Camp Pendleton	1020.53	931.48	89.05
VIRGINIA STATE COLLEGE			
Randolph Farm	382.49	416.00	33.51
RADFORD COLLEGE			
	663.28	682.95	19.67
UNIVERSITY OF VIRGINIA			
	3080.12	4004.00	923.88
WILLIAM AND MARY			
	1508.84	1966.11	457.27

Source: Data taken from DEB deed listings and agency records. See end note 3 for additional detail.

agency-by-agency comparison between acreage listed in the DEB inventory and in county deed records. Nevertheless, JLARC's review of land records of some agencies and institutions suggests that substantial errors exist in the DEB inventory. Table 2 lists the differences between the DEB inventory, as updated, and agency or institutional records. Only differences greater than nine acres are included in the table. The greatest discrepancy was for the University of Virginia's (UVA) land; DEB and UVA records differed by more than 900 acres. For one facility (Camp Pendleton), three different figures were found--one in the records of DEB, another at the Department of Military Affairs, and a third in the records of the City of Virginia Beach property tax assessor. This cursory examination indicates that additional efforts should be undertaken to verify the DEB inventory.

One source of errors is inaccurate reporting of land transactions. For example, the different figures for UVA's land is probably due to inaccuracies in the university's reporting and DEB's recording of land dispositions, since

university records of land sold since 1966 do not agree with the inventory. The university sold 3,093 acres of forest land in Brunswick County in April, 1975, but DEB recorded the transaction as 4,161 acres. Apparently, the university's original records were incorrect. Although the university adjusted its internal records, the DEB inventory was not corrected.

Format. Data collected for the DEB inventory are of limited value to administrators or legislators for evaluating the use of State land. For example, a composite plat is a mosaic formed from the plats for a number of contiguous tracts. However, the fact that DEB does not have a complete set of composite plats for every State facility makes it difficult to pinpoint the relationship between individual tracts and the larger grounds they comprise. Furthermore, sections of the inventory for some agencies (DEB, DCED, and CGIF) intermingle tracts which are located at different facilities or geographic areas of the State.

The development of a useful DEB inventory requires accurate and comprehensive data. However, JLARC staff found that few of the 16 State agencies and institutions it surveyed had detailed inventories of their land holdings. For example, explaining why CGIF had been delayed in providing all of the information required for the DEB survey, the CGIF Coordinator stated:

This is a bigger job and much more complicated than it appears. The outgrowth will be the Game Commission will have an inventory of all its lands - which we do not have today. ⁴

Inadequate agency land records were also responsible for the Department of Mental Health and Mental Retardation's delayed response to the DEB survey.

The College of William and Mary lacked an inventory of its land holdings prior to the DEB survey, but the college's staff subsequently developed an inventory which includes descriptions of current and planned use of college land and a complete set of aerial photo maps. Virginia Polytechnic Institute and State University (VPI&SU) was found to have automated its inventory based on the format of DEB's inventory. According to the person who keeps the VPI&SU inventory, this effort resulted from past difficulties in rectifying DEB inventory records with those of the school. The same person has also been developing a composite plat for VPI&SU's main campus, one aspect of an inventory not often available for State institutions.

At Radford College, JLARC staff found that some plats for land acquired before 1957 were missing, but a composite plat of the main campus is being prepared. The college has no comprehensive summary of its deed files and plats. This means the entire deed file, which is kept in a vault, must be reviewed to locate a specific deed or plat.

The limited usefulness of the Radford land file (and DEB's central inventory) can be seen in the following example. Over a period of several years (between 1943 and 1951), the Radford Iron Company gave the college 16,506 acres of land. The college owned the land until 1957, when all but two parcels were sold. College staff mentioned neither parcel in their response to the DEB survey. However, in preparing a listing of the college's land holdings for an interview with JLARC staff, Radford officials "rediscovered" the two parcels.

The present DEB inventory is in *technical* compliance with the Code, but it is difficult to envision that the present inventory can be useful in an

effective review of State agency and institution lands. In fact, DEB personnel acknowledged the inability of the present inventory to provide meaningful information about State land. The Property and Facilities Coordinator, who is responsible for coordinating the disposition of surplus land, indicated he is not sure what information is available in the inventory. While DEB management is aware of the inventory's shortcomings, the inventory has not undergone substantive modification since it was begun.

DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

The inclusion of DHT surplus right-of-way and facilities land in the DEB inventory is important to coordinating the use of State-owned land. In addition, DHT's heavy involvement in land activities requires accurate, internal inventories of its land. Currently, no inventory of right-of-way land exists other than the routine filing of deeds and plats. While DHT collects information on facilities land and all surplus land, its listings are neither comprehensive nor accurate.

Facilities Land

DHT's eight district offices keep separate inventories of land on which departmental facilities are located. DHT central administrative staff collected all district inventories in July, 1976, for the first time in over five years. District inventories contain comparable data about buildings, storage areas, sheds, and garages, yet certain information was excluded or inaccurate. No district follows the standard inventory format as requested by the central office. For example, while all districts record acreage for their various headquarters and residencies, only three submit land data to the central office as part of their inventory.

Inventories submitted by the districts are also inaccurate. For example, many of the districts sent in amendments to the original inventory--changing both land amounts and values--after JLARC began its initial review. In the case of one district, the amount of land reported greatly increased when the acreage at the headquarters site was changed from 300 square feet to 135 acres.

Right-of-Way

Information on right-of-way is currently found in DHT project files, but there is no comprehensive inventory. Instead, several sections within DHT's Division of Engineering keep records for past and current Primary, Secondary, and Urban highway projects.

The present decentralized approach to collecting project records precludes analysis of all DHT land holdings. It is impossible for DHT management to review land holdings for those cases in which land has been acquired in advance of actual project approval, or in which land has been purchased in anticipation of future road improvements. Such properties could be leased or sold if future road development were found to be unlikely. To facilitate the productive use of this type of land, an inventory of all advanced acquisition

land and other land not immediately planned for construction should be summarized and made available for management review.

Surplus Land

The third type of inventory compiled by DHT consists of surplus right-of-way and facilities land. Prior to 1975, the central office recorded surplus properties from plans, maps, and right-of-way status forms and listed them in a Kardex file. At that time, responsibility for reviewing the files was limited. An assistant district right-of-way engineer noted that: "Previous to 1973 or 1974 (the policy for surplus property) was (to) hope somebody remembered it."⁵ Today, the surplus land inventory is a summary of independently saleable parcels recorded by DHT identification number, previous owner, and estimated acreage. No reference is made to verification of the deed, location of the parcel, whether or not the property has been improved, how the parcel is zoned, or date of the most recent appraisal.

All eight DHT districts have indicated to JLARC staff that they notify the central office of surplus properties. However, the inventory list given to JLARC was incomplete and, in some cases, inaccurate. Surplus land in the Fredericksburg district, for example, had not been listed. In addition, JLARC staff found numerous discrepancies between various central DHT files and the new inventory.

The districts were also found to use varying procedures for classifying and recording surplus land. The Bristol district, for example, maintains a file of surplus property by county, including net acreage, date of deed, recording date, deed book and page, and improvements. Three years ago, the Salem district began an extensive listing of residue projects cataloged by county, and it now has the most comprehensive district inventory of surplus property (including visual inspections, pictures, deed book listings, estimated values, descriptions of land, dates acquired, and plats). Inventories maintained by the remaining districts are not as comprehensive. No district formally reports surplus land to the central office.

The lack of formal procedures for reporting surplus property and for compiling comprehensive, accurate inventories hinders the efficient disposition of unneeded DHT land. For example, the determination of actual size of the surplus property, ownership of adjacent property, and verification of DHT ownership do not occur until a specific inquiry is made by an interested buyer of a surplus parcel or until DHT approves the sale. At that time, the parcel is reviewed for potential DHT use, and only then is DEB notified of its availability. However, these processes should be performed at the time the property is first declared surplus--not when a sale is initiated.

Correctional Field Units

Inaccurate data in the DEB land inventory and in DHT's inventory of its facilities land have limited the value of these inventories in resolving questions about the ownership and management responsibilities for various tracts of land known as correctional field units. The problem has been compounded by

the exclusion of DHT facilities land from the DEB inventory. As a result, potentially surplus land at a number of locations has not been used productively.

As early as 1906, land was acquired to provide housing sites for convicts who worked on highways and on farms operated by State penal institutions. Today, 30 correctional field units owned in part by the Department of Corrections and in part by DHT are operated by the Bureau of Correctional Field Units.

In addition to the original purposes of farming and road camp housing, Corrections uses the facilities for misdemeanor housing, prerelease and work release centers, geriatric units, and vocational training. DHT uses an average of six acres at each of 20 field units for area headquarters and maintenance depots. Although DHT owns 14 of the 30 field units, its inventory of departmental facilities land does not include six of the units and lists only partial acreage for three others.

Table 3 compares acreage for each of the field units shown in the DHT inventory with those units for which DHT actually holds deeds. The table indicates that the districts excluded over 800 acres of DHT land from their facilities inventories.

Table 3

ANALYSIS OF OWNERSHIP OF CORRECTIONAL FIELD UNITS
(Department of Highways and Transportation)

<u>Unit Number</u>	<u>DHT District Inventory (acres)</u>	<u>Actual DHT Land Holdings (acres)</u>
3	5.0	61.31
4	370.73	371.73
7	--	95.87
8	--	146.71
9	104.5	106.36
10	--	171.88
12	--	106.36
15	201.39	202.02
17	135.0 ^a	136.16
18	6.16	--
19	6.19	6.17
21	--	167.25
22 ^c	90.0	97.73
23	134.4	134.4
27	-- ^b	--
30	--	70.98
Total	1,053.37	1,874.93

Source: DHT, Corrections, and DEB data provided October, 1976.

^aOriginally claimed 300 square feet (.007 acre)

^bOriginally claimed 8.38 acres

^cDeclared surplus by DHT

A 170 acre unit in one district was not included in the inventory because the district had:

...no record to show that the land belongs to the Highway Department. It is believed to be owned by the Department of Welfare and Institutions.⁶

After JLARC staff brought the field units to the attention of DHT, departmental staff began to review their files to verify ownership of various parcels. DHT has since requested the assistance of the Department of Corrections in reviewing the need for the land in question. In a letter from DHT to the Department of Corrections, dated September 17, 1976, the department stated:

We (DHT) are attempting to determine the ownership as to which lots are owned by the Department of Highways and Transportation and which lots are owned by the Department of Corrections. It would be appreciated if you would review the information as furnished, make any corrections that are necessary, and return same to this office. If any of the land owned by the Department of Highways is no longer needed for the use of the Department of Corrections, please give us an estimate of the amount of surplus acreage and we will contact you with reference to disposing of the surplus property.⁷

Although the Code does not exempt DHT from the obligation to notify DEB of surplus land, DHT has disposed of land without ever notifying DEB. For example, the department sold 37 of the 134 acres at Correctional Field Unit 22 (located in Chesapeake) without informing DEB that the land was surplus to DHT needs and available for other State use. However, until informed by JLARC staff, DEB staff was unaware that DHT considered the property surplus.

The above example illustrates the importance of having a single agency coordinate the disposition of all surplus State land. In this particular case, the failure of DHT to inform DEB of the availability of part of Correctional Field Unit 22 prevented other State agencies from considering whether the land would be helpful to their programs. The Department of Corrections, for example, operates a prerelease work center on part of the field unit tract, but it apparently was not advised that the DHT land was available. Had DEB been told part of the field unit was available, its usual procedures would have resulted in communicating the availability of the surplus tract to appropriate State agencies and institutions.

CONCLUSION

This chapter has reviewed the DEB land inventory and has noted deficiencies in its comprehensiveness, accuracy, and format. Shortcomings in DHT inventories for departmental facilities land, right-of-way, and surplus land were found to hinder effective management of some State land. In particular, inaccurate data in the DEB and DHT land inventories together with the exclusion of certain DHT land from the DEB inventory were found to have contributed to the unproductive use of a number of correctional field unit sites.

The need for sound management and oversight of departmental land, facilities, and programs requires that accurate central records be compiled. As a minimum requirement State agencies and institutions should keep files of deeds, plats, and comprehensive maps of each tract, including composite plats and maps indicating boundaries, topography, and land use. In addition, master site plans should be readily available. Once summarized, this information can be useful to program planning and administrative activities.

STATE-OWNED LAND AND PROGRAM NEEDS

Periodic reviews of the State's land holdings, including unused land, are important to using present land efficiently and to minimizing the need to acquire additional land. In keeping with this concept, the Code of Virginia requires each State agency and institution to identify any unused or surplus land under its control so that it might be made available for other State use or sold.

This chapter reviews the existence of unused land at the ten State agencies and six institutions of higher education which were surveyed by JLARC staff. The staff analysis consisted of interviews with departmental personnel in Richmond followed by on-site inspections of various State facilities. Unused land was classified as either potentially surplus or underutilized depending on which of the following criteria developed by JLARC staff was most appropriate.

Potentially Surplus Land:

- land which is unused for current programs and not covered by written plans for future use; and
- noncontiguous or on the border of a larger tract.

Underutilized Land:

- land which is accessible only by entry through State land; and
- not used for the primary mission of the agency.

Application of these criteria to the land holdings reviewed by JLARC staff point to the existence of up to 9,159 acres of potentially surplus land and 4,998 acres of underutilized land among the State's land holdings.

III. STATE-OWNED LAND AND PROGRAM NEEDS

Periodic reviews of State-owned land are important to ensure the productive use of present holdings in addition to keeping the need for additional land to a minimum. In fact, no other task is more important to managing the State's land than the reviews carried out by its agencies and institutions. One major objective of such reviews is to identify unused land which can either be sold or put into productive use by another agency. This type of land comes about as the result of several developments.

Changes in Agency Programs. Fundamental changes in both the kinds of services and the ways in which they are provided may affect the need for land. For example, the deemphasis on dairy farming as a therapeutic treatment method for mentally ill persons during the 1950's resulted in surplus farm land. As a result, the Board of Mental Health and Mental Retardation sold several tracts of unused land.

Changes in the treatment of tuberculosis is another example of a change in agency programs that resulted in the availability of land. In this case, declining patient populations enabled two former State tuberculosis sanatoriums to be transferred from the Department of Health to the Department of Mental Health and Mental Retardation.

Facilities Site Changes. On at least two occasions in recent years, the State has abandoned plans to construct facilities on land which had been acquired for that purpose. In 1971, for example, citizen opposition led the Governor to abandon plans to build a regional service center in western Henrico County for the Division of Motor Vehicles. The Department of Corrections' proposed reception and classification center in Louisa County is another example of a State construction project which was cancelled. In the latter case, the Department of Corrections had spent more than \$1 million for physical improvements to the site before the project was halted.

Gifts. Gifts of land from private or public sources constitute a third potential source of unused land. The University of Virginia, for example, was given a forested tract of 2,300 acres in Brunswick County, more than 90 miles from the university's campus in Charlottesville. When the university sold the land, the proceeds went to its Endowment Fund.

Land Acquired for Future Use. Unused State land can also result from the purchase of land for future development. "Land banking" is a term used to describe this type of land which is purchased and set aside for future use. An example of such land is the University of Virginia's 535 acre undeveloped "Birdwood" tract, located in Albermarle County. Although the Birdwood tract is not actively used, the university has prepared plans for a residential college on the site.

Past Reviews of State-Owned Land

Each State agency and institution is responsible for identifying unused or surplus land under its control. Reviews by some agencies, such as the Department of Health and the Department of Mental Health and Mental Retardation,

have resulted in opening up unused land for other State programs and the outright sale of surplus land. Recently, there has also been an initial effort to carry out a central review process.

In 1975, the Secretary of Administration and Finance formed a committee to review the State's land holdings. DEB personnel staffed the committee. Committee members represented the Commission of Game and Inland Fisheries, the State Council for Higher Education, the Division of State Planning and Community Affairs, and the Departments of Mental Health and Mental Retardation, Corrections, and Conservation and Economic Development. The committee developed a questionnaire pertaining to the amount, location, and status of land owned by each State agency and institution. The need for this survey was discussed by the Director of DEB in a cover letter which accompanied the questionnaire:

The Secretary of Administration has established a committee to review and evaluate the usage of State-owned land with the expectation that such review and evaluation may be repeated at intervals of several years as experience and need may dictate.⁸

Although the survey offered the opportunity for a comprehensive review of State land, it was restricted to examining the sharing of land by agencies and future agency plans for land acquisition. The questionnaire did not ask the agencies to identify surplus land in their possession, but a few of them mentioned land which they had previously declared surplus.

JLARC Review of State-Owned Land

For this review, an extensive analysis of the land holdings of ten State agencies and six institutions of higher education was made by the JLARC staff. Agencies were selected because their land holdings account for a majority of all State-owned land. In several cases, past studies had indicated the existence of potentially surplus land among their land holdings.

Following interviews with key departmental administrators in Richmond, JLARC staff visited selected land holdings and facilities of the State agencies and institutions. These visits focused on the relationship between agency programs and land holdings and included on-site tours of buildings and grounds. Although agency and institution personnel seemed to recognize the desirability of identifying land which is surplus to their programs, few of them had developed specific criteria to help identify such land.

The diverse functions of each State agency and institution require that any criteria used to assess current land holdings be flexible. On the other hand, a comprehensive review of an agency's land is not possible without specific criteria about use. Therefore, in order to balance the need for flexibility and comprehensiveness, two sets of criteria were developed which could be applied to all State-owned land under review. Two categories of unused land were established--potentially surplus and underutilized.

Table 4

TOTAL LAND HOLDINGS COMPARED TO POTENTIALLY SURPLUS
AND UNDERUTILIZED LAND

<u>Agency/Institution</u>	<u>All Acreage</u>	<u>Application of JLARC Criteria To Land Holdings (Acres)</u>	
		<u>Potentially Surplus</u>	<u>Underutilized</u>
Commission of Game and Inland Fisheries	156,600	NA ^b	NA
Department of Conservation and Economic Development	88,795	NA	NA
Department of Corrections	15,870	1,605	3,878
Institutions of Higher Education			
Virginia Polytechnic Institute and State University	5,493	0	0
Virginia Community College System	3,444	525	0
University of Virginia	3,077	172	0
College of William and Mary	1,966	336	0
Radford College	663	27	
Virginia State College	653	5	134
Department of Highways and Transportation ^a	4,786	1,710	160
Department of Mental Health and Mental Retardation	4,697	1,727	826
Division of Engineering and Buildings	2,362	2,272	0
Department of Military Affairs	1,242	580	0
Department of Health	247	200	0
Virginia Commission for the Visually Handicapped	138	0 ^c	0
Division of Motor Vehicles	43	0 ^d	0
Total	290,076	9,159	4,998

^aExcludes all right of way, except surplus or leased.^bNot applicable.^cDoes not include 102 acres declared surplus in 1968 and .25 acres in Richmond.^dDoes not include 6.3 acres declared surplus in 1971.

Potentially surplus land is defined as:

- (1) land which is unused for current programs and not covered by written plans for future use; and
- (2) noncontiguous or on the border of a larger tract.

Underutilized land is defined as:

- (1) land which is accessible only by entry through State land; and
- (2) not used for the primary mission of the agency.

The primary distinction between the two types of land is that potentially surplus land can be made available either for other State use or sold without disrupting agency programs. The location of underutilized land, however, tends to render it inappropriate for other use because it lacks access or is located in the middle of an institution's grounds. At some institutions, topographical characteristics such as a mountain slope prohibit the use of underutilized land even though it may be a sizable portion of the institution's land. It is important to identify underutilized land, however, because of its potential for future State use and to distinguish it from potentially surplus land which could be sold.

At the outset of this study, the agencies and institutions reviewed by JLARC reported a total of 343 acres as surplus. This included 235 acres owned by the Department of Highways and Transportation; 102 acres in Albemarle County and .25 acres in Richmond owned by the Virginia Commission for the Visually Handicapped; and six acres in Henrico County owned by the Division of Motor Vehicles. However, the field inspections carried out by JLARC staff and application of the above criteria suggest there may be as much as 9,159 acres of potentially surplus land and an additional 4,998 acres of underutilized land among the State's land holdings. These findings are summarized for each agency and institution in Table 4. Based on local assessors' estimates, 5,424 acres of the potentially surplus land may be worth up to \$10.3 million.

The principal objectives of the Department of Conservation and Economic Development (DCED) and the Commission of Game and Inland Fisheries (CGIF) involve the acquisition and preservation of land for conservation purposes. As a result, the study criteria for potentially surplus or underutilized land are not generally applicable to their land holdings. The Division of Parks (DCED), for example, has acquired less than one-half of the acreage called for in the Virginia Outdoors Plan. Therefore, the staff field inspections focused on the remaining 14 State agencies and institutions shown in Table 4.

DEPARTMENT OF CORRECTIONS

Most of the 15,870 acres of land owned by the Department of Corrections is located in rural areas and is either agricultural or forest land. Correctional facilities and their immediate grounds account for less than ten percent of this amount.⁹ To undertake its review of Corrections' land holdings,

JLARC staff visited four learning centers (juvenile facilities), four correctional centers (adult facilities), and six correctional field units.

In its response to the DEB survey, the Department of Corrections did not identify any of its land as surplus. As shown in Table 5, however, application of the land criteria suggests the department has 3,878 acres of underutilized land and as much as 1,605 acres of potentially surplus land. Based on local assessors' estimates, 1,095 acres of the potentially surplus land may be worth up to \$1.5 million. None of the potentially surplus or underutilized land identified below is currently used by the department, either for its penal facilities or for the extensive farming programs which it operates.

Louisa County Site

The department purchased 195 acres of land in Louisa County for \$160,000 in 1971 as the site for a proposed reception and classification center. The facility was intended to provide medical or psychological treatment to new inmates while penal administrators determined where each inmate should be permanently confined. Two factors made Louisa County seem particularly well suited

Table 5

POTENTIALLY SURPLUS AND UNDERUTILIZED LAND AT DEPARTMENT OF CORRECTIONS FACILITIES REVIEWED BY JLARC

<u>Facility</u>	<u>Total Acres</u>	<u>Potentially Surplus Land</u>		<u>Underutilized Land - Acres</u>
		<u>Acres</u>	<u>Estimated Value</u>	
Learning Centers				
Barrett	144	60	-	0
Beaumont	2,396	110	\$ 110,000	1,239
Bon Air	430	340	1,020,000	0
Hanover	1,806	450	-	675
Correctional Centers				
Bland	2,128	0		450
Southampton	2,779	180	90,000	1,149
James River	1,212	0		0
Powhatan	2,595	0		365
Woman's	254	0		0
Site - Proposed Reception and Classification Center, Louisa County	195	195	160,000	0
Field Units	1,376	<u>270</u>	<u>135,000</u>	<u>-^a</u>
Total		1,605	\$1,515,000	3,878

^a Department personnel indicate there may be as much as 505 acres of additional unused land at the field units. See Appendix.

for the reception and classification center: the county's geographically central location; and its close proximity to the University of Virginia medical complex in Charlottesville. However, subsequent local opposition to the proposed facility and litigation directed at halting construction led to a decision to abandon construction plans even though \$1.2 million had been spent on site preparation. The Department of Corrections has since developed plans for reception and classification centers at the Powhatan and Southampton Correctional Centers. Although the Louisa County acreage is not actively used and there are no plans for its future use, it has not been declared surplus.

The potentially surplus designation applied to the Louisa County site encompasses the entire 195 acre tract, but at four other correctional facilities there are examples of potentially surplus land which are limited to parts of land holdings. In each case, these tracts are surplus because they are presently unused and the department has no written plans for their future use. The peripheral location and the availability of public access to these tracts indicates they could probably be used for other State purposes or sold without adversely affecting programs.

In the accompanying aerial photographs, surplus parcels are identified by parallel, white lines. The other specified parcels are considered underutilized.

Bon Air Learning Center

The Bon Air Learning Center (Figure 2) is a State school for delinquent girls between the ages of 15-18 years. A State reception and classification

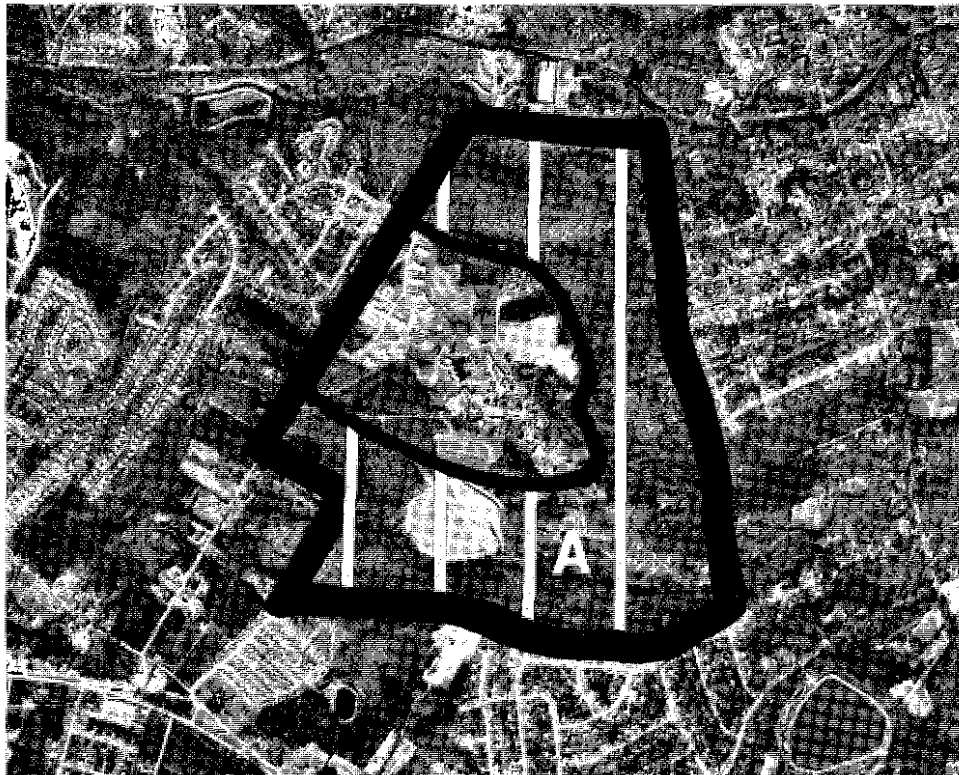


Figure 2

BON AIR LEARNING CENTER

PARCEL	ACRES
A	340

center for youths is also on the site. Located in Chesterfield County near the intersection of Route 60 and Route 718, much of the 430 acre tract containing these facilities is not actively used. Until 1968, approximately 120 acres were farmed by Department of Corrections inmates. Today, however, as much as 340 acres (Parcel A) serve as a "buffer" between the center's buildings (on 90 acres) and nearby residential neighborhoods. An excessive amount of land may be devoted to this purpose. Federal standards for *adult* minimum security prisons require a surrounding buffer of only 200 yards.¹⁰ The only other purpose served by Parcel A is to provide a sanitary landfill for Chesterfield County.

The relatively large amount of unused land at the center and its close location to Richmond make it especially important that it be considered for compatible State or other public use. Since comparable adjacent land is appraised at \$3,000-\$4,000 per acre, sale of the potentially surplus portion of the property could provide from \$1.0 to \$1.3 million.

Hanover Learning Center

Located 15 miles north of Richmond, the Hanover Learning Center (Figure 3) is a correctional facility for delinquent boys ages 12-15. An average of approximately 145 youths are confined at the center. Departmental administrators who inspected the learning center's 1,800 acre tract with JLARC staff indicated that about 60 percent is forested. Of that portion, about 450 acres (Parcel A) appear to meet the criteria for potentially surplus land. Similar to the potentially surplus land found at the Bon Air Learning Center, the close proximity of this tract to Richmond could make it a desirable site for

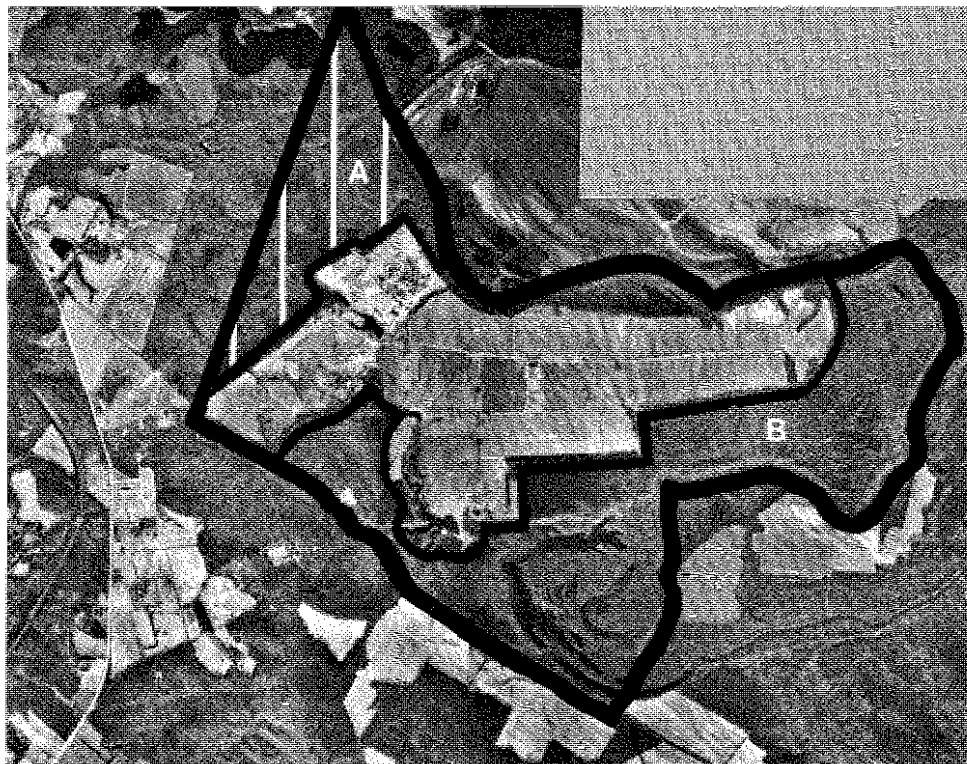


Figure 3

HANOVER LEARNING CENTER

PARCEL	ACRES
A	450
B	675

future State use. Parcel B (675 acres) is more appropriately classified as underutilized because of a 200 acre swamp located on it and the lack of access to the tract.

Southampton Correctional Center

The Southampton Correctional Center (Figure 4) is situated on 2,779 acres of land located 20-30 miles southeast of Petersburg on Route 308 just north of Route 58. The center is the reception and classification center for all male felons age 22 years and under. It also provides confinement for young first offenders and any misdemeanants under 18 years. Although an average of 600 inmates are housed at the Southampton Correctional Center, penal facilities and immediate grounds account for only 60 acres. The remaining acreage is either used for the farming program or consists of various types of forest land.

Parcel A (Figure 4) is a 180 acre tract of forest land which is not presently used and not planned for future use. Because of its status, and the fact that it is located on the perimeter of the center's grounds (and therefore accessible), Parcel A should be considered as potentially surplus. Parcels B, C, D, and E consist of 1,149 acres of forest land which have also been classified as underutilized. Although much of this land is on the perimeter of the tract and has public access, its disposition could disrupt the department's agricultural program by restricting access to areas under cultivation.

Beaumont Learning Center

Located on the James River in Powhatan County, the Beaumont Learning Center's (Figure 5) land holdings total 2,400 acres and contain more underutilized land than any other correctional institution. Parcels B, C, and D comprise 1,213 acres of underutilized forest land not accessible by public road. Following advice from the Division of Forestry, the department prepared a plan for managing timber at the center. Approximately 121 acres have been harvested in recent years, and some areas have been reforested. Parcel E is unused open land which could be utilized for agricultural purposes. The 110 acres contained in Parcel A, along Route 522, is classified as potentially surplus because it is unused and located on the perimeter of the center.

Bland Correctional Center

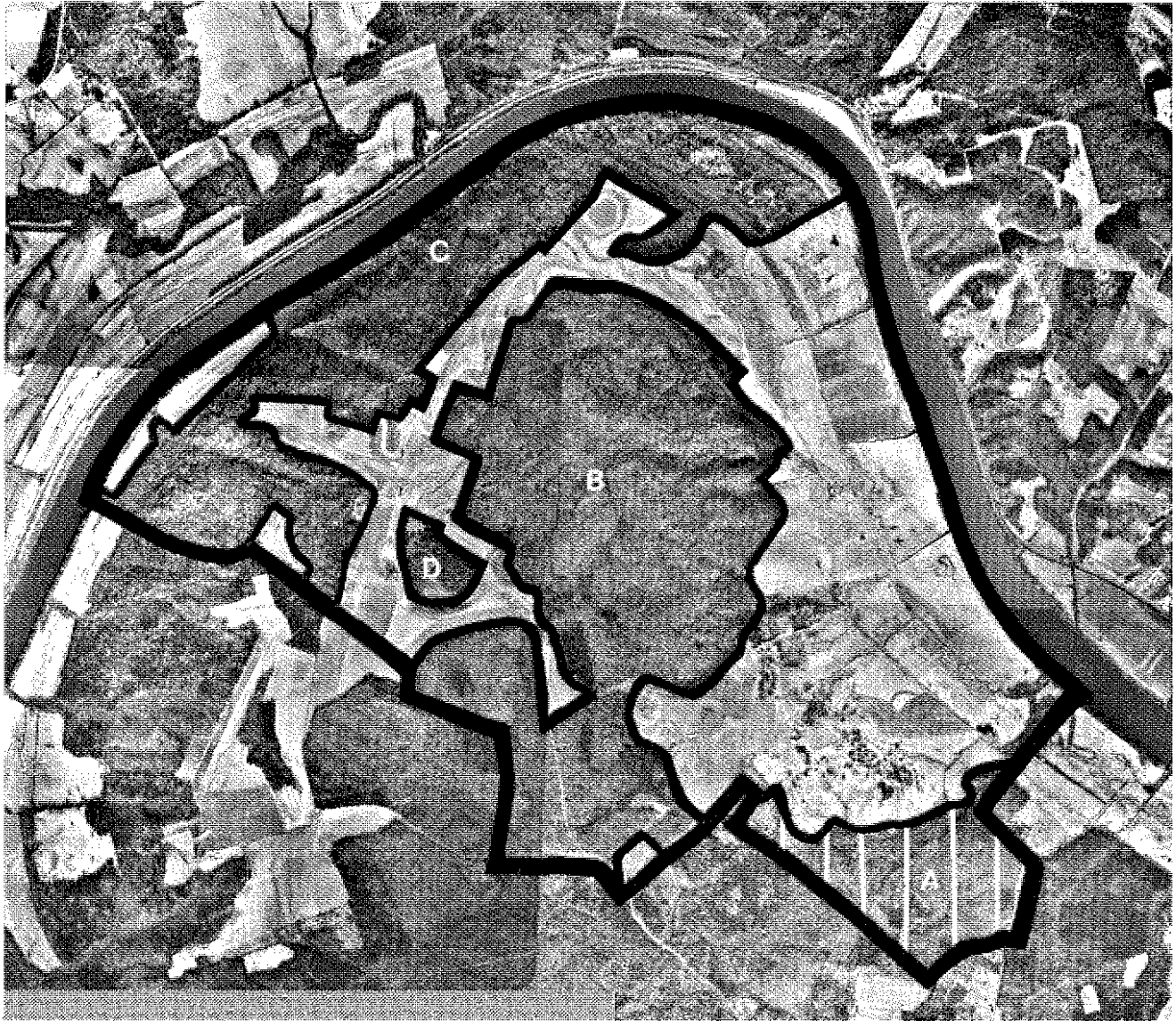
Bland Correctional Center is located in southwest Virginia on 2,128 acres. The surrounding terrain is mountainous. Although most of the land is productively used through departmental agricultural programs, approximately 450 acres are unused. Parcel A consists of about 300 forested acres located along a ridge, while Parcel B consists of approximately 80 acres and has no public access. Because access to both parcels is available only through the center's grounds, this land is more appropriately classified as underutilized. Two other small parcels (C and D) also lack public access and are, therefore, considered underutilized. The steep topography of Parcels A and C would probably prevent the location of departmental facilities on them. However, Parcels B and D could probably be built on or opened up to farming or grazing.

Figure 4
SOUTHAMPTON CORRECTIONAL CENTER



PARCEL	ACRES
A	180
B	310
C	140
D	489
E	210

Figure 5
BEAUMONT LEARNING CENTER



PARCEL	ACRES
A	110
B	838
C	350
D	25
E	26

Figure 6
BLAND CORRECTIONAL CENTER



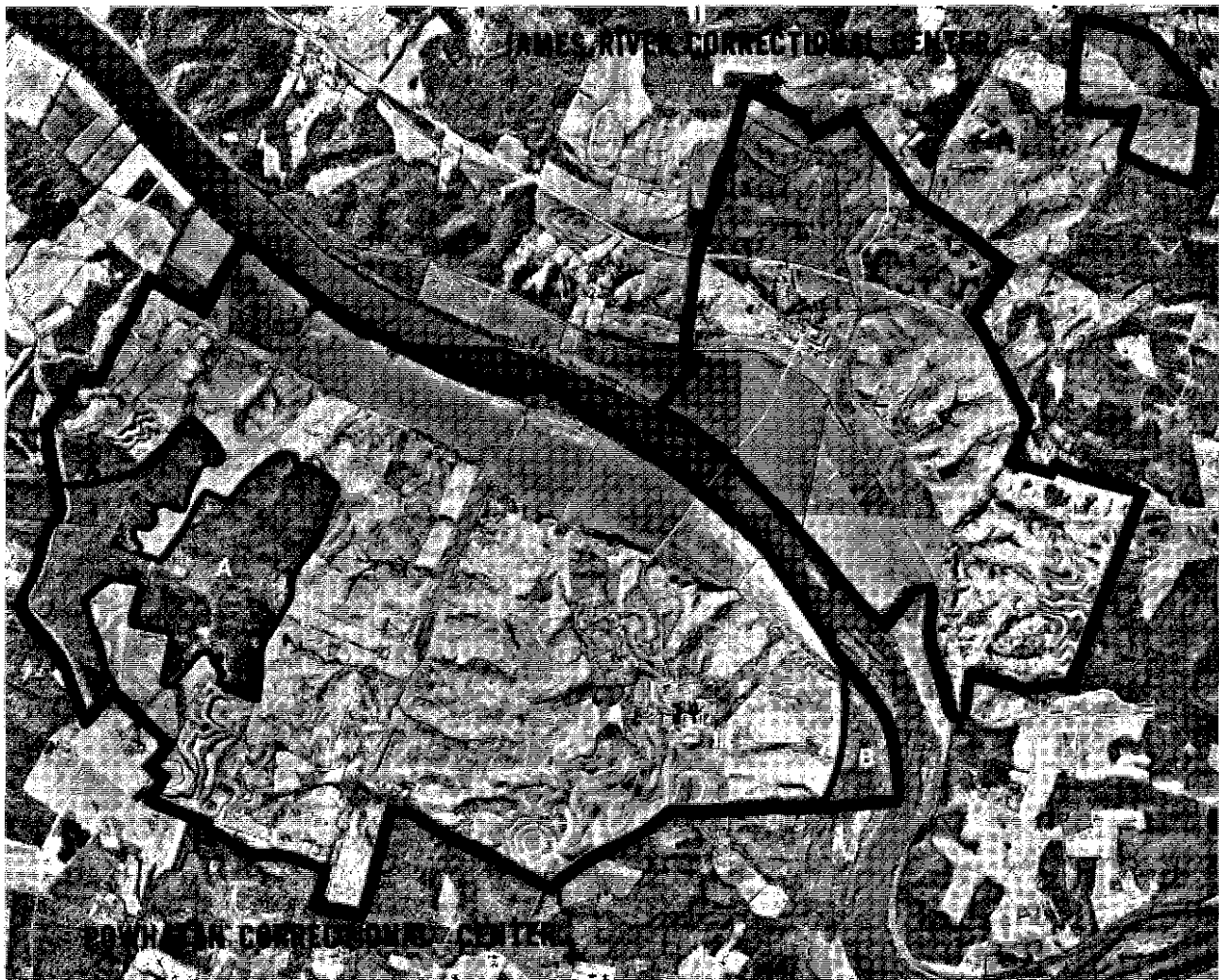
PARCEL	ACRES
A	300
B	80
C	40
D	30

Powhatan Correctional Center

Most of the land at the Powhatan Correctional Center (Figure 7) is utilized in the farming program of the department. However, approximately 365 acres are underutilized of which Parcel A accounts for 335 acres. Although Parcel A is on the perimeter of the main tract and is accessible, JLARC staff has not identified it as surplus because a medium security correctional facility is tentatively planned for construction nearby. Parcel B consists of 30 acres of unused cropland which is accessible only through the center's grounds.

Figure 7

POWHATAN AND JAMES RIVER CORRECTIONAL CENTERS



PARCEL	ACRES
A	335
B	30

INSTITUTIONS OF HIGHER EDUCATION

JLARC staff reviewed land holdings of the University of Virginia, Virginia Polytechnic Institute and State University (VPI&SU), the College of William and Mary, Virginia State College, Radford College, and the Virginia Community College System (VCCS). This review led to the identification of 134 acres of underutilized land and 1,065 acres of potentially surplus land. VPI&SU was the only institution of higher education reviewed in which application of the study criteria did not result in any potentially surplus or underutilized land. Although JLARC staff did not visit all of the VPI&SU agricultural experimental stations, visits to selected sites and discussions with the university's Department of Agriculture indicated that land at the stations was being used for agricultural programs.

Virginia Community College System

The 3,444 acres of land owned by the Virginia Community College System are scattered across Virginia among the system's 32 campuses. Application of the study criteria to the land holdings of the Frederick campus of Tidewater Community College and to John Tyler Community College suggests there may be more than 525 acres of potentially surplus land at these locations.

Frederick Campus, Tidewater Community College (TCC). The 721 acre Frederick campus was donated to the Commonwealth by the federal government and a private foundation. The campus contains approximately 525 acres of unused land which can be classified as potentially surplus, but some of this tract may be sold to the Hampton Roads Sanitation District (for a sewage treatment plant) and to the Department of Highways and Transportation (for construction of Interstate 664). Although there are no written plans for the remaining portion of this acreage, VCCS administrators feel it could be productively used in teaching students how to operate earth moving equipment. Presently, however, there are no plans to establish this type of program.

John Tyler Community College. The campus of John Tyler Community College is located midway between Richmond and Petersburg and is divided by Interstate 95 into two tracts. Land west of the Interstate consists of a 57.5 acre main campus. The remaining 126 acres are located east of the Interstate, but only parts of this tract are used. According to VCCS personnel, a rifle range is located on a small portion of the tract, and other areas are used by students enrolled in courses on ecology and nature photography. None of the 126 acre tract has been included in Table 4 as potentially surplus or underutilized land because the relative amount of each type are not known. It is clear, however, that careful planning and utilization of the campus would result in considerable amounts of unused land.

University of Virginia

The University of Virginia Planning Department has prepared master plans for three of the university's major land areas: the central grounds; the University Hospital; and an undeveloped 535 acre parcel known as the Birdwood Tract. However, the JLARC staff review of the university's land holdings

disclosed that a 172 acre parcel which once served as an airport is probably not needed for present or future programs and could be declared surplus to the needs of the university.

Located in Albemarle County, the airport property was purchased in 1939 for use as an Army-Air Force ROTC training field during World War II. The property was leased as a commercial airfield from 1945 until 1971, but it has not been used for that purpose since then. There are two hangers on the property which are used by the university to store nonperishable items, but adequate storage space should be available on the main campus. The Department of Environmental Science also operates a meteorological station at the site, and several wells have been drilled to monitor the level of the water table. There are no other educational uses planned for this property. Although approximately 69 acres are currently leased for growing corn, annual proceeds of \$2,500 are only slightly greater than annual maintenance costs. If the meteorological experiments could be conducted at another location, the entire parcel could be declared surplus to the needs of the university. If not, the university should investigate whether it could sell the land while retaining the rights to use the wells.

College of William and Mary

As of July, 1976, the College of William and Mary held deeds to 1,966 acres of land; a 961 acre central campus and 1,005 acres consisting of three parcels which are remote to the campus. All land comprising the central campus is either currently utilized or intended for use in the future. Approximately half of the campus is used for residences, offices, and classrooms. The remaining half, a forested tract called College Woods, is kept as a "completely natural environment" both for aesthetic reasons and for use in the study of the natural growth of forests. Attempts by college administrators in 1965 and 1975 to harvest timber on a selective basis failed when opposition developed from local citizens, students, and staff.

One of the three remote tracts is a 135 acre parcel which once belonged to Eastern State Hospital. Although currently unused, the college has plans to construct a law school in addition to related professional and administrative buildings. Therefore, this tract does not meet the study criteria for either potentially surplus or underutilized land. However, the two remaining remote tracts do meet the criteria for potentially surplus land. These parcels consist of 241 acres known as the airport property and 95 acres adjacent to Ash Lawn (the former home of James Monroe), which is located in Albemarle County near Monticello.

The airport property is in York County and was acquired in 1933 for \$10,000. The college ran an airport at the site for several years after its acquisition, but the operation was discontinued years ago. Today, William and Mary administrators recognize that the airport property is not required for any current or future development of the college. Although the college has received permission from the Governor to sell this property and to retain the proceeds, the parcel has never been declared surplus to the needs of the college. The unused land at Ash Lawn is also potentially surplus to the college and will be sold. Revenues from the sale will support the Ash Lawn Historical site.

Radford College

The Radford Iron Company gave 16,506 acres of land to Radford College over an eight-year period from 1943 to 1951. With the exception of two parcels totaling 27 acres and a deed to 5,000 acres of mineral rights, all the land was sold in 1957. A 12 acre parcel containing a zinc mine is located in Pulaski County; the second parcel consists of 15 acres which were made inaccessible by the construction of Interstate 81. Both of these unused, remote parcels clearly are potentially surplus to Radford College. In addition, they are unlikely to be of any value to other State agencies or institutions because of the rugged, mountainous terrain in which they are located.

Virginia State College

Land holdings of Virginia State College consist of two major parcels-- a 237 acre main campus and a 416 acre tract known as the Randolph Farm. The Department of Agriculture of the college uses portions of the farm for its teaching and research programs, but a total of 134 acres in two locations is unused. Because both tracts are accessible only through other parts of the farm, they have been classified as underutilized land rather than potentially surplus. An additional five-acre parcel has been leased to Chesterfield County, and a public library has been constructed on the site. This parcel is located on the perimeter of the farm and has thus been classified as potentially surplus land.

DEPARTMENT OF HIGHWAYS AND TRANSPORTATION

The Department of Highways and Transportation (DHT) controls over 336,000 acres of land--more than any other State agency. Most of this land is dedicated to the State highway system while the remainder (about 4,800 acres) supports a network of district offices, garages, residences, and storage areas. DHT listed 235 acres of independent, saleable surplus property as of July 1, 1976. However, application of the study criteria results in the identification of an additional 1,710 acres of potentially surplus land as well as 160 acres in underutilized property. The existence of this land coupled with the requirement that all State agencies identify unused or surplus land in their possession points to the need for more effective reviews of DHT land holdings.

Until recently, the identification of unused and surplus land received little attention by DHT management. Not until a "cash crunch" in 1975 did the department show greater recognition of the value of identifying surplus land. At that time, the State Highway Commission directed DHT staff to "...determine the number of parcels that were large enough to be sold or used as a separate entity".¹¹

On April 17, 1975, the Commissioner reported that the search for unused land had resulted in the identification of 882 acres in 193 parcels valued at \$5.5 million. Much of this unused land was found to be required for current or future DHT projects while other parcels were being held for the future extraction of gravel, fill dirt, and other materials. Nevertheless, the

Commission ordered a strong effort to sell any parcels for "...somewhere near their appraised value".¹² As noted by the Commissioner:

We will be badly in need of ready cash by next summer, and I am sure the Commission would like to convert as much of this land as is excess to our needs to construction funds at the earliest possible time.¹³

The effort initiated by the Commission appears to have been successful, since the amount of land sold in fiscal year 1976 is double the average of the three previous years. But even today, the department lacks a procedure for periodic, central reviews of land on which its facilities are located and of right-of-way acquired for the construction of highways.

Departmental Facilities Land

Application of the study criteria to departmental facilities land suggests that up to 1,710 acres of land holdings devoted to correctional field units are surplus to DHT. As mentioned in Chapter 2, JLARC staff inquiries into the ownership of correctional field units led DHT staff to undertake a review of its correctional field units with the objective of determining what land of this type was actually required for DHT operations.

While DHT appears to own 1,874 acres of field unit land, only 84 acres are used for its own headquarters and maintenance yards. Thus, according to the land criteria, the remaining acreage should be considered potentially surplus. Of this amount, 534 acres are being leased by the Department of Corrections to private farmers. In effect, all units owned by DHT (regardless of how used by Corrections) are surplus to DHT programs, with the exception of an average of six acres at each location, and should be transferred to the Department of Corrections or made available for other State use.

Application of the study criteria also results in the classification of part of DHT's Richmond district office as underutilized. Located on Route 1 in Chesterfield County, the district office is situated on a 210 acre tract. According to the department, a typical district office requires up to 50 acres. The current average of all offices excluding the Richmond district is 33 acres. While the Richmond office is 177 acres larger than the average district office and not all of the site is used, the present location of departmental structures, construction materials, and equipment coupled with the lack of public access would prevent the disposition of any unused portions. Nevertheless, it is important that DHT central administrators recognize the availability of the unused parts of the Richmond residency office for expanded DHT operations in the future.

Right-of-Way

DHT right-of-way that should be reviewed periodically includes: land purchased under DHT's advanced acquisition program; land for highway projects in which all the necessary right-of-way has been acquired but construction has not been completed; and land which is leased to private interests. JLARC staff review efforts did not disclose any potentially surplus or underutilized land in

the above three types of right-of-way which had not been previously identified by DHT. Nevertheless, an analysis of DHT's review processes suggests the need for more effective central reviews of these types of right-of-way.

Advanced Acquisitions. DHT purchases land in advance of formal approval of a highway project in two situations. The first consists of excess right-of-way purchased in conjunction with current projects. The excess land is acquired in anticipation of future widening to accommodate a larger volume of traffic. DHT has estimated that some anticipated projects for highway widening may not occur for 20 or 30 years. However, two or three decades of changing populations, traffic patterns, and modes of transportation could result in substantial changes to the entire road system, as occurred when the Interstate Highway System was begun in the 1950's. In fact, DHT has indicated that as a result of the Interstate system, some land along routes originally scheduled for widening became surplus.

The second type of advanced acquisition concerns property purchased in hardship cases (where a project is imminent and the property owner must sell his land for economic reasons) and property purchased to prevent a proposed residential or industrial development from resulting in excessive future right-of-way costs. One example of the need to review this type of land is an eight-acre tract acquired in 1963 because:

...a considerable volume of material has been removed creating a desirable site for a fruit stand...and since this land will be needed for highway purposes, it is felt that some should be purchased before costly improvement occurs.¹⁴

Thirteen years later a DHT Location and Design Engineer wrote that "...this section has not been placed on any priority schedule for the foreseeable future".¹⁵ Because no reason has been given as to why the project has not been scheduled, there is a need to review why this property is being retained.

Land Purchased for Unconstructed Projects. Projects in this category include those for which all right-of-way has been acquired, but on which construction has not begun. Thirty-two projects of this type were either scheduled for construction in 1976 or 1977 or are under court jurisdiction. Another 47 projects have been either scheduled for construction during the 1980's, deferred due to insufficient funds or changed priorities, or not scheduled at all. Over 1,680 parcels have been purchased for these projects, some as early as 1962. Roughly half of the parcels purchased have been laying idle for more than eight years, and a third (from 13 projects) have not been scheduled for construction. One of these projects (involving 35 parcels purchased in 1964 and 1965) has been deferred because "...service is provided by a four-lane facility now".¹⁶

Another example of the need to review this type of right-of-way involves an interchange at Routes 207 and 301 in Bowling Green which was originally planned for construction as early as October, 1966. Twenty-two parcels (60 acres) had been purchased by 1972. At the outset of the project, the Virginia Historical Society expressed opposition to the destruction of a mansion located in the path of the highway. Uncertainty over whether the highway would be built was apparent in a letter from the Commissioner to an interested State Senator.

The problem is to get the first leg of the bypass in close enough to Bowling Green to satisfy the town interests and, at the same time, come out on Route 301 east at a point at which the bypass could be continued on over to Route 207.

The first leg of the bypass is now definitely fixed, and I am afraid this determines the location of the second leg if it is ever built. The Highway Commission...adopted the route as now designated.

I am not at all sure that the last leg of the bypass will be built. Certainly if it is, it will be sometime in the future, though I do think we intend to go ahead pretty shortly with acquisition of right-of-way.¹⁷

The project has been deferred since June, 1971.

Leased Property. As of September 8, 1976, DHT was leasing 335 acres to private sector interests. An additional 42 leases are on file for buildings; however, the sizes of the land holdings are unknown. Excluding .7 acres leased for a parking lot at \$15,430 annually, the remaining 334 acres of land are leased for a total of \$10,286 annually or about \$30 per/acre. As evidenced in the following example, all leased land should be reviewed for surplus property.

Some time ago, DHT purchased over 30 miles of railroad right-of-way in the Tidewater area. While some of the property was used for highway purposes, about 15 miles were never used. Today, a one-acre parcel is leased for storage, but the remainder is dormant. There is no information maintained by DHT to indicate that a formal review of the property has been made.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

The Department of Mental Health and Mental Retardation (MHMR) holds 4,697 acres of land at 16 institutions. JLARC staff visited the eight MHMR institutions with land holdings in excess of 100 acres, which account for 85 percent of the department's land. Application of the study criteria result in 826 acres of underutilized land and 1,727 acres of potentially surplus land. As shown in Table 6, the potentially surplus land at five MHMR institutions may be worth up to \$1.9 million.

Over the last two decades, MHMR has been one of the more active agencies in disposing of unneeded land. During the mid-1950's, for example, the State Hospital Board decided to terminate dairy farming operations, and authority to sell farm properties was granted to the institutions. Since that time, large tracts of farm land have been sold at several institutions. During the past year, two farms comprising 172 acres were transferred to the Commission of Game and Inland Fisheries. As indicated by the following examples, however, a significant amount of unused farm property remains.

Table 6

POTENTIALLY SURPLUS AND UNDERUTILIZED LAND AT
DEPARTMENT OF MENTAL HEALTH AND MENTAL
RETARDATION FACILITIES REVIEWED BY JLARC

<u>Institution</u>	<u>Total Acres</u>	<u>Potentially Surplus Land</u>		<u>Underutilized Land - Acres</u>
		<u>Acres</u>	<u>Estimated Value</u>	
Eastern	655	216	\$ 100,000	0
Central	636	38	19,000	200
Western (Old)	83	15	-	0
Western (New)	563	440	1,265,983	0
Southwestern	176	0		76
Piedmont	283	250	125,000	0
Catawba	1,170	750	375,000	350
Lynchburg	401	0		200
DeJarnette	158	18	-	0
Total		1,727	\$1,884,983	826

Catawba Hospital

Situated near Roanoke, Catawba Hospital (Figure 8) was founded in 1909 as a tuberculosis sanatorium but was transferred to the former Department of Mental Hygiene and Hospitals (now MHMR) in 1971. Today, Catawba is a rehabilitation center for geriatric mental patients, but only 20 of the institution's



Figure 8

CATAWBA HOSPITAL

PARCEL	ACRES
A	350
B	250
C	150
D	350

1,170 acres are currently used for buildings. Portions of the remainder of this property are located along the mountains on either side of the hospital. Application of the study criteria indicates the presence of as much as 750 acres of potentially surplus land and 350 acres of underutilized land.

Parcel A, the largest of the three tracts of potentially surplus land, is being leased to Virginia Polytechnic Institute and State University for use as an experimental farm. MHMR receives \$2,500 annually from the university for the use of the tract. Parcels B and C are presently unused and located on the perimeter of the land holdings, so they may also be classified as potentially surplus. Parcel D, while also located on the perimeter of Catawba's land holdings and not used, is more appropriately classified as underutilized land since it is accessible only through the hospital's grounds. Its steep topography also limits its value.

Piedmont Hospital

Piedmont Hospital (Figure 9) is a second former tuberculosis sanatorium which was transferred from the Department of Health to MHMR. Located in Nottoway County at the intersection of U. S. 360 and U. S. 460, only 20 of the site's 283 acres are used for buildings and immediate grounds. The remaining property consists of unused cropland, pasture, ponds, and woods. Forty-eight acres located across Route 460 (Parcel A) and 2.4 acres (Parcel B) are no longer required for current or future programs. The central location of this property at the intersection of two primary highways makes these parcels potentially

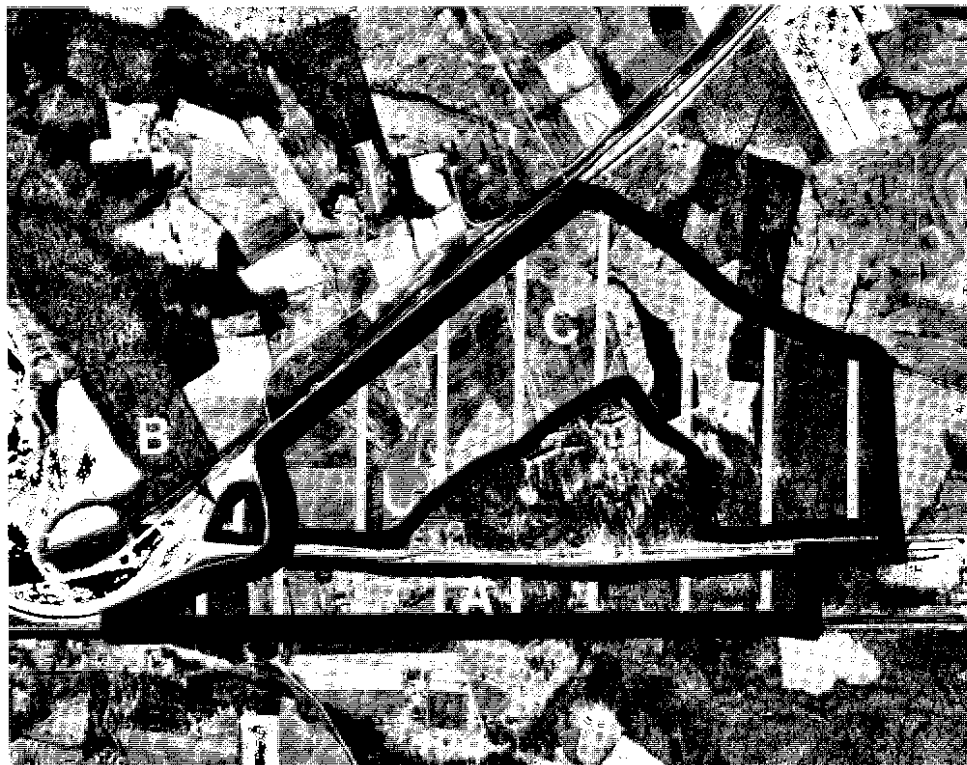


Figure 9

PIEDMONT HOSPITAL

PARCEL	ACRES
A	48
B	2
C	200

valuable for development. In addition, as much as 200 acres (Parcel C) on the perimeter of the central tract are not required for current or planned future hospital operations and may, therefore, also qualify as potentially surplus land.

Central State Hospital

Central State Hospital (Figure 10) encompasses 636 acres located at the intersection of U. S. 1 and Interstate 85 south of Petersburg. One tract of potentially surplus land which results from applying the study criteria is 38 acres (Parcel A) separated from the main grounds of the hospital by Interstate 85. The fact that Parcel A is located close to a major intersection suggests that it may be quite valuable.¹⁸

Three tracts on the hospital's main grounds are underutilized. These consist of approximately 200 acres along Interstate 85 at the southern border of the campus (Parcel B) and along U. S. 1 (Parcels C and D). While these unused parcels are located on the perimeter of the campus, their disposition could have an adverse impact on operations of the hospital in the event of future development. In addition, some of this land may be needed if the Southside Virginia Training Center for the Mentally Retarded continues to expand. The Training Center is located on a 67 acre campus (Parcel E) across U. S. 1, but one-fourth of its residents are housed in new facilities on the Central State main campus.

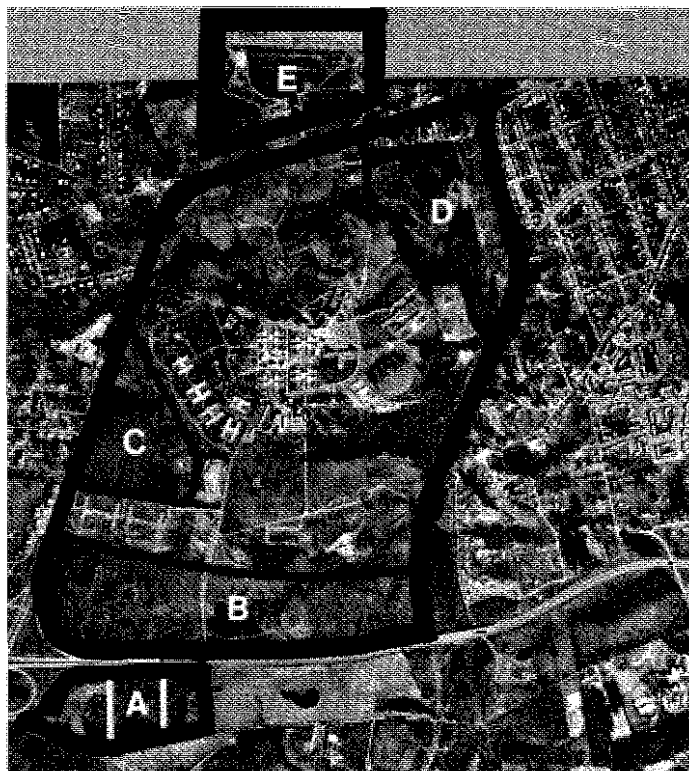


Figure 10

CENTRAL STATE HOSPITAL

PARCEL	ACRES
A	38
B	90
C	40
D	70

**PARCEL E IS THE SOUTHSIDE VIRGINIA
TRAINING CENTER FOR THE MENTALLY
RETARDED**

Western State Hospital and DeJarnette Center for Human Development

Western State Hospital is considered to have two campuses: an "old" campus consisting of 83 acres in Staunton; and a "new" campus (Figure 11) consisting of 298 acres located at the intersection of U. S. 250 and Interstate 81 in Augusta County.

Although an MHMR study recommended in 1974 that the department abandon the old site and make it available for State or local programs, none of this tract has been declared surplus. Today, 11 buildings situated on 12 acres of the old site are under lease to the Department of Corrections for five years. Three acres are leased to the Department of Military Affairs. The supply and building and grounds functions for Western State Hospital continue to be operated from the old site. As soon as these support functions can be transferred to the new site, the MHMR Board should consider disposing of the entire old site. According to the land criteria, however, only the 12 acres leased to the Department of Corrections and the three acres leased to the Department of Military Affairs should be classified as potentially surplus to MHMR at this time.

Land for the new site was acquired in 1945. As shown in Figure 11, MHMR buildings are restricted to about 125 acres. The remaining 175 acres (Parcel A) comprise much of the perimeter of the campus and are neither presently used nor planned for future use. Therefore, as much as 175 acres at the new site are potentially surplus.

In addition to its main campus, the new site of Western State Hospital has 265 acres of land formerly used (Figure 12) for dairy farming. Located around the intersection of Interstates 81 and 64, two of the four parcels (B and C) are landlocked. Also landlocked at this intersection is an 18 acre parcel (E) across from the DeJarnette Center for Human Development (Parcel F). Unless public access is acquired, the value of these landlocked parcels will be limited. In contrast, the fact that Parcel D is accessible enhances its value for either public or private development. The lack of present and planned future use of all five noncontiguous parcels qualifies them for classification as potentially surplus land.

Eastern State Hospital

Eastern State Hospital (Figure 13) encompasses 655 acres according to a 1961 plat submitted to JLARC, but only about 167 acres are currently utilized for buildings and immediate grounds. Applying the study criteria, as much as 216 of the remaining 488 acres qualify as potentially surplus (Parcels A, B). For example, both the northern perimeter of the hospital campus (along Route 612) and the forest land along the western and southern perimeters are unused and not planned for future development. In addition, two dormitories on 16.5 acres (Parcel B) are currently leased to the College of William and Mary. After an earlier ten-year lease expired in 1975, a new three-year lease was signed under which the college reimburses Eastern State about \$12,000 annually to cover the cost of utilities provided to the dormitories. While the dormitories and the land on which they are situated may not be surplus to the College of William and Mary, the fact they have not been used for hospital programs for over 13 years makes it difficult to justify continued ownership by MHMR.

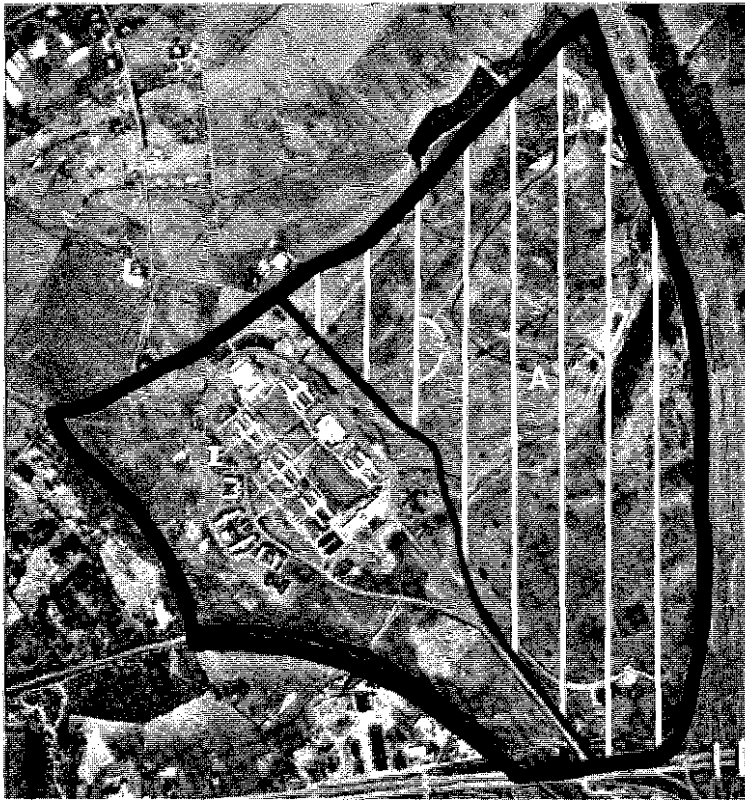


Figure 11
WESTERN STATE HOSPITAL
(NEW SITE)

PARCEL	ACRES
A	175

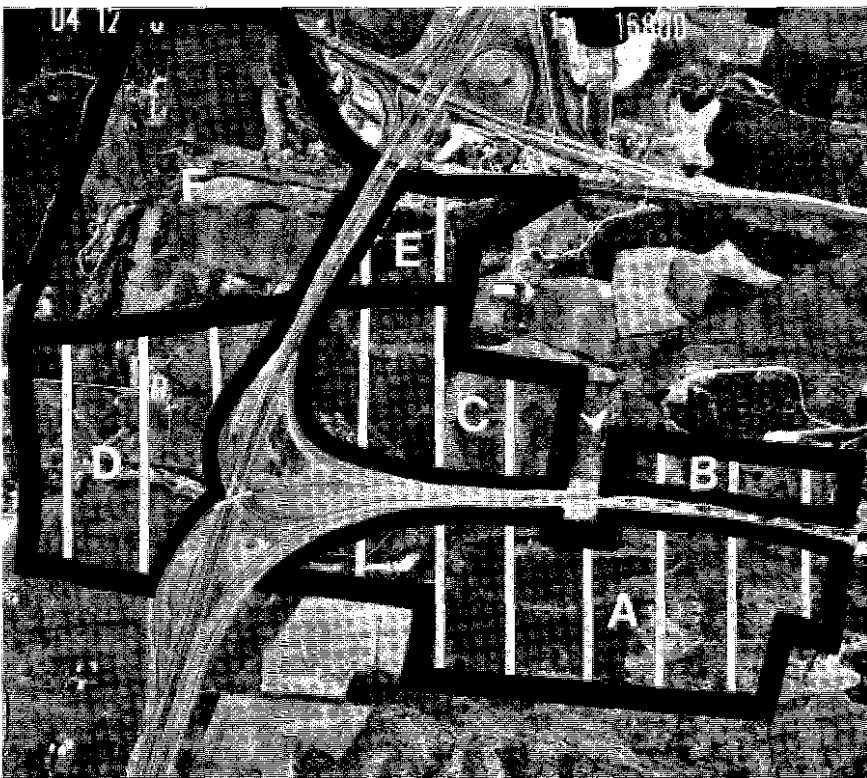
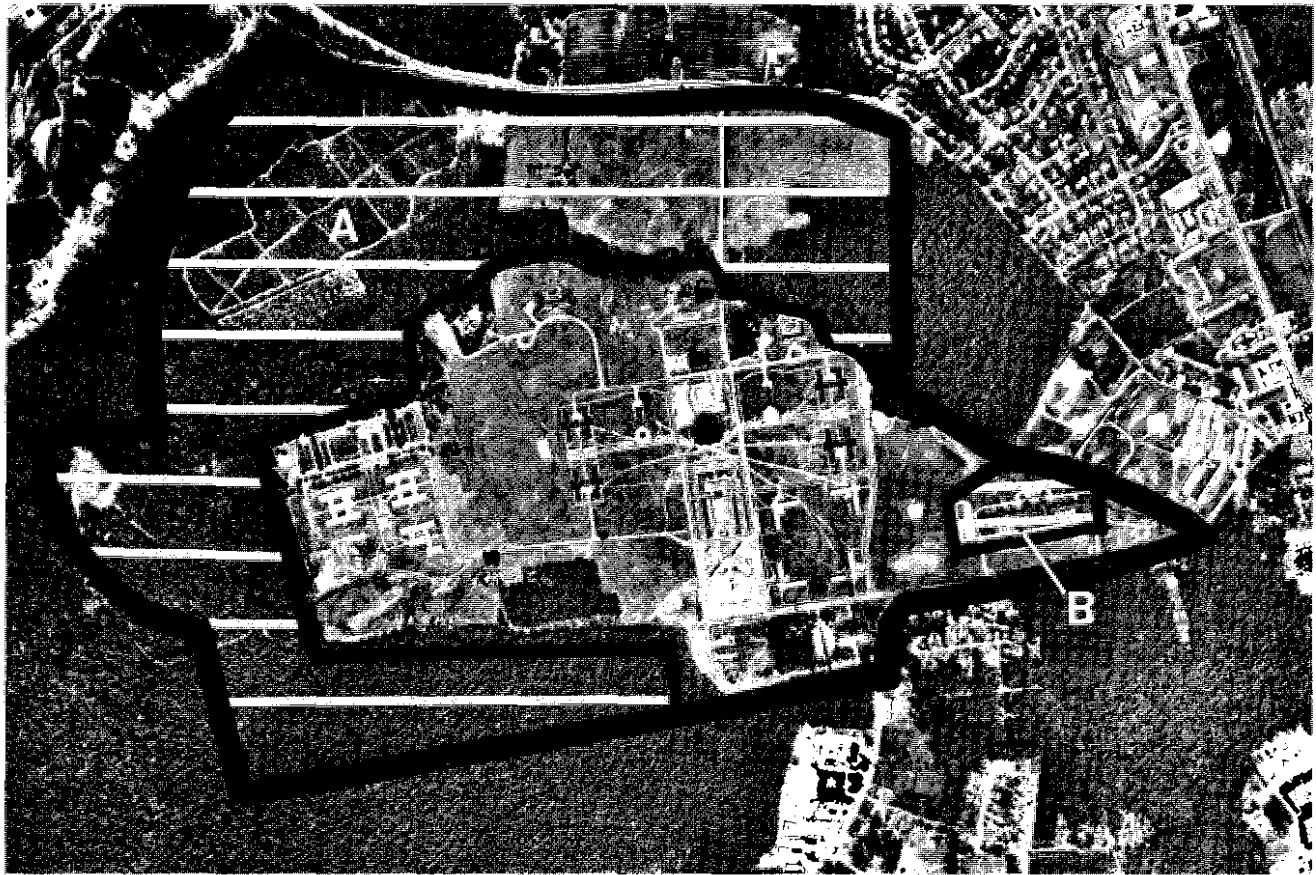


Figure 12
WESTERN STATE HOSPITAL
(NEW SITE,
NON-CONTIGUOUS
PARCELS)

PARCEL	ACRES
A	109
B	17
C	81
D	78
E	18

PARCEL F IS THE DeJARNETTE
CENTER FOR HUMAN
DEVELOPMENT

Figure 13
EASTERN STATE HOSPITAL



PARCEL	ACRES
A	200
B	16.5

DIVISION OF ENGINEERING AND BUILDINGS

Of the 2,362 acres of State-owned land under the control of the Division of Engineering and Buildings, 37 acres are devoted to sites occupied by State office buildings and historical monuments. The remaining 2,272 acres consist of the undeveloped Elko tract in eastern Henrico County. The Elko tract is a particularly good example of the need for periodic reviews of State-owned land in light of changing State land needs. According to the study criteria, the Elko tract should be classified as potentially surplus.

During World War II, the federally-owned Elko tract was used as a decoy airfield to safeguard Byrd Airport. In 1948, the federal government transferred the Elko tract to the former State Hospital Board (SHB) for \$3,000. Three years later, it was proposed that a training school for mentally retarded

children be constructed on the site. In 1953, contracts were awarded for physical improvements such as roads, curbing, storm sewers, sanitary sewers, and lighting. The State also paid the federal government \$36,000 to remove deed restrictions in the original transaction. Although the completed public improvements cost about \$500,000, SHB elected to build the facility proposed for the tract adjacent to Central State Hospital in Petersburg.

Following this decision, SHB declared the Elko tract surplus property in 1958 and attempted to sell it the following year. Bids of \$292,000, \$600,000, and \$802,000 over the next seven years were refused. Also rejected were bids of \$166,000 (1959) and \$131,000 (1963) to harvest timber on the tract. Today, the property is probably worth more than \$2 million. The Elko tract was conveyed to the Division of Engineering and Buildings in 1966.

Although 100 acres have been conveyed to the Department of Highways and Transportation, and the Division of Forestry has been allowed to use another 39 acres, DEB still lacks definitive plans for the remainder of this property. The Elko tract has been considered as a potential site for a surplus State property warehouse, a publicly managed fishing lake, and a branch campus of a community college--all of which have been discounted. Unfortunately, this piecemeal approach to utilization hampers coordinated long-range development of the tract.

Finally, any considerations for establishing State office space at the Elko tract are likely to be affected by the construction of twin office towers in downtown Richmond and the recent acquisition of an undeveloped 55 acre parcel behind Broad Street Station. According to the Director of DEB "...the purchase of the Broad Street Station property would tend to defer development of Elko in certain areas".¹⁹

DEPARTMENT OF HEALTH

Medical advances developed during the 1950's led to increased emphasis on community outpatient treatment facilities and corresponding reductions in hospitalization. As a result, the total patient population at Department of Health facilities decreased from 800 in 1966 to only 125 in 1975. Of the four tuberculosis sanatoriums operated by the Department in 1966, three have been closed and transferred to other State agencies. The remaining facility--Blue Ridge Sanatorium (Figure 14), is situated on 247 acres at the intersection of Interstate 64 with Route 20 in Albemarle County. Application of the land criteria results in the identification of 200 acres of potentially surplus land at the sanatorium.

Construction of Interstate 64 in 1968 cut off three parcels of one, 20, and 25 acres from the main holdings of the sanatorium. The 1970 Governor's Management Study found these noncontiguous parcels could not readily be used by the sanatorium and recommended their disposition, citing the highly valuable location of the land. While the first two parcels have been conveyed to the City of Charlottesville and Piedmont Virginia Community College, respectively, the 25 acre parcel (Parcel A) has not yet been sold.

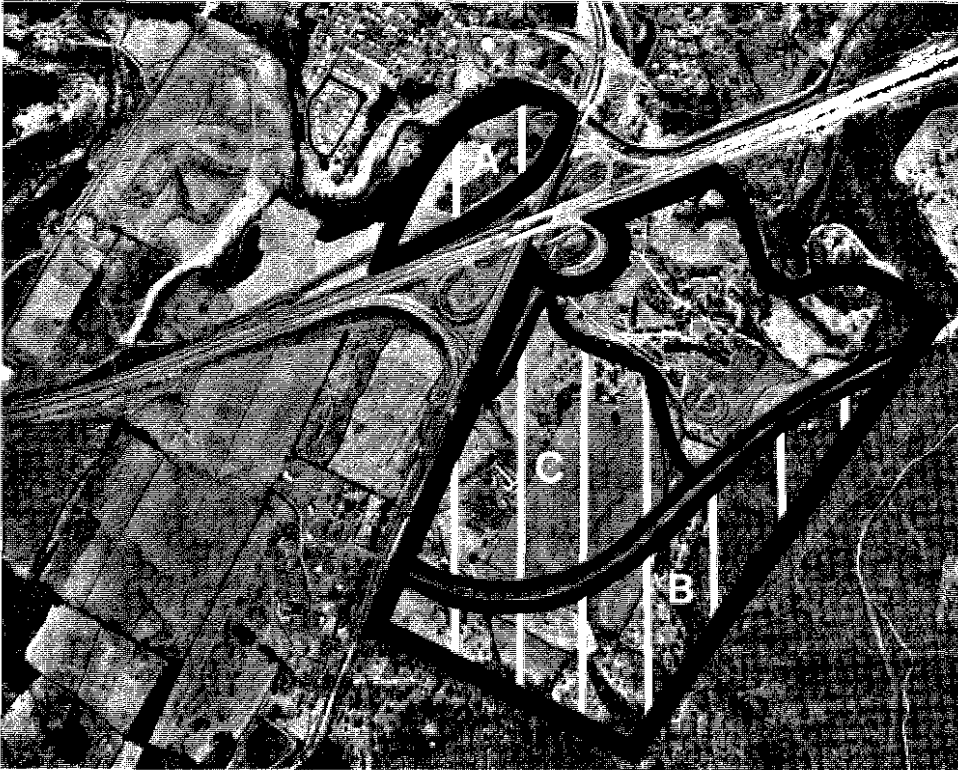


Figure 14

BLUE RIDGE SANATORIUM

PARCEL	ACRES
A	25
B	75
C	100

A house on Parcel A is currently rented to the sanatorium administrator for \$2,000 annually. The Department of Health has received several inquiries about this tract from private interests, and apparently there are no deed restrictions on the land which would prevent other uses. According to the Albemarle County Assessor, this land is valued at \$10,000 per acre. With space available on the main grounds for any needed construction of employee housing, Parcel A should be considered potentially surplus.

The sanatorium also owns about 75 acres south of Route 53 (Parcel B), which is the access to Monticello. This parcel is not currently used for any functions of the sanatorium and is not included in any plans for future Department of Health programs. In addition, the main grounds of the Blue Ridge Sanatorium contain as much as 100 acres of land formerly used for farming. Because the Department has discontinued its dairy farming operations, this land is also considered to be potentially surplus (Parcel C). Based on local assessments, Parcels B and C are worth up to \$800,000.

DEPARTMENT OF MILITARY AFFAIRS

The Virginia National Guard owns 1,242 acres of land at two equipment depots, 28 armories, and the State Military Reservation (Camp Pendleton). Armories and equipment depots average seven acres, but the State Military Reservation constitutes 80 percent of the land owned by the department.

Figure 15

CAMP PENDLETON



PARCEL	ACRES
A	288
B	70
C	59
D	163

Application of the land criteria to the State Military Reservation results in the classification of 580 acres as potentially surplus land, of which 417 acres are leased to other public agencies and 163 acres are unused. Parcels A, B, and C in Figure 15 consist of 417 acres which the General Assembly authorized the Governor to lease to the City of Virginia Beach. Parcel A is a 288 acre municipal golf course which was leased in 1968 for 25 years. Plans exist to construct a public school and a fire fighter training center on Parcel B, and to develop a picnic area and expand tennis courts and parking on Parcel C.

Parcel D comprises 163 acres of potentially surplus unused forest land separated into two tracts by General Booth Boulevard.

The importance of a conscientious review of State land needs in the Virginia Beach area is particularly important in light of the high value of the land. The Virginia Beach real estate assessor has appraised Camp Pendleton land at approximately \$22 million. Therefore, Parcel D alone could be worth as much as \$3.3 million. The 1970 Governor's Management Study recommended disposition of the State Military Reservation suggesting that utilization of the base was low and that other nearby military bases could adequately serve departmental training needs. The low level of land use is illustrated in the extensive leasing of land and facilities on the main base to other agencies and institutions.

CONCLUSION

The use of periodic reviews to identify unused land that might be made available for other State programs or sold is highly important to the efficient use of land. It is apparent, however, that various State agencies and institutions have not fully responded to statutory requirements for this task. To some extent, this lack of progress probably stems from the reluctance exhibited by most State agencies and institutions to consider the possibility that part of a tract might be potentially surplus to their present and future programs. The fact that there are no definitive criteria that can be applied to the State's unused land also no doubt contributed to incomplete reviews of land holdings by agencies and institutions. But legislative requirements have not been carried out even where an agency continues to hold an entire tract of surplus land--as is the case with the Department of Corrections' abandoned reception and classification site in Louisa County.

NATURAL RESOURCES MANAGEMENT AND DISPOSITION
OF SURPLUS LAND

This chapter addresses two aspects of the management of State-owned land--the use of natural resources such as timber and the disposition of surplus State land.

JLARC staff found that although the land holdings of some State agencies contain abundant amounts of timber, agencies do not have plans for productively using this resource through selective harvesting and reforestation. The Department of Corrections, for example, owns approximately 6,500 acres of forest land, but its timber has been harvested on a piecemeal basis. It is difficult to understand why State agencies have not managed their timber more efficiently, since a full range of forest management services are available from the Division of Forestry. As a first step, State agencies and institutions should inventory timber and other natural resources on their land holdings.

Three aspects of the disposition of surplus State-owned land are discussed. First, the Commonwealth does not actively market all of its surplus land. The sale of these parcels may also be hindered by the lack of a policy for determining the minimum prices at which they should be sold. Second, the Department of Highways and Transportation was found to have retained land for speculative purposes. And third, there is a need for improved coordination in the transfer of land and facilities from one State agency to another.

IV. NATURAL RESOURCE MANAGEMENT AND DISPOSITION OF SURPLUS LAND

JLARC staff surveys of various State agencies and institutions revealed the need to address two distinct issues pertaining to the management of State-owned land--how natural resources are managed and what happens to surplus land.

MANAGEMENT OF NATURAL RESOURCES

With the exception of the Department of Conservation and Economic Development (DCED) and the Commission of Game and Inland Fisheries (CGIF), the presence of natural resources such as forests and ground minerals is not the principal criteria used to evaluate land which the State is considering buying. Nevertheless, once land is acquired, management of natural resources can produce income and improve the quality of the land. Probably the most abundant natural resource are forests, whose trees yield both saw timber (trees which can be harvested to produce lumber) and pulpwood (low grade timber suitable for manufacturing wood products).

In 1952, the General Assembly called for the protection and perpetuation of the State's forest resources. Legislation subsequently enacted recognized that the growth of commercially valuable timber was in the public interest.²⁰ A second declaration of public policy by the General Assembly in 1971 not only recognized the need to provide assistance to owners of forests but widened the scope of previous legislation to include the conservation of other State natural resources.

Implicit in these declarations is the responsibility of State agencies and institutions to make productive use of their forest resources. Direct benefits of scientific forest management include provision of additional revenue to the State while upgrading the overall quality of forests. With a few notable exceptions, however, most of the State agencies surveyed by JLARC have not developed timber management plans.

Department of Corrections

The Department of Corrections owns about 6,500 acres of forest land, but its use of timber is characterized by an "as needed" approach rather than a comprehensive plan. For example, decaying, overmature trees were discovered at the Southampton Correctional Center in 1974. Consequent action by the Division of Forestry led to commercial harvesting of 759 acres in 1976, and proceeds in excess of \$500,000 were used to finance the construction of a gymnasium at the center. Other examples of Corrections' management of its forest land are not as encouraging. The department keeps no records on the amount, value, location, and type of timber which it has harvested. Cattle and hogs are allowed to graze on approximately 330 acres of forest land at the Powhatan Correctional Center, even though such practices are believed to kill young trees and compact the soil, thus inhibiting regeneration.²¹

Department of Mental Health and Mental Retardation

At least 750 acres of forest land are included in MHRM land holdings, but the department does not have a plan for the use of this resource. In fact, most mental institutions have not sold commercial timber even though the benefits of timber sales can be significant. A timber sale at Eastern State in July, 1973, yielded \$1,000 simply by clearing an easement for the James City Service Authority. Previous to this cutting, the last timber sale at Eastern State occurred in 1948.

While timber has not been cut at Catawba State Hospital for over 20 years, a proposal has been made to begin harvesting commercial timber on its grounds. Some timber was harvested at Central State Hospital in 1972, but only because starlings nesting in the trees were creating a nuisance. Seedlings have been planted on potentially surplus land at Southwestern State Hospital, and diseased trees sold at Piedmont Hospital in 1974 produced about \$250. There is virtually no productive use of the timber at Western State Hospital or at Lynchburg Training School, even though forest land at both institutions exceeds 350 acres.

Division of Engineering and Buildings (DEB)

Assistance provided by the Division of Forestry has resulted in more productive use of DEB's forest resources. In 1966, DEB took control of the Elko tract, 2,300 acres of partially forested land in eastern Henrico County. Legislation authorizing the harvesting of timber on DEB land was not enacted until 1968. Three years later, the Division of Forestry surveyed the timber, developed a forestry management plan, and took bids for the harvesting of pulpwood on the tract. Since 1971, timber harvested at the Elko tract has generated more than \$52,000.

Commission of Game and Inland Fisheries (CGIF)

As of February, 1975, the Commission estimated that 110,667 acres (68 percent) of its land held commercially valuable timber. Timber sales on 647 acres of this land produced over \$54,000 in special revenues during fiscal 1976. Currently, CGIF is developing plans for managing its wildlife management areas. The purpose of the plans is to provide a sustained yield of both wildlife and forest resources, including pulpwood and saw timber. This is accomplished by developing a timber management plan to provide the best habitat for the type of wildlife desired. For example, deer require relatively short trees while bear seem to thrive best in rugged, noncommercial forests at higher elevations. Plans have been completed for 15 of CGIF's 20 wildlife management areas.

Division of Forestry

The Division of Forestry within the Department of Conservation and Economic Development (DCEd) is responsible for managing approximately 50,000 acres of State forest land. The productive use of the State forests is particularly important since revenue derived from the sale of saw timber and pulpwood is shared by the State and its counties (75% State, 25% counties). During

fiscal 1976, sales of timber and pulpwood from State forests generated revenues of \$362,651 and \$52,863, respectively. County proceeds amounted to almost \$104,000. The division has developed management plans for each of its forests.

Utilization of Forest Management Services

Few State agencies have taken advantage of the forest management services available through the State Division of Forestry. Assistance available from the division includes: timber examination and marking; reforestation; insect and disease control; prescribed burning; and trail and fire road construction. In August, 1976, JLARC staff asked the division to summarize forest management assistance that was provided to State agencies during the 1974-76 biennium. Data from each of the nine district foresters indicate the division provided some type of assistance on 52 tracts owned by 12 State agencies. District foresters were unable to specify the number of acres in each tract but felt that utilization of forest management services was low because administrators were either unaware of such services or assigned a low priority to forest management.

Most districts of the Division of Forestry can probably provide forestry services to all State-owned land (excluding CGIF land) within their districts without additional staff. However, if an additional forester planner position were required, the position could be funded from special revenues generated by timber sales.

DISPOSITION OF SURPLUS LAND

Chapter 1 pointed out that land which has been declared surplus by a State agency can either be sold or transferred to another State agency or institution. JLARC staff reviews of cases in which agencies have declared land surplus indicated a need for attention to various aspects of the disposition process.

Sale of Surplus Land

The Division of Motor Vehicles (DMV) and the Virginia Commission for the Visually Handicapped (VCVH) are among several State agencies which have declared some of their land surplus in recent years. These parcels have not been sold, however, perhaps due to the failure to advertise and the desire to sell at specified minimum prices without regard to their fair market value. Land valuation policies also appear to have hindered the sale of surplus DHT land.

The Division of Motor Vehicles and DEB. The following case study of a surplus tract of DMV land illustrates the highly decentralized nature of the disposition process, the lack of methods for determining acceptable sale prices of surplus State land, and that DEB has not actively tried to market surplus land.

The Division of Motor Vehicles acquired a six-acre parcel of land in western Henrico County in 1971 as site for a proposed DMV branch office. The tract was purchased for \$130,000 without being appraised. DMV consulted with county officials prior to acquiring the land, but citizen response against the future development caused the Governor and the DMV Commissioner to abandon their plans.

DMV declared the entire tract surplus to its needs in November, 1971. Since then, the wooded lot has remained vacant. Although the tract is currently zoned for residential development, increased vehicular traffic on adjacent streets and the proximity of major commercial establishments encourage speculation that the county master plan will be amended to allow commercial development. Such a change would undoubtedly increase the value of the parcel. There have been several inquiries into the availability of the tract, but it remains owned by DMV.

The Code provides that surplus land may be sold by DEB or, with the consent of the Governor, by the State agency or institution declaring the land surplus. For those cases in which DEB directs the sale, its policies require that a potential buyer acknowledge an intention to bid the minimum value of the land (as determined by DEB) before DEB will advertise the property for public auction or sealed bids. Until that time, DEB does not advertise that it owns surplus land. Furthermore, DEB does not place signs on property to indicate that the land is for sale and who should be contacted for information. Signs and advertising will not guarantee a quick sale, but they would give greater exposure to a larger number of potential buyers.

Disregarding the lack of advertising, the inability to sell the DMV tract after six years suggests that DEB and DMV may have allowed concerns for recovering the \$130,000 originally paid for the property to be the predominant influence in determining its present value. The Henrico property has never been appraised by the State; either before it was acquired or while it has been owned by DMV. Based on Henrico County tax records, the DMV parcel is valued at \$78,000.

The Virginia Commission for the Visually Handicapped (VCVH). The following case study also illustrates the lack of established, effective marketing and disposition processes for surplus State land.

In 1924, 172 acres in Albemarle County were purchased as a site for a proposed State school for the blind, but funds to construct the school were not appropriated. In 1933, VCVH leased a portion of the tract to the Division of Forestry for a tree nursery and the Division later constructed a number of buildings on the tract.

In 1966, the Department of Highways and Transportation acquired 26 acres for right-of-way, reducing the tract to 146 acres. VCVH indicated in 1968 that the Division of Forestry would have to remove its buildings from the remaining land as there were plans to locate a rehabilitation adjustment center

on the tract. The Department of Conservation and Economic Development advised VCVH and DEB that \$200,000 would be required to construct comparable forestry buildings elsewhere. The subsequent sale of 44 acres of the original VCVH tract to the Division of Forestry split the remaining part of the tract under VCVH ownership into four noncontiguous parcels totaling 102 acres which were declared surplus by VCVH in June, 1968.

VCVH used proceeds from the above transactions with other State agencies to purchase 32 acres in Henrico County as a site for its rehabilitation center. Furthermore, it is intended that money from the sale of the remaining 102 acres be used to finance the construction of VCVH administrative offices at the Henrico County site. At one time, the University of Virginia appeared to be interested in the surplus tract. However, little progress appears to have been made toward selling the remaining land, even though three public and at least six private inquiries have been made into its availability since it was declared surplus. Requiring that VCVH finance the construction of its proposed headquarters by selling the Albemarle County land may have forced VCVH and DEB to adopt a speculative approach to its disposition. In fact, it is not clear at what price the State would be willing to sell the VCVH land.

Land Speculation

JLARC staff also found that State agencies have retained potentially surplus land solely for the purpose of economic investment. If this practice were recognized as a legitimate revenue producing activity, the retention of property as an investment would be acceptable. Land speculation by State agencies, however, seems contrary to legislative intent.

The Department of Highways and Transportation (DHT). The following case study illustrates how the Department of Highways and Transportation has retained unused land for speculative purposes.

In 1950, DHT paid \$3,350 for 2.5 acres of land in Fairfax County (Franconia). The need for a site to house DHT equipment and personnel to service the rapidly growing northern Virginia area was evident and the Franconia tract appeared to be an ideal location.

In 1953, efforts to clear the land for construction were met with protests from area citizens who objected to the planned use of the site. After an alternate site was purchased in Loudoun County in 1955, DHT staff recommended the Franconia property be sold. At that time, however, a DHT District Engineer advised DHT headquarters to "...hold onto the site because of rapidly appreciating land value in Northern Virginia".²²

There appears to have been minimal concern for the Franconia tract until 1964, when a DHT District Engineer recommended the property not be sold because of a possible change in the zoning of surrounding land. Two years later in 1966, active buyer interest led the DHT Commissioner to recommend the tract be

sold. At that time, the Franconia site was appraised by DHT at \$26,563. It was also noted that a change in zoning to allow commercial development would probably raise the value of the tract to at least \$80,000. DHT then opted to accept a minimum bid of \$67,500 because of a possible zoning change. Five bids were received--the highest at \$27,000. All were rejected.

In 1971, Fairfax County inquired as to the availability of the Franconia site, but it eventually purchased land elsewhere. In 1975, DHT notified the Division of Engineering and Buildings of the availability of the Franconia land.

A final inquiry concerning the Franconia property was made in May, 1976, when the Division of Motor Vehicles requested permission to lease 100 feet in the rear of the property (zoned residential for agriculture, churches, professional offices, and single-family dwellings). The district engineer and central Right-of-Way staff advised that while they were not in favor of leasing a portion of the property, they were willing to sell the entire lot at its latest appraised value--estimated at over 25 times the original purchase price. No action has been taken by DMV.

DHT has owned the Franconia site for 26 years; has offered it for public sale once and received a bid in excess of its appraised value; and has had four other inquiries on the property. Had DHT accepted the \$27,000 offer in 1966 for the Franconia tract (when the property was appraised at \$26,563), its profit would have amounted to \$23,650, or more than five times the 1950 purchase price of \$3,350. In the meantime, private development of the tract would have generated property tax revenue for Fairfax County.

Transfer of Surplus Land

The following case study illustrates the need for improved coordination in the transfer of land and facilities between State agencies. The land transfer was made possible when the Department of Mental Health and Mental Retardation (MHMR) relocated Western State Hospital at a more recently developed site at the intersection of Interstate 81 and U. S. 250 in Augusta County. In effect, this move eliminated MHMR's need for the 83 acre former site and its 11 buildings (located in Staunton at the intersection of U. S. 11 and U. S. 250). At the same time, the Department of Corrections was seeking temporary facilities in order to relieve overcrowding in many of its institutions, including the State Penitentiary.

In June, 1975, the Director of the Department of Corrections appeared before the Staunton City Council to explain departmental plans for using three buildings at the former site of Western State Hospital. This announcement appears to have been made without informing the Commissioner of MHMR. In September, 1975, the Secretary of Human Affairs directed MHMR staff to develop a plan for removing all patients from the former site by December. Two months later, the MHMR Assistant Commissioner for Administration directed Western State Hospital staff to remove all equipment, furniture, and other items which could be used either to renovate facilities at the new site to accommodate the additional patients

or sold as surplus property. Among the items removed were hand basins made especially for geriatric patients and flourescent lights which were required to meet federal Life Safety Code requirements for Medicaid and Medicare.

Western State Hospital staff also obtained permission from the Department of Purchases and Supply to sell beds, mattresses, chairs, and kitchen equipment. Although a public auction was scheduled, Corrections' staff requested that it be cancelled to allow the department to purchase the items. MHMR concurred with the request and negotiated with Corrections for the surplus equipment. Among other things, a kitchen dishwasher had to be reinstalled.

The lack of effective communications between the Department of Corrections and the Department of Mental Health and Mental Retardation was a formidable barrier to a smooth transfer of the former MHMR facilities. However, the lack of central State government oversight of agency land needs was also a barrier to coordinating the transfer. As early as November, 1974, an MHMR staff report recommended that the former Western State site be declared surplus and suggested possible future uses of its grounds and facilities.

Unnecessary labor and equipment costs were incurred as a result of the lack of effective communications. These costs could have been prevented if the Department of Corrections had involved the Department of Mental Health and Mental Retardation and the Division of Engineering and Buildings in an earlier stage of the transfer process. More important, this example suggests that the authority of DEB in coordinating land transactions is not clear. In reviewing a subsequent lease which authorized Corrections to use the buildings at the former site of Western State Hospital, the Director of DEB made the following points:

- the lease does not mention which agency is to maintain the buildings and utilities, and insure the property;
- the lease does not specify which agency is to provide water, sewage, steam, electricity, etc., after the initial 120 day transition period;
- responsibilities for repair and maintenance of utility lines, roads, walks, drainage facilities, etc., are not specified; and
- it was not clear as to whether DEB approval was required.²³

Conclusion

State agencies should be able to transfer and accept real property with a minimum of conflict. In order to streamline the transfer process and to avoid incurring unnecessary costs, DEB should establish basic procedures for managing future land transfers. In addition, State agencies and institutions should recognize their statutory responsibility to notify DEB of surplus land so that agency may remain informed of land available for sharing with other State agencies. Agency directors should not ignore DEB in such matters, but take advantage of the assistance which it is capable of providing.

IMPROVED MANAGEMENT OF STATE LAND

This chapter reviews executive as well as legislative actions which would result in improved management of State land. Proposed agency actions include: placing the central land inventory under DEB's Property and Facilities Coordinator; improving the inventory by increasing its accuracy and by expanding the type of data kept; and strengthening the marketing of surplus State land. Additional agency actions which would help bring about immediate improvements in the management of State land include increased emphasis on natural resources management, especially timber, and greater coordination in the transfer of land and facilities between agencies.

The most important clarifying legislation concerns the role of DEB in reviewing the State land holdings. Experience has shown that State agencies are reluctant to identify unused land as required by Section 2.1-106.2 of the Code. This reluctance could be overcome by amending the Code to require the use of criteria developed by DEB for identifying surplus land.

V. IMPROVED MANAGEMENT OF STATE LAND

The examples and case studies presented in this report indicate the need for improved management of land owned by the Commonwealth's agencies and institutions. Some of the apparent shortcomings stem from practices of State agencies which conflict with present legislation. Others, however, result from the lack of policy which addresses the use of State-owned land. Correction of these deficiencies requires a number of agency as well as legislative actions.

Executive Agency Actions

The executive agency actions needed for more efficient management of the Commonwealth's land involve:

- the DEB central inventory;
- the methods for disposing of surplus land; and
- use of natural resources on State land.

Although the recommendations that follow for each of these areas do not require legislative approval, their implementation by the executive branch could bring about immediate improvements in existing processes.

DEB Land Inventory. In the past, the statutorily mandated central land records have been kept by DEB's Section of Engineering and Architecture, whose principal responsibility is the review of proposed capital outlay construction projects. It is apparent, however, that land management responsibilities of DEB's Property and Facilities Coordinator are more closely related to the inventory than those of the Section of Engineering and Architecture. For example, the Property and Facilities Coordinator is required to:

- coordinate the disposition of State and federal surplus real property;
- assist the Director in negotiations for the acquisition of real property in Richmond and the surrounding metropolitan area;
- establish and monitor space standards for property in and around the Capitol area;
- coordinate, review, and approve the leasing of property by State agencies; and
- review requests for utility and public service easements.

Accordingly, JLARC recommends that the Property and Facilities Coordinator be made responsible for keeping the land inventory.

Increased responsibilities for DEB in reviewing State land holdings will require two major modifications to the present inventory. First, the present exclusion of Department of Highways and Transportation land from the inventory prevents DEB from compiling a truly comprehensive inventory. Although

it is probably not necessary to include all right-of-way acquired by DHT, the central inventory should include DHT's land holdings in district and area headquarters, maintenance yards, field units, and surplus right-of-way. This approach would expand the scope of the inventory and make it more appropriate for a statewide land review. The inclusion of DHT facilities land would not require legislative action since Section 2.1-82.1 of the *Code* refers to records of "real property owned by all State agencies and institutions".

A second desirable modification in the DEB inventory is to expand the range of available data. The limited range of present data restricts the potential effectiveness of the inventory for management purposes. Therefore, DEB would benefit from consulting with other State agencies to determine the types of data that would be most useful to the central inventory. Among the data that should be considered are the existence of improvements, current use, value, topography, and availability of natural resources. Where possible, a composite plat and aerial photo map should also be kept. Consulting the agencies and institutions about the format of the inventory would help avoid the collection of similar types of data by agencies having oversight responsibilities and avoid unnecessary duplication of record keeping and reporting.²⁴ DEB could obtain additional assistance in the development of its real property inventory by consulting with North Carolina and Tennessee, both of which are in the process of overhauling their land inventories.

Disposition of Surplus Land. The sale or transfer of surplus land is another aspect of the State's land management practices that can be improved without legislative action. The current approach for marketing surplus land relies too heavily on the initiative of prospective buyers. The result is that surplus State land may sit idle for years before it is purchased and returned to local tax rolls. To expedite the sale of surplus land, JLARC recommends that DEB place "For Sale" signs on appropriate parcels. In addition, DEB should also establish a policy for determining the minimum acceptable values of these tracts.

In addition to making stronger efforts to market surplus land, DEB could streamline the disposition process by more fully assuming the authority entrusted to it by the *Code*. This would result if DEB were to take full control over any surplus land which remains unsold after an initial period such as three months. In cases such as these, land would be transferred to the control of DEB, as permitted under Section 2.1-106.3 of the *Code*. Any agency funds allocated for maintenance should also be transferred. Since any costs incurred in the sale or lease of such property are deductible from the proceeds of the sale, this procedure would not materially affect DEB's biennial appropriation.

There is also a need for more effective coordination in the transfer of surplus land between State agencies and institutions, as evidenced by the difficulties encountered when some of the land and facilities of Western State Hospital (old site) were transferred to the Department of Corrections. This could be achieved by making DEB responsible for coordinating the transfer of land and facilities and by requiring that all agencies involved in such transfers work through DEB. JLARC recommends that the DEB Property and Facilities Coordinator work closely with appropriate departmental central staff and field personnel to minimize the costs of transferring land and facilities.

Management of Natural Resources. Management of natural resources is another aspect of the State land program which requires increased attention. As

a first step, State agencies and institutions should inventory the natural resources found on their land holdings. With respect to forests on State land, the Division of Forestry should be directed to review the timber resources of all land-owning agencies and institutions of the State, with the exception of the Commission of Game and Inland Fisheries and Virginia Polytechnic Institute and State University. The latter two organizations are staffed to manage their own timber resources without employing the Division of Forestry. The Division of Forestry should assist the appropriate agencies to develop plans for the most effective means of managing marketable timber.

Legislative Actions

Further support could be provided through legislative actions addressed to the following aspects of State land management including:

- clarification of legislative intent;
- unappropriated marsh and meadowland; and
- disposition of surplus State land.

Legislative Intent. The *Code of Virginia* contains numerous references to the management and disposition of land by individual State agencies and institutions. However, there is a need for the General Assembly to clarify the Commonwealth's policy for the management of land owned by its agencies and institutions. There are great variations in the willingness of agencies and institutions to review land holdings and identify surplus land. More consistent reviews could be achieved by requiring DEB to develop criteria for the identification of surplus land and to participate in a periodic review of all State-owned land. The advantages of this approach have been recognized by the Secretary of Administration and Finance and DEB.

During this study, the Secretary of Administration and Finance issued a memorandum which addressed several policies concerning the management of the State's land. The memorandum called for all State agencies and institutions to maintain accurate inventories of their property and to:

Reevaluate the immediate and long-term need for the real property involved to determine that property which is:

- a. Surplus to the immediate or long-term mission requirements, or,
- b. Determine additional real property to be acquired for immediate or long-term mission requirements.²⁵

The memorandum further directed that the real property reviews be carried out biennially and that findings of the reviews be reported to the Governor's office, with a copy to the Director of Engineering and Buildings.

The Director of DEB has also indicated there is a need for more effective reviews of land holdings. As part of a legislative package aimed at consolidating a number of agencies (under the Secretary of Administration and Finance) into a Department of General Services, the Director of DEB suggested the *Code* be amended to require that DEB:

...periodically inquire of all departments, agencies, or institutions as to the current and proposed use of all State-owned property under their control to determine whether such property should be declared surplus to the needs of the State.²⁶

Although both of the above steps make it possible to strengthen the review process, they do not alleviate a fundamental drawback of past review efforts--the lack of criteria to assess the status of the State's land holdings. As shown in this report, the use of criteria in reviewing types of unused land (i.e., underutilized and potentially surplus) can result in profoundly different findings compared to reviews in which no criteria are used at all. Therefore, JLARC recommends that the Director of DEB, subject to concurrence of the Secretary of Administration and Finance, immediately undertake to develop realistic criteria that can be used to carry out the biennial reviews of State land holdings. In addition, the *Code* should be amended to require the use of these criteria in the biennial land reviews.

After DEB and the agencies and institutions have completed their 1978-80 biennial reviews, DEB should compile lists of any land which has not been declared surplus even though it meets the criteria for potentially surplus land. It would be helpful to organize these lists for review by each of the cabinet secretaries, who can resolve disagreements between DEB and agencies about the classification of unused or surplus land.

The effectiveness of the review process could be further strengthened by requiring that State agencies and institutions relate their land holdings to current and future programs in the six-year expenditure plans required by Section 2.1-392 of the *Code*. This step would also expedite agency land reviews and planning for real property needs.

Clarification of legislative policy about surplus land is also important to determining whether land speculation, as opposed to land banking, should be practiced by State agencies. Although there is an important distinction between land banking and land speculation, this difference has not been recognized by some agencies. Land speculation may be an effective investment technique for the private investor, but the General Assembly should consider whether State agencies should be permitted to retain land for speculative purposes.

Unappropriated Marsh and Meadowland. In addition to land held by individual State agencies and institutions, the Commonwealth retains ownership to an undetermined amount of marsh and meadowland on the Eastern Shore. Section 4.1-4 of the *Code* reserves this potentially large mass of land for public use. However, the lack of inventories or surveys is a formidable barrier to the effective utilization of this unappropriated marsh and meadowland. Even though a comparison of current tax and deed records with original land patents on the Eastern Shore is being carried out on a part-time basis by the Virginia Institute of Marine Science in an effort to establish an inventory, an additional measure is necessary to establish definitive metes and bounds for the many tracts involved.

One option the State might take is to adopt legislation abolishing all private interests in the land identified in the VIMS inventory after an established deadline, except those interests which are made known to the State by filing a claim disputing State ownership. Some formal procedure to handle such

disputes must be incorporated in the legislation to comply with the Constitution's guarantee of due process.

Disposition of Surplus State Land. The *Code* requires that surplus State land be sold through public auction or sealed bid. Although the objective of this legislation is that surplus land be disposed of impartially, this limitation may actually hinder the sale of some land. For example, Western State Hospital (see Chapter 3, Figure 12) owns unused land at the intersection of I-81 and U. S. 250 which is accessible only through the property of the adjacent landowner. In this case, it is questionable whether a sale by public auction or sealed bid would result in any bids whatsoever. However, the ability to negotiate with an adjacent landowner, as done by the Department of Highways and Transportation, could help dispose of the property to the mutual benefit of the Commonwealth and the property owner. Therefore, revision of the *Code* to enable DEB to negotiate the sale of landlocked parcels with adjacent property owners is recommended.

Conclusion

The approach to land management in Virginia has been characterized by the delegation of maximum authority to agency and department heads, with little central management, planning, and review. As a result, there has been much variation in the degree of attention to the management of State-owned land by individual agencies and institutions.

Today, however, changing real property needs warrant a more effective top-level executive review function. Formulation of a cabinet-level land committee by the Secretary of Administration and Finance in 1975 was a tangible, if not entirely successful, first step toward greater involvement in the management of State-owned land. Adoption of the proposed executive and legislative actions discussed in this chapter would provide a basis for an effective State land management program. Considering the importance of land as a valuable, finite resource, its management should be given a higher priority in future State administrative affairs to ensure that it is used efficiently and productively.

END NOTES

1. Department of Highways and Transportation estimate.
2. Memorandum from the Director of the Division of Engineering and Buildings to the Heads of State Agencies and Institutions Reporting Ownership of Land. August 29, 1975.
3. Agency or institutions land records data were taken from the following sources.

Eastern State Hospital--Plat dated June 21, 1961, submitted to JLARC.
Western State (new site), Southwestern State, and Lynchburg Training School--Departments of Buildings and Grounds.
James River and Powhatan Correctional Centers, Louisa County parcel--Committee on Agricultural Operations, Department of Corrections, "Study of Agricultural Operations (July 15, 1976).
Bland, Southampton, and Women's Correctional Centers, Hanover Learning Center--Department of Corrections, An Insight Into Corrections, submitted to JLARC on November 8, 1976.
Camp Pendleton--Department of Military Affairs. In addition to these two figures, the Property Tax Assessor for the City of Virginia Beach lists Camp Pendleton as 960.14 acres.
Randolph Farm--Virginia State College response to DEB "Questionnaire on State Ownership of Land".
Radford College--"Radford College Land Holdings" submitted to JLARC in August, 1976.
University of Virginia--Planning Department, deed inventory.
William and Mary--Letter from Vice-President for Business Affairs to JLARC, dated October 29, 1976.

4. Commission of Game and Inland Fisheries, letter from J. W. Engle, CGIF Land Coordinator, to J. Dillehay, Property and Facilities Coordinator of the Division of Engineering and Buildings. April 14, 1976.
5. Interview with the Assistant District Right-of-Way Engineer, Department of Highways and Transportation, Staunton District. August 5, 1976.
6. Department of Highways and Transportation, Memorandum from the District Engineer, Staunton District, to the Director of Purchases and Stores. August 27, 1976.
7. In its response to the DHT inquiry, the Department of Corrections indicated that it considered none of the field units to contain surplus land. It should be noted, however, that this conclusion was reached without considering the study criteria for potentially surplus land.
8. Memorandum from the Director of the Division of Engineering and Buildings to the Heads of State Agencies and Institutions Reporting Ownership of Land. August 29, 1975.

9. Refers to those areas identified as "Buildings and Grounds" in a memorandum from the Committee on Agricultural Operations to the Director of the Department of Corrections: "Study of Agricultural Operations". July 15, 1976.
10. U. S. Department of Justice guidelines for federal prisons - Form 13814, p. 2, U. S. Department of Justice, Bureau of Prisons - require at least a 500 yard buffer zone for maximum security facilities and a 200 yard buffer zone for minimum security facilities.
11. Memorandum from the Right-of-Way Engineer of the Department of Highways and Transportation to all District Engineers regarding the identification of residue parcels. January 16, 1975.
12. Memorandum from the Commissioner of the Department of Highways and Transportation to the Deputy Commissioner and Chief Engineer regarding residue parcels. April 17, 1975.
13. Ibid.
14. Letter from the Location and Design Engineer to a District Right-of-Way Engineer regarding the advanced acquisition of a parcel of land. October 1, 1964.
15. Letter from the Location and Design Engineer of the Department of Highways and Transportation to the Parkway Gift Shop, Sperryville, Virginia. February 20, 1976.
16. Letter from the Director of Administration of the Department of Highways and Transportation to JLARC. August 11, 1976.
17. Letter from the Commissioner of the Department of Highways and Transportation to the Honorable Fitzgerald Bemis, State Senator. December 16, 1966.
18. Following the JLARC staff review, the Mental Health and Mental Retardation Board declared Parcel A surplus in January 1977.
19. Memorandum from the Director of the Division of Engineering and Buildings to the Secretary of Administration and Finance: "Governor's Letter to Senator Parkerson dated March 25, 1976". March 30, 1976.
20. *Code of Virginia* (1950), Section 10-74.1, 10-90.20, or Acts of Assembly 1952, Chapter 417.
21. Commission of Game and Inland Fisheries, "More Wildlife on Your Property", p. 6. (No date)
22. Department of Highways and Transportation, "Franconia Surplus Property Files". Reviewed August, 1976.
23. Memorandum from the Director of DEB to the Secretary of Administration and Finance accompanying the lease as approved. May 24, 1976.
24. For example, inclusion of data pertaining to land condition (improved or unimproved) and value would satisfy most information needs of the State Council for Higher Education in Virginia (SCHEV). These data are currently

compiled through an annual SCHEV survey of land holdings of the institutions of higher education.

25. Memorandum from the Secretary of Administration and Finance to the Heads of all State Agencies and Institutions. November 9, 1976.
26. Section 2.1-505, Proposed House Bill Number 1782. House Committee on General Laws, February 14, 1977.

APPENDICES

Appendix for Chapter III	A-1
Department of Corrections	
Department of Mental Health and Mental Retardation	
Appendix for Agency Responses	A-3

ADDITIONAL STATE LAND HOLDINGS NOT COVERED
IN CHAPTER 111

DEPARTMENT OF CORRECTIONS

Barrett Learning Center

Located on 144 acres about ten miles north of Richmond, the Barrett Learning Center serves youths between the ages of 12 and 15. This facility is the only coeducational learning center operated by the department. Approximately 30 acres are utilized in the departmental farming program. Sixty acres of unused forest land located at the center qualify for consideration as potentially surplus land.

Field Units

The 17 field units owned by the Department of Corrections are situated on 1,376 acres of land. Although JLARC staff did not undertake a comprehensive review of each field unit, they appear to contain considerable amounts of potentially surplus and underutilized land. For example, the department leases 270 acres of land at seven field units to local farmers. Although public access may not exist at all of these parcels and they may not all be located on the perimeter of field unit boundaries, the department has provided access to the leased acreage. Therefore, this land can probably be classified as potentially surplus to the Department of Corrections.

In addition to the leased acreage, the department appears to hold unused land at other field units. According to the department, approximately 505 acres of agricultural and forest land are unused. Since JLARC staff did not visit all the field units, it is not possible to state how much of this amount should be classified as potentially surplus or underutilized. Departmental personnel should carry out reviews of all field units to properly classify this type of unused land.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

Southwestern State Hospital

The main campus of Southwestern State Hospital (Figure 16) encompasses 176 acres, of which about 100 acres are utilized for buildings and grounds (See Figure 16). Steep slopes might preclude certain uses of the remaining 76 acres (Parcel A). However, this land meets the study criteria for underutilized land because it is unused and accessible only through the hospital's grounds.

Lynchburg Training School and Hospital

The sale of 666 acres of farmland in 1965 left a central campus of 401 acres at Lynchburg Training School and Hospital (Figure 17). Today, about 100 acres along the James River (Parcel A) and another 100 acres on the other side

of the campus (Parcel B) are not used for present programs and are not planned for future use. Because both tracts are on the perimeter of the campus, they can be considered potentially surplus. Much of this land consists of scrub timber and brush, while one area with no ground cover is badly eroded.



Figure 16

SOUTHWESTERN STATE HOSPITAL

PARCEL	ACRES
A	76



Figure 17

LYNCHBURG TRAINING SCHOOL AND HOSPITAL

PARCEL	ACRES
A	100
B	100

APPENDIX - AGENCY RESPONSES

Division of Engineering and Buildings
Department of Mental Health and Mental Retardation
Department of Health
Department of Conservation and Economic Development
Virginia Commission for the Visually Handicapped
Department of Corrections
Department of Highways and Transportation
Division of Motor Vehicles
Commission of Game and Inland Fisheries
University of Virginia
College of William and Mary
Virginia Community College System
Radford College
Council of Higher Education



MAR 31 1977

COMMONWEALTH of VIRGINIA

Division of Engineering and Buildings

209 Ninth Street Office Building

DOUGLAS HAMNER, JR.
DIRECTOR

RICHMOND, VIRGINIA 23219
(804) 786-3263

March 28, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and Review Commission
823 East Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

This is in response to your letter of March 14, 1977, which transmitted a copy of an Exposure Draft of the Joint Legislative Audit and Review Commission's assessment of the management of State-owned land. Pursuant to your letter, I have discussed the report with Mr. Paul Timmreck of your office, and he has advised me of certain changes to be made to correct dates, clarify statements, and to place certain statements in more proper context or tone.

As you will remember when you advised me of this study some months ago, I indicated that I welcomed the study for this is a matter this Division, with the Secretary of Administration and Finance (and the Commissioner of Administration prior thereto), had been pursuing for several years. Prior to 1968 I do not believe there was any language in the Code of Virginia addressing the procedures for the handling of the acquisition or disposition of State property in an office at the seat of government in a centralized manner with the exception of the oft-used phrase "with the approval of the Governor". As you know, in 1968 at the initiation of this Division and with the concurrence of the Governor's office, certain language was added to the Code with additional language added in 1971 and 1972. Even so, this language was intended only to establish procedural steps for acquisition and disposition, and did not give this Division or any other central agency the authority to "manage the land of the State." Although the legislation may indicate that the Department of Highways and Transportation is a part of the inventory and the procedures established by law for the Division's efforts in land management, this was not the intent of the legislation and it was so explained before the Legislature during its enactment.

Throughout this time we continued maintaining the inherited land inventory (which was passed to us from the Division of the Budget in 1966), and through correspondence and the use of the telephone the one person employed in that area

Mr. Ray D. Pethel

Page 2

March 28, 1977

worked with the agencies and institutions in an attempt to improve the accuracy of the inventory. Since inheriting this inventory, we have realized that there were many inaccuracies. We did not augment our staff in an effort to expedite this work for two reasons: First, no land management program had been established which dictated that the Commonwealth of Virginia divest itself of all land not currently needed, not proposed for use in the short- or long-range, nor other similar criteria; and secondly, over the past three-to-five years the emphasis has been on minimizing expenditures and employment to the extent possible. At the same time, it was obvious to us that any "all-out" effort to bring about accurate deeds, plats, and inventories (both institutional as well as central) would involve a significant outlay of funds for land surveys, etc.

In a continued effort to pursue the matter however, early in this administration we suggested to the Secretary of Administration and Finance that we initiate a committee representing major landholding agencies and institutions to look at the overall problem toward the end of determining what land might be available to return to the private sector without doing harm to any aspect of the government of the Commonwealth of Virginia, both now and for the foreseeable future. This committee was activated, and they agreed upon a questionnaire which was distributed to all agencies and institutions with questions specifically designed to gain the information we wished. The return of these questionnaires covered a significant period of time with interim responses noting reactions from "as soon as we can put the information together" to "Can you make available to us funds for the employment of persons to compile this information as well as the funds for necessary surveys of land?" While these responses were coming in, your study was initiated. We made these surveys available to you and have not pursued them in any significant manner awaiting the consummation of your study.

As I understand the conclusions of your study from Mr. Timmreck, I concur that the Commonwealth of Virginia needs a viable land management program covering all aspects of the subject. Such a comprehensive land management program should include not only statutory authority to negotiate with surrounding landholders for "land-locked" property, but authority to establish acceptable sale prices which might be below original purchase prices and some statutory procedure for handling the leasing of mineral and oil rights on State-owned property. Obviously additional legislative authority is required to implement such a program. We all recognize that such program will require additional personnel if implemented on a meaningful basis.

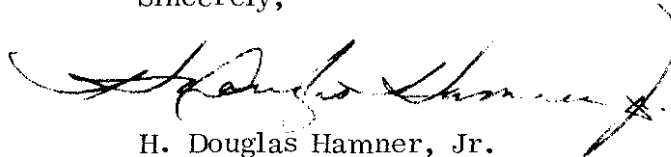
I appreciate your efforts and the efforts of your staff throughout this study. We have hopefully made every effort to cooperate fully, for this was my intent, and your staff has certainly worked cooperatively with us. Certain language in the report

Mr. Ray D. Pethel
Page 3
March 28, 1977

conveys to me a message somewhat different from my personal experiences of the incidents to which they refer, but I realize oftentimes words carry slightly different meanings to different persons.

In summary, I read the thrust of your report to say that the Commonwealth of Virginia has, up to this time, only taken preliminary steps toward a comprehensive land management program through a central agency for all the lands of the Commonwealth, and should move promptly toward completing that program. At such time as funds for personnel and other allied costs can be made available through appropriation, I join with you in the support of such a program.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Douglas Hamner, Jr.", with a large, sweeping flourish extending to the right.

H. Douglas Hamner, Jr.

HDHJr:pr

cc: The Honorable Maurice B. Rowe
Secretary of Administration and Finance

APR 5 1977



COMMONWEALTH of VIRGINIA

COMMISSIONER'S OFFICE
109 GOVERNOR STREET
RICHMOND

*Department of
Mental Health and Mental Retardation*

MAILING ADDRESS
P. O. BOX 1797
RICHMOND, VA 23214

April 4, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and Review Commission
Suite 200, 823 E. Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

Members of my staff have reviewed the Exposure Draft of Management of State-owned Land at your request. Allen Wolfe, of my staff, has been in touch with Mr. Paul Timmreck concerning some minor changes we felt should be made in the report. Other than those changes discussed, we are in basic agreement with your report.

If I can be of any further help, please do not hesitate to get in touch with me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leo E. Kirven, Jr.", followed by a large, stylized closing parenthesis or flourish.

Leo E. Kirven, Jr., M. D.
Acting Commissioner

LEKjr/AEW/ehf



APR 8 1977

COMMONWEALTH of VIRGINIA

Department of Health

Richmond, Va. 23219

April 7, 1977

KENLEY, M.D.
IONER

Mr. Ray D. Pethtel, Director
Joint Legislative Audit
and Review Commission
Suite 200 - 823 East Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

As requested, we have reviewed the recently completed Joint Legislative Audit and Review Commission assessment of the management of State owned land. The information provided concerning Blue Ridge Sanatorium is factual, and we have no formal comment for inclusion in the final report.

For your information, the Board of Health has appointed a study committee which in recent months has been reviewing present and possible future uses of the facilities at Blue Ridge Sanatorium. It is anticipated that this study will be completed in time for recommendations to be incorporated in the preparation of the 1978-80 biennial budget request. An objective of the committee will be to determine the most suitable method of continuing to provide hospitalization for approximately one-hundred tuberculosis patients in a satisfactory manner and at the same time consider various alternatives for the future use of the Blue Ridge property which would be excess to the needs of the Department.

Based upon the decision of the Governor's Office and General Assembly regarding the future use of Blue Ridge property, a determination could then be made as to the potentially surplus land in the Blue Ridge tract.

We appreciate having the opportunity to comment on the exposure draft of the State owned land study.

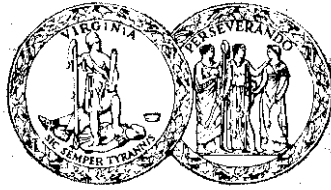
Sincerely,

A handwritten signature in dark ink, appearing to read "J. Kenley", written over a horizontal line.

James B. Kenley, M.D.
State Health Commissioner

APR 1 1977

COMMONWEALTH OF VIRGINIA



DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

1100 STATE OFFICE BUILDING
RICHMOND, VIRGINIA 23219

March 31, 1977

MARVIN M. SUTHERLAND
Director
CHARLES A. CHRISTOPHERSEN
Deputy Director
A. S. RACHAL, JR.
Executive Assistant
DIVISIONS
FORESTRY
MINED LAND RECLAMATION
MINERAL RESOURCES
PARKS
VIRGINIA STATE TRAVEL SERVICE

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ROBERT PATTERSON, Charlottesville
COLLINS SNYDER, Accomac
FREDERICK W. WALKER, Roanoke
SHERMAN WALLACE, Cleveland

Mr. Ray D. Pethel, Director
Joint Legislative Audit and
Review Commission
Suite 200, 823 E. Main Street
Richmond, Virginia 23219

Dear Mr. Pethel:

This is in reference to your letter of March 14 regarding the
"Exposure Draft--Management of State-Owned Land (March 14, 1977)" by the
Joint Legislative Audit and Review Commission.

We have reviewed the draft and do not have any comments on
factual material relating to the Division's of Forestry and Parks.
However, we would like to suggest additional thoughts that could be
possibly incorporated into the draft.

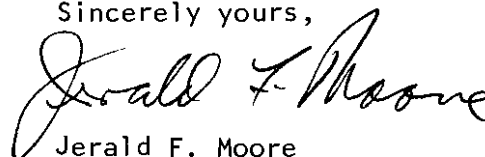
Numerous references are made throughout the draft concerning
other agencies which own forestland areas that are not under management
practices. If the objectives of these other agencies are changed to
consider conservation purposes, the Division of Forestry could provide
assistance in formulating management plans and policies consistent with
available manpower. In the past, this Division has assisted agencies on
marking work and providing timber estimates for timber sales, and in
several instances, developed management plans.

It has been our finding, however, that most of these agencies
owning woodlands are not interested in the conservation purposes per se
since the funds derived from timber sales revert to the General Fund and
are not available for agency use.

With regard to State Parks, on page five, paragraph two, there
is a statement that the "natural resources on State land can include
timber, minerals, wildlife and crops." It would seem appropriate that
this sentence should also include "recreation."

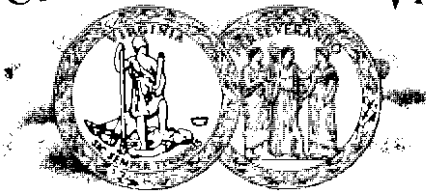
Thank you for the opportunity to review this draft. If we may
be of additional assistance, please let me know.

Sincerely yours,


Jerald F. Moore

MAR 30 1977

COMMONWEALTH OF VIRGINIA



FLEET DILLARD
CHAIRMAN

WILLIAM F. GUTHRIE, JR.
SECRETARY

GEORGE D. SPENCE, M. D.
A. MCCLELLAN, O. D.
CLYDE L. MIDDLETON
WESLEY C. WHEAT, JR.
JAMES H. BUTTS, PH. D.

VIRGINIA COMMISSION FOR THE VISUALLY HANDICAPPED

WILLIAM T. COPPAGE
DIRECTOR
3003 PARKWOOD AVENUE
RICHMOND, VIRGINIA 23221
TELEPHONE: 786-2181

March 30, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit & Review Commission
Suite 200, 823 East Main Street
Richmond, VA 23219

Dear Ray:

Thank you for the opportunity of reviewing the Exposure Draft-Management of State Owned Land which was transmitted to me with your letter of March 14. In general, I believe that your staff has done a thorough job of assessing the Commonwealth's practices and problems of land management.

Your case study appearing on Page 67 dealing with the Commission for the Visually Handicapped prompted some need for comment. On March 22 I met with Paul Timmreck and discussed with him my feeling that the last sentence on Page 67 failed to adequately reflect the extent to which effort has been made to dispose of the property. Extensive efforts have been made by this Commission and by the Division of Engineering and Buildings to find a buyer who was willing to pay a fair market price. This agency was not in a position until quite recently to actively publicize the availability of this land for sale due to the fact that the University of Virginia has from time to time expressed an interest in either purchasing or having the property transferred to them. Since my meeting with Mr. Timmreck, he has notified me that the final report will contain a reference to an interest by the University of Virginia.

Again let me say that we appreciate your affording us a part in the development of this report.

Sincerely,

Bill

William T. Coppage
Director

cc: Mr. Edward R. Musser, III



JACK F. DAVIS
Director



COMMONWEALTH of VIRGINIA

DEPARTMENT OF CORRECTIONS
22 East Cary Street
Richmond, Virginia 23219

APR 1 1977

April 1, 1977

Mr. Ray D. Pethel, Director
Joint Legislative Audit and Review Commission
823 East Main Street, Suite 200
Richmond, Virginia 23219

Dear Mr. Pethel:

Based on review by appropriate department personnel, I am enclosing our comments as presented by our Division of Youth Services and our Real Estate Supervisor on the exposure draft entitled Management of State-Owned Land.

Sincerely,

A handwritten signature in cursive script that reads "Jack F. Davis".

Jack F. Davis

vk

Enc.



IAAM E. WEDDINGTON
ion Director

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CORRECTIONS DIVISION OF YOUTH SERVICES

302 Turner Road
Richmond, Virginia 23225

March 31, 1977

MEMORANDUM

TO: Herbert Parr

FROM: E. W. Bell, III *EB*

SUBJECT: Joint Legislative Audit and Review Commission Report on
Management of State Owned Land

In response to your request, the following observations are offered concerning use of State owned properties within the Division of Youth Services. We chose to react to the report in the order that references to Youth Services occurred starting on Page 31 with Bon Air Learning Center.

Bon Air Learning Center - A major portion of Parcel A on the northern perimeter of the Bon Air campus will be used to locate Intensive Treatment Center No. 1. Thus, more of the property will be utilized than was available in the information supplied to the Joint Audit and Legislative Review Commission.

Hanover Learning Center - The parcel mentioned is a buffer between the learning center and the Hanover community. The learning center's community relations are extremely tenuous at this time and the removal of this buffer would only serve to aggravate a potentially bad situation.

Beaumont Learning Center - Comments concerning Beaumont Learning Center by the J.L.A.C. appear to be in error as per attached documentation. Correspondence dated June 14, 1974, from Mr. Eugene D. Long to Mr. Larry Mason, then Superintendent at Beaumont Learning Center, gives general guidelines and directions for use of the forest lands located on the learning center. At that time, approximately 121 acres were harvested and reforested in Area 1 on accompanying aerial map. Two other areas designated as Area 1 were reforested. The 26 acre parcel mentioned is a small stand of pine woods which is in a swampy area not suitable for tilling or harvesting at the present time. The 110 acres contained in Parcel A referenced in the report along Route 522 would remove a physical barrier that the institution has with the community. This has the potential of giving the wards housed at the center easy access to a populated area

Herbert Parr
March 31, 1977
Page Two

or creating other potentially hazardous situations as far as other uses that the property might have.

You will also note a copy of a letter of February 19, 1977, from Mr. William L. Braford, Forester with the Division of Forestry, to Mr. Ed C. Voss, Superintendent, Beaumont Learning Center, which indicates that active agreements between the Division of Forestry and Beaumont Learning Center are in operation. Also referenced is the contractual basis by which the Division of Forestry has helped and is helping the learning center in its forest lands management.

It is the opinion of the Division personnel that persons responsible for writing the J.L.A.C. report did not visit Beaumont Learning Center prior to drawing their conclusions nor had they made any attempt to contact the center to find out exactly what had been going on as far as forest land management was concerned.

If you have further questions, please feel free to contact Mr. Frank Bishop or myself.

sar

JACK F. DAVIS
Director



COMMONWEALTH of VIRGINIA

DEPARTMENT OF CORRECTIONS

22 East Cary Street
Richmond, Virginia 23219

March 31, 1977

MEMORANDUM

TO: Mr. Herb Parr
FROM: C. D. Cox
SUBJECT: Real Property of Department of Corrections

JLARC shows 15,870 acres of land owned by the Department of Corrections. The breakdown shows a number of discrepancies from our records. These discrepancies are probably due to two things - the inclusions of right-of-way in that acreage called for by deed and errors in computations of acreages by surveyors as compared to computations done by computer.

Surplus Land

JLARC shows 1,605 acres as potentially surplus to the needs of the Department of Corrections.

Due to the nature of the Corrections operations, it is absolutely essential that a substantial buffer zone be maintained around each institution. No doubt, some small areas could be selected as surplus due to the irregular shapes of many parcels, but a thorough study should be made on site before we start chopping our land into bits and pieces.

The 195 acres + at Louisa should be considered by several levels of state government before a decision is made on its disposition.

Underutilized Land

The study shows a total of 3,878 acres of underutilized land. This is true. The Department has many acres that should be put to a productive use. The Department is presently making plans to re-plant cut over and scrub growth lands as well as to harvest that timber which is mature, and to re-plant after harvesting. Harvesting and planting will be accomplished with the assistance of the State Forest Service.

One area at the Hanover Learning Center, identified as 200 acres of swamp should not be disturbed without expert advice. This parcel is a beaver pond and abounds with fish and wildlife as well as being a haven for migratory water fowl. The entire Hanover tract was a gift

Mr. Herb Parr
Page Two
March 31, 1977

to the Commonwealth with certain restrictive covenants in the deed, which limited the use of the property. All open land at this facility is being utilized for agricultural purposes with the exception of that portion lying in the flood plane of the Pamunkey River.

Real Property Records

The Department is in the process of upgrading real property records and information.

Composite plats will be prepared for all properties by institutions. Deed information will be checked and property recorded. Key points of properties will be located and permanent markers established without the benefit of complete surveys, as this cost would be prohibitive.

Property Transfers

The Department shares use of many parcels of land with Department of Highways and Transportation at Correctional Field Units. We plan to make an effort to have those lands owned by Department of Highways and Transportation and used by Corrections transferred to Corrections as well as to have those lands owned by Corrections and used by Department of Highways and Transportation, transferred to Department of Highways and Transportation.

Mineral Deposits

Considering the critical energy shortage being experienced, some means probably should be provided for development of oil, gas or coal deposits that may be under state owned lands. The Department of Corrections is prohibited by statute from entering into exploration agreements. Legislation dealing with this subject is being considered at this time.

No attempt has been made to address all covenants by JLARC, as time would not permit. However, every effort is being done to establish proper real property records, and to establish and operate a viable program of land management.

C.D.C.

C/o



COMMONWEALTH of VIRGINIA

Department of Corrections

Division of Adult Services

429 SOUTH BELVIDERE STREET

March 29, 1977

MEMORANDUM

TO: Mr. Robert M. Landon

FROM: R. C. Oliver

RE: Draft of J. L. A. R. C. Report on Management of State-Owned
Land - Virginia

I have reviewed the draft of the report of the Joint Legislative Audit and Review Commission as it relates to the Department of Corrections and must confess that it leaves me confused at best. The study suggests that we have 1,605 acres of "potentially surplus land" and 3,878 acres of "underutilized land." I believe these designations to be misleading and the figures to be inaccurate.

My first impression was that by "underutilized" we were being charged with not using this acreage or certainly not using it to its best advantage. That would certainly not be correct. To the extent that funds are available we are certainly using all land to its fullest potential. It is true that we own some swampy pond and some timber land and are not using these areas for the housing of prisoners or the production of crops. However, most people realize that such lands are not suitable for purposes of construction, agriculture, etc. Most of these so-called "underutilized" areas are being used for their best available uses and to attempt to do otherwise would be a foolish waste of money.

However, for purposes of this report "underutilized land" is defined as:

- (1) land which is accessible only by entry through State land; and
- (2) land not used for the primary mission of the agency.

I suppose that this means that any land not used for the care and housing of prisoners, security, or agriculture is considered by the authors of the study to be underutilized. This is certainly not the ordinary meaning of the word and is most confusing to me.

Mr. Robert M. Landon
March 29, 1977
Page Two

It appears that the great majority of the land alleged to be underutilized is either forest or swampy. Apparently the authors of the report do not have a high regard for forestry and they question our forestry practices. However, these are most beneficial lands and the forest products are of value to the Department both in the timber produced and in the training which it enables us to give to some of our inmate population.

With regard to the alleged 1,605 acres of potentially surplus land, I suggest that this figure is not accurate. Potentially surplus land is defined in the report as:

(1) land which is unused for current programs and not covered by written plans for future use; and

(2) noncontiguous on the border of a larger tract.

Included therein is 195 acres at Louisa. Although this acreage may be excess to the needs of the Department, it does not meet their definition. The land was not used last year because it was purportedly to be sold. However, we have now fertilized the land and plan to use it this year for the production of hay. Another example of inaccuracy would appear to be 270 acres at the field units. Current plans of the Department are to return the field units to agricultural activities as funds become available for same. My point is simply that the Department may not be harmed by the sale of some of its real estate, but the report has certainly exaggerated the acreages which are not needed.

I would also point out that the report appears to fail to take into account any future needs for expansion of or additional use of already owned lands. The report does recognize the plan for construction of a medium security correctional facility at Powhatan. However, nowhere else in the report, as it relates to the Department of Corrections, does the report recognize the likely need for future expansion at some of our institutions.



R. C. Oliver

RCO/lb

cc: J. D. Cox

JLARC NOTE: This memorandum conflicts with the departmental memorandum prepared by Mr. C. D. Cox. No change appears warranted in the report.

J. HARWOOD, COMMISSIONER

ROBERT HALL, BRISTOL, BRISTOL DISTRICT

E. G. FRALIN, ROANOKE, SALEM DISTRICT

S. R. GLASS, LYNCHBURG, LYNCHBURG DISTRICT

L. M. CROWE, RICHMOND, RICHMOND DISTRICT

W. T. ADAMS, YORKTOWN, SUFFOLK DISTRICT

AS G. JANNEY, FREDERICKSBURG, FREDERICKSBURG DISTRICT

A. BEEFON, FALLS CHURCH, CULPEPER DISTRICT

S. LANIER, STAUNTON, STAUNTON DISTRICT

HASSELL, III, CHESAPEAKE AT LARGE-URBAN

S. S. HODGER, JR., CREWE AT LARGE-RURAL



APR 12 1977

W. S. G. BRITTON
DEPUTY COMMISSIONER & CHIEF ENGINEER

LEO E. BUSSEY, III
DIRECTOR OF ADMINISTRATION

J. M. WRAY, JR.
DIRECTOR OF OPERATIONS

J. P. ROYER, JR.
DIRECTOR OF PLANNING

P. B. COLDFORN
DIRECTOR OF ENGINEERING

H. R. PERKINSON, JR.
DIRECTOR OF PROGRAM MANAGEMENT

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION

1221 EAST BROAD STREET
RICHMOND, 23219

April 11, 1977

IN REPLY PLEASE REFER TO

"Management of State-Owned Land"

Mr. Ray D. Pethtel
Joint Legislative Audit
and Review Commission
823 East Main Street, Room 200
Richmond, Virginia 23219

Dear Mr. Pethtel:

Our Right of Way Division has reviewed the draft on "Management of State-Owned Land" as it applies to the Virginia Department of Highways and Transportation; and I am attaching copy of memorandum from Mr. W. P. Tucker, State Right of Way Engineer, to me, covering his review of the document.

I am much concerned about the errors contained in the document, particularly the computation of the right of way on our secondary system being 160 feet wide. According to our figures, the average secondary road carries only about 37 feet of right of way; and as Mr. Tucker points out, this consists of only a prescriptive easement which was provided for in the Code when the secondary system roads were taken over.

There are other differences which also give me some concern; and perhaps after you have reviewed this letter and report, it might be a good idea for us to get together with your chairman for further discussion.

Sincerely,

A handwritten signature in dark ink, appearing to read "John E. Harwood".

John E. Harwood, Commissioner

JEH/lbh

Attachment

CC: Honorable Edward E. Lane
Honorable Wayne A. Whitham
Members of Highway and
Transportation Commission

IN E. HARWOOD, COMMISSIONER

ONARD R. HALL, BRISTOL, BRISTOL DISTRICT

RACEL G. FRALIN, ROANOKE, SALEM DISTRICT

OMAS R. GLASS, LYNCHBURG, LYNCHBURG DISTRICT

RILL M. CROWE, RICHMOND, RICHMOND DISTRICT

LIAM T. ROOS, YORKTOWN, SUFFOLK DISTRICT

UGLAS G. JANNEY, FREDERICKSBURG, FREDERICKSBURG DISTRICT

LPH A. BEETON, FALLS CHURCH, CULPEPER DISTRICT

BERT S. LANOES, STAUNTON, STAUNTON DISTRICT

RAY HASSELL, III, CHESAPEAKE, AT LARGE-URBAN

ARLES S. HOOPER, JR., CREWE, AT LARGE-RURAL



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION

1221 EAST BROAD STREET
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P. B. COLOIRON
DIRECTOR OF ENGINEERING

H. R. PERKINSON, JR.
DIRECTOR OF PROGRAM MANAGEMENT

IN REPLY PLEASE REFER TO

P. TUCKER
ATE HIGHWAY RIGHT-OF-WAY ENGINEER

April 8, 1977

RE: Exposure Draft - Management of State-Owned Land

MEMORANDUM

To: Mr. John E. Harwood

The Right of Way Division has coordinated the review of the exposure draft on Management of State-Owned Land and offers the following comments.

Proper management of the Department's real estate has always been one of its concerns as it is essential to the fulfillment of its mission of providing an adequate transportation system. It is also essential to the proper application and the utilization of the authority vested in the Commissioner to purchase and dispose of property for this purpose.

The Department's understanding is that the purpose of the report is to look into land management practices of all State agencies and determine whether or not these practices are in accordance with the intent of the statutory provisions. Another objective is to make recommendations to assure uniform management of such property in the most efficient and expeditious manner.

It would be appropriate at this point to digress and reflect upon the land management situation from the beginning of the Department. Statutes called for prescriptive easements for all traveled ways which were in use at the Department's inception. A majority of the right of way on the secondary roads which are in the highway system today is still claimed under these code provisions. The abandonment of highways incorporating such easements dictates that this property reverts to the adjacent landowner. Development of a more sophisticated highway system and the resulting improvement to the primary highways, the development of the Interstate Highway System, and the subsequent development of the Appalachian and Arterial Highway Programs has caused increasing amounts of fee right of way to be purchased. The property which the Department owns today fits into two different categories, capital outlay or facilities properties and rights of way.

The capital outlay holdings are not dissimilar to the landholdings of the other State agencies or institutions throughout the Commonwealth in that they are assembled in tracts large enough for independent development and suitable for exchange in normal real estate transactions. Occasionally, these capital outlay properties become surplus for various reasons; such as, changing emphasis on development in a locality or different methods of maintenance which might affect the Department's need for capital facilities in a particular area.

The second and largest category of real estate holdings is the acreage included in rights of way for the highway and transportation system. This acreage is characterized by strip takings which are complicated by construction features such as cuts and fills, limited access lines and drainage features that often enhance or damage adjacent property. Additionally, acquisition of these rights of way often leaves irregularly shaped remainder or residue parcels which can remain an uneconomic remnant of little value to anyone other than the adjacent landowner. Right of way holdings in the past twenty-five years have grown considerably with the advent of the present highway system. Several adjustments have been made in the procedures to accommodate this rapidly growing inventory.

There is some disagreement on the part of the Department with several items in the report. The following comments are an effort to constructively set the record straight on these items which might be misinterpreted if not viewed in the strict context of the mission of the Department.

FACTUAL ERRORS

The first major criticism is that several errors of fact were noted and a proper statement of these facts will change the impact of the report. The most glaring error was the statement of the Department's landholdings. The report states that the Department owns in excess of one million acres of right of way. This figure is incorrect. The Department estimates that it owns 332,000 acres for this purpose and the difference in the estimates is approximately 70% of the one million acres. The introduction to the report deals with the amount of State-owned land, apparently in an attempt to define the magnitude of the problem; this correction should serve to greatly diminish it. Elimination of this 700,000+ acres from the total inventory of 1.3 million owned by all State agencies represents a decrease in excess of 50% in the Commonwealth's holdings. The attached Table #1 compares JLARC and DHT estimates of acreages in the right of way. Chapter 3 states that the Department controls over 1.3 million acres of land. This figure is incorrect and a discrepancy is further noted between it and the figures used in the introductory remarks in Chapter 1. Since the problem regarding the amount of land owned by the Commonwealth is so grossly overstated, it poses a significant threat to the credibility of the document.

Mr. John E. Harwood
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Chapter 3 indicates the Department did not recognize the value of disposing of surplus land until a cash flow problem developed in 1975. In order to relieve this situation, it says an effort was made to identify as much surplus property as possible and dispose of it with the result being that this effort appeared to have been successful since the amount of land sold in fiscal 1976 was double the average of the previous three years. This statement is incorrect. The average for the previous three years prior to fiscal 1976 was \$523,445. This is \$6,032 more than was received from the disposal of surplus property in fiscal 1976. The disclosure of this error negates the report's contention that the increased effort to dispose of surplus property was worthwhile. The attached Table #2 itemizes amounts of money realized by the Department from sales of residue or surplus property for ten (10) previous fiscal years.

There is an error in the statement regarding the Franconia Area Headquarters property. It states Fairfax County offered to purchase this property in 1971 for its appraised value of \$75,000 and the Department made no reply to this offer. This is incorrect in that a review of the file will reveal that no firm offer was made by Fairfax County to purchase the property and the Department attempted to get Fairfax County to make a firm monetary offer. The file further stated that the County purchased land elsewhere, because other property was found which was more suitable to its needs in that it contained a building that could be used for a police station. This discrepancy drastically changes the impact of this illustration.

The report states that fifteen (15) miles of the Norfolk Southern Railway right of way in the City of Virginia Beach were never used for highway purposes and information maintained by the Department of Highways and Transportation indicates no review of the property has been made by either the District or Central Office in over twenty (20) years. This is incorrect. No formal review of the value of the property was made. However, the possibility of declaring it surplus or disposing of it has been considered during this period of time. The District Engineer in the Suffolk District stated in a letter in June of 1968 that this right of way was to be used for a proposed future transportation facility. This is further documented in the Southeastern Virginia Regional Transportation Study; and the City of Virginia Beach advised the Department by a letter dated May 10, 1973 that it would be advisable to retain this property for the proposed improvement of Independence Boulevard. This was confirmed by telephone conversation and so noted in 1976 on a District copy of the above-mentioned 1973 letter.

There are four (4) additional factual errors which should be mentioned. The statement in Chapter 2 that no District formally reports surplus land to the Central Office is incorrect since surplus parcels of right of way are reported in negotiation reports (RW-24 Reports) when they are acquired. The report also states that there are 9,400 acres of potentially surplus land of which

Mr. John E. Harwood

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5,424 acres may be worth up to 10.3 million dollars based on local assessors' estimates. There is no explanation as to why the value of the remainder of this 9,400 acres was not considered. Chapter 3 refers to the Richmond Residency Office in Chesterfield County on U.S. 1. This reference is incorrect as no Residency Office is located on Route 1 in Chesterfield County. It is assumed that this reference is to the Richmond District Headquarters Office. Contrary to the report's allegation that no written plans existed, the Department completed plans for the use of the Elko Tract in early 1976. This construction was delayed due to funding considerations; however, the project was not dropped. Errors discussed in this paragraph taken individually do not question the integrity of the report; however, they should be mentioned in an effort to assure that the record accurately reflects the situation as it exists.

TONE

The second specific concern is with the tone of the document. There are several situations throughout the report where more objective terms could have been used. Illustrations were based on interpretations of files and instances were found where not enough background was given concerning the development of a situation. These illustrations were not interpreted in the context of the Department's mission. Conclusions resulting from illustrations were used to create hypothetical problems even though actual problems were not cited. Argumentative language was used to indicate the Department has complied with certain requests only at the insistence of JLARC personnel, when in fact, reasonable efforts were made to cooperate with JLARC and to convey information in the proper context. Failure to convey these matters in the proper tone tends to present the Department in a negative light that is unwarranted.

POLICY INTERPRETATION

Another concern is the broad area of difference in policy interpretation between JLARC and the Department. It is evident that the report attempts to develop broad policy as it applies to all agencies throughout the Commonwealth and this policy in some instances does not appear to address the specific needs of this Department.

The discussion of inventories mentioned that the review of procedures reveals inventory methods are somewhat less than desirable. The report states the records of facilities land are out of date. It is also stated that the absence of current records hinders efficient disposition of surplus correctional field unit or facilities property. It is noted that no specific problems have been cited in regard to these issues. As far as inventories of capital outlay facilities are concerned, the Department is of the opinion it is unnecessary to update them as often as suggested since there is little change in these properties in the short term. Efficient disposition would not necessarily be accomplished by the type of periodic inventory recommended because it would

Mr. John E. Harwood
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still be necessary to refer to the specific property files, plans, court records, etc. prior to disposition of any property and merely assembling such information in a central inventory would not guarantee its accuracy or necessarily speed up the disposition. The report is critical of the Department's inventory of surplus property and its disposition practices in regard to correctional field units. It is correct that this information is not assembled at one central source; however, the Department was able to gather it at the request of JLARC in a relatively short period of time.

Further reference is made to the absence of a notification of DEB concerning surplus land owned by the Department at Correctional Field Unit 22. Actually none of the property at this field unit was ever declared surplus although thirty-seven (37) acres were disposed of at the request of the City of Chesapeake in an effort to cooperate with and assist them in the public interest.

Land and program needs as analyzed in the report discuss two broad categories of potentially surplus and under utilized land. Although the Department agrees that it is generally desirable to identify such properties, the criteria used for this identification seem to be quite vague and it would not be adequate in view of the specific mission of the Department. The suggestion that rights of way be periodically reviewed to determine what land is surplus would be relatively prohibitive because of the size of the task.

The report points to an instance on Route 301 in Bowling Green where the Department owns property for the construction of a highway project and it has been delayed pending certain environmental concerns. Another specific case is a proposed improvement near Sperryville where an eight (8) acre tract has been acquired and there has been no recent review of the need for this property. Additionally, the report refers to 1,680 parcels of right of way that have been purchased since 1952 and no review of these parcels has been made to determine whether or not they are potentially surplus. All these properties were purchased for the purpose of highway improvements and considering that the transportation needs still have not been met, it would be unwise to dispose of the property if there is a reasonable probability it will be needed in the foreseeable future.

The chapter regarding the disposition of surplus property refers to the 365 acres of land being leased to the private sector and an additional forty-two (42) parcels containing buildings which are being leased. The reasons for not showing acreage on the building leases is that the acreage is of insignificant value inasmuch as the primary reason for individuals leasing these properties is to obtain use of the buildings. Additionally, the property files contain specific descriptions and sizes of landholdings on the parcels with buildings. The report indicates that rents amount to a total of \$10,288 or about \$30 per acre for approximately 354 acres of this land and the projection fails to take into consideration additional savings the Department is realizing by avoiding maintenance costs.

Mr. John E. Harwood
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April 8, 1977

In addition to the error which was discussed earlier regarding the Franconia Area Headquarters property, the report asserts that the Department has speculated on this property and it states that the Department refused to sell it although an offer in excess of its appraised value of \$26,500 was received. Speculation contains an element of risk and since the Department owns the property, none is present. Although the appraisal reflected fair market value as of the effective date, a reasonable adaptation of the property for another use in the near future is most certainly a factor in fair market value. Considering this, the Department was protecting its investment to require a minimum acceptable offer of \$67,500 because of a possible future zoning change. Management would have been derelict to have sold the property for \$27,000. A literal interpretation of the letter from the District Engineer indicating that the property should not be sold due to its increasing value supports the report's conclusion pertaining to speculation, however, a thorough review of the file dictates a more reasonable interpretation which will indicate that this property was in an area that was experiencing tremendous growth and where the Department's land needs might be more critical in the future. Therefore, it would not have been prudent to have sold the property at that time. A further review of the property file will indicate that efforts were made to dispose of the property and the sale has been complicated by outside factors, the most recent of which is the discontinuance by Fairfax County of adjacent Route 644 in 1974. This road should have been abandoned prior to any sale after the action was taken to discontinue this road. Had these remarks been included in the illustration, the conclusions reached would not have pointed to speculation.

Another suggestion by JLARC is to strengthen the central inventory system maintained by DEB. The Department suggests that rather than tightening DEB control over this inventory, an alternative procedure might be to advise all State agencies when they anticipate a need for land in a particular area to notify DEB and let them circulate such requests among other State agencies asking them to review their holdings in that area and determine whether or not they have any property which would meet the needs of the requesting agency. Such an arrangement might be as effective as requiring DEB to maintain a continuous inventory and review properties which would never be desired by other agencies.

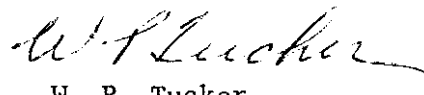
LEGAL DIFFERENCES

The last major area of concern involves the Department's interpretation of the statutory requirements that deal with the conveyance of rights of way. It is recognized that there is some conflict in the statute regarding the Department's position on this matter. However, some of the statutes dealing with the conveyance of State property generally are overridden by the specific authority granted the Highway and Transportation Commissioner to acquire and dispose of property at his discretion in the best interest of the highway and transportation

Mr. John E. Harwood
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April 8, 1977

system. Such specific legislation is intended to override any other general provisions which may directly conflict with it. The Department is of the opinion that this authority is necessary in order to provide an adequate transportation system for the Commonwealth and although any clarification regarding this conflict would be welcomed, it is believed that the authority cannot be restricted without threatening the continuation of an efficient transportation system.

The Department appreciates the opportunity to comment on the report and hopefully any differences can be resolved to the mutual satisfaction of the Department and all others concerned.



W. P. Tucker
State Right of Way Engineer

JSG:rtw

bcc: Mr. W. S. G. Britton
Mr. L. E. Busser, III
Mr. P. B. Coldiron
Mr. T. A. Newby

Table #1

COMPARISON OF JLARC & HIGHWAY ACREAGE ESTIMATES

<u>I. Interstate Highways</u>		<u>Total Acreage</u>
JLARC	1,000 Miles at 360 ft. wide	43,636 acres
Highway Calculations	900 Miles at 360 ft. wide	39,272 acres
<u>II. Primary Highways</u>		
JLARC	7,556 Miles at 230 ft. wide	210,652 acres
Highway Calculations		95,258 acres
<u>Breakdown of Highway Calculations</u>		
Divided Highways - 1,600 Miles at 180 ft. wide		
4 Lane Highways - 224 Miles at 180 ft. wide		
3 Lane Highways - 237 Miles at 90 ft. wide		
2 Lane Highways - 5,636 Miles at 80 ft. wide		
<u>III. Secondary Highways</u>		
JLARC	44,119 Miles at 160 ft. wide	855,641 acres
Highway Calculations	44,119 Miles at 37 ft. wide	197,867 acres
<u>Breakdown of Highway Calculations</u>		
Improved Secondaries (Fee R/W)		
16,086 Miles at 50 ft. wide		
Unimproved Secondaries (Prescriptive R/W)		
28,033 Miles at 30 ft. wide		
TOTAL JLARC		1,109,929 acres
TOTAL HIGHWAY		332,297 acres
DIFFERENCE		777,532 acres

JLARC figures based on maximum Highway Standards

HIGHWAY figures based on calculations from existing roadways

Table #2

RECEIPTS FROM SALE OF SURPLUS OR RESIDUE PROPERTY

Fiscal Year	Amount Received
1966-67	\$ 36,487
1967-68	42,642
1968-69	133,931
1969-70	109,039
1970-71	163,127
1971-72	123,226
1972-73	602,370
1973-74	478,528
1974-75	489,439
1975-76	517,413

JLARC NOTE:

Corrections were made to the report where appropriate based on the DHT response. The following clarifications are made concerning references to factual errors.

1. DHT's estimate of 332,000 acres of right-of-way has been incorporated into the text. The department was unable to provide an estimate of right-of-way during the course of the study.
2. Reference in the report regarding land sold in 1976 compared to land sold in the prior three years is based on "amount", not "value" as interpreted by DHT.
3. Prior to July, 1975, legislation did not require local assessments of State-owned land. As a result, values for some surplus land have not been determined by local assessors.
4. Regarding the Franconia property, the purpose of the original purchase has not been criticized. However, in the 20 years since planned construction has been abandoned, the property has been held in anticipation of increased value. The JLARC staff believes this example can be commonly and clearly identified as "speculation".

MAR 23 1977



COMMONWEALTH of VIRGINIA

Division of Motor Vehicles

2220 West Broad Street

VERN L. HILL
COMMISSIONER

MAIL ADDRESS
P. O. BOX 27412
RICHMOND, VIRGINIA 23269

March 21, 1977

Mr. Ray D. Pethtel
Director
Commonwealth of Virginia
Joint Legislative Audit and
Review Commission
Suite 200, 823 East Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

Thank you for your letter of March 14, 1977, which accompanied a copy of an exposure draft assembled by the Joint Legislative Audit and Review Commission.

The Division of Motor Vehicles wishes to submit a response to the exposure draft to be brought to the attention of the General Assembly inasmuch as the draft appears to be critical of DMV's purchase of land at Parham and Michael Roads in Henrico County.

It was mentioned twice that DMV purchased the tract for \$130,000.00 without an appraisal. This property was purchased on July 15, 1971, at which time it was not a requirement of State procedures to obtain appraisals of the property. It should be pointed out that DMV did compare the cost with nearby parcels which had been sold and it appeared to be reasonably priced when compared with neighboring commercial properties.

The Division of Motor Vehicles examined many parcels of land in this area in consideration for its Richmond West Branch Office. The subject parcel was by far more suitable for our purposes than any other parcel and was lower in cost than commercial properties. It was not a requirement that DMV have its land zoned or re-zoned for its use. Even so, a governmental administrative building qualifies under R2 zoning in Henrico County. Had DMV constructed its building upon this site, it would have resulted in a very good investment for the Commonwealth of Virginia. DMV, after deciding not to build upon the site, declared the property surplus to its needs.

Mr. Ray D. Pethtel

Page 2

March 21, 1977

It is the consensus opinion of me and my staff that the property should not be sold at a loss. We think that very soon the area may be commercialized; and when it is, the property should be worth much more than the \$130,000.00 paid by the State.

Should the Commission wish to discuss this item further, I shall be glad to meet with you at your convenience.

Best regards, I am

Sincerely yours,

Vern L. Hill
Commissioner

VLH/jda

cc: Honorable Wayne A. Whitham
W. B. Henshaw
Honorable H. D. Hamner, Jr.

ALPH L. WEAVER, CHAIRMAN
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WILLIAM H. WEST
LOCKSLEY FARM, MILLWOOD 22646



COMMONWEALTH of VIRGINIA

COMMISSION OF GAME AND INLAND FISHERIES

Box 11104
Richmond, 23230

CHESTER E. PHELPS, EXECUTIVE DIRECTOR
4010 WEST BROAD STREET
BOX 11104
RICHMOND, 23230

April 6, 1977

APR 8 1977

MEMORANDUM

To: Ray Pethel, Director, Joint Legislative Audit and Review Commission

From: James F. McInteer, Jr., Assistant Director

James F. McInteer, Jr.

We have reviewed the recently circulated exposure draft of the JLARC study report on management of State owned lands. We have no objections, and no suggestions to offer with respect to the facts and conclusions set forth as they affect the operations and procedures of this agency.

JFMc:pcf

UNIVERSITY OF VIRGINIA
CHARLOTTESVILLE

APR 7 1977

OFFICE OF THE
EXECUTIVE VICE PRESIDENT

April 6, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and Review
Committee
823 East Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

We appreciate the opportunity to review your draft report on "The Management of State-Owned Land". In particular, we are concerned with the statements on page 40 which relate to the University of Virginia airport property.

It is correct that the two hangers on the property are being used by the University as storage facilities, but it is not true that there is adequate storage space available elsewhere. In fact, we are desperately short of storage space throughout the University and have requested several new storage facilities in our list of 1978-80 Capital Outlay Projects. There is literally no space available at the University to accommodate the items that are now stored in the two hangers.

I am not sure that your report fully explains the use of the airport property by the Department of Environmental Sciences. This property serves as a field station and teaching laboratory for two core courses in that department and is used intensively by over 200 students during the course of each academic year. In addition to the Meteorological Station which your report mentioned, there is a major Hydrological Station also operated by the department. Both of these stations contribute significantly to the graduate teaching program and research programs of the University.

Mr. Ray D. Pethtel
Page 2
April 6, 1977

In view of the use of the airport property as both a storage facility and as a teaching/research facility for the Department of Environmental Sciences, we believe the property should not be disposed of at this time.

Sincerely,

A handwritten signature in cursive script that reads "Avery Catlin". The signature is written in dark ink and is positioned above the printed name and title.

Avery Catlin
Executive Vice President

AC/law

cc: Mr. Frank L. Hereford, Jr.



CHARTERED 1693

COLLEGE OF WILLIAM AND MARY
OFFICE OF THE VICE PRESIDENT
FOR BUSINESS AFFAIRS
WILLIAMSBURG, VIRGINIA 23185

APR 26 1977

April 25, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and Review Commission
Suite 200, 823 E. Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

At the request of Mr. Paul Timmreck, I am writing on behalf of President Thomas A. Graves, Jr., to acknowledge our opportunity to review the Exposure Draft on Management of State-Owned Land, dated March 14, 1977, before its publication.

I did not feel that it was necessary to avail ourselves of the opportunity to respond because we have no material differences with the statements contained in the Report.

The difference of acreage in land records of the College and of the Division of Engineering and Buildings in Table 2 on page 15 was factually reported. The difference was primarily attributable to the bequest of the Ash Lawn Estate to the College.

We have communicated several times with the Property and Facilities Coordinator of the Division of Engineering and Buildings and our records are in the process of being completely reconciled.

Thank you for sharing a copy of the Report with us before its publication. Please be assured of our complete cooperation in providing any additional information which might be helpful.

Sincerely,

William J. Carter
Vice President for Business Affairs

cc: President Thomas A. Graves, Jr.

APR 12 1977

VIRGINIA COMMUNITY COLLEGE SYSTEM

7 North 8th Street, P. O. Box 1558, Richmond, Virginia 23212, Telephone 804/786-2231

The Chancellor

April 11, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and
Review Commission
823 East Main Street, Suite 200
Richmond, Virginia 23219

Dear Ray:

Thank you for your letter of March 14, 1977, which forwarded a copy of your preliminary report on Management of State-owned land. You indicated that I would find Chapter 3 of direct interest to the Virginia Community College System and I did indeed, as did the Presidents of Tidewater and John Tyler Community Colleges.

I do appreciate the opportunity to submit a formal response because I believe the brief statements included in the report concerning the "potentially surplus" land at Tidewater and John Tyler Community Colleges do not reflect the true status of the use and planning for the development of these two colleges.

The Frederick Campus of Tidewater Community College is presently serving 4,000 students and is projected for steady growth. The existing buildings are those usable structures which have been derived from its former use as a military base and subsequently a private college. The location is excellent for the permanent campus serving this part of the Tidewater Community College Region. It is in the middle of population growth areas in the corners of Portsmouth, Chesapeake, and Suffolk. The present concept for the permanent campus envisions the utilization of all the acreage that will then be available to us.

A projected third crossing of the Hampton Roads linked with the proposed Western Freeway and the Bowers Hill-Belleville Connector will make this location ideal for student access. The State Highway Department is planning to build Interstate I-664 across the property and it is our understanding that an interchange will access in the immediate vicinity although we do not as yet have the specifics on this project.

The final consummation of the sale of approximately 80 acres of this property to the Hampton Roads Sanitation District Commission, as approved by Governor Godwin, for the building of sanitation treatment facilities is nearly complete and will provide vital space for essential utility services for the community.

Mr. Ray D. Pethtel, Director
Page 2
April 11, 1977

The Virginia Community College System and Tidewater Community College are presently in the process of masterplanning the remaining acreage to provide one-of-a-kind programs requiring more open space than is generally available to the other colleges in the System. These programs are under development to meet a Statewide need for formal programs for tractor trailer drivers, heavy equipment operators, and emergency vehicle drivers. These programs are being developed in cooperation with the State's Division of Highway Safety.

Another unique natural resource that is included in the present acreage is the potential for ecological use of the various water and marsh areas. We envision this use in the form of credit courses and community service activities which can capitalize on this truly advantageous natural setting associated with the college.

In summary, concerning the Frederick Campus of Tidewater Community College, we do not accept the contention that there is potentially surplus acreage. All of this property, except that required for the interstate highway and the sanitation treatment facilities, is essential to the further development of the facilities, acreage, and educational programs of the college. It would not be in the best interests of the citizens of the Tidewater area, or the Commonwealth, to make a short-sighted judgment that any portion of this property is not essential to the needs of the Frederick Campus.

The assertion made on Page 40 relative to John Tyler Community College's acreage east of Interstate 95 needs to be corrected in that this property is presently used and has been planned for future use. The facts are as follows. The Physical Education Department has utilized a portion of this property for six years for a Shooting and Firearm Safety class. The site has also been used in a community service mode to train hunter safety instructors. The area is also being used for a course in Forest and Wildlife Ecology which has been very much in demand by students who want to involve themselves with the development and preservation of woodlands. The Nature Photography class at the college makes continuous use of this area for photographing nature in its undisturbed habitat.

The planned use of this acreage for the future is considerably more elaborate and extensive. The college is planning the development and structures for an outdoor learning amphitheater for inter-disciplinary activities for the English Department, nature photography, ecology and biology courses, physical education, and Civil War history. The amphitheater will also serve as a site for visiting lecturers and a laboratory for local guests interested in outdoor education.

Mr. Ray D. Pethtel, Director
Page 3
April 11, 1977

Additionally, the college is planning the development of nature trails, a bird sanctuary, a small wildlife sanctuary, and preservation areas of local plant life in an undisturbed habitat. The shooting area will be further developed into a skeet range for use by the Physical Education Department. Also in the development stages is a plan to convert a portion of this acreage into an aquatic habitat and ecological pond which would serve several courses of the college in the discipline areas of physical education, biology, and chemistry.

This natural setting provides an excellent opportunity for the continued development of community service activities wherein the college can enhance its learning and recreational resources. The college needs this parcel of land for a continuation of its present activities and for the expanded use of this area in the furtherance of the college's mission of providing service to the students and citizens of the region.

I hope through the descriptions provided in the previous paragraphs that I have made the position of the Virginia Community College System clear. We do not consider that we have any surplus property and do not in the foreseeable future intend to declare that this is the case. I do recognize my responsibilities for diligent attention to land management, including the need for master site plans, record keeping, upkeep, and continuous review of changing requirements, as do our Presidents.

Best regards.

Sincerely yours,



Dana B. Hamel *DBH*

DBH/vev

cc: The Honorable Douglas H. Hamner, Jr.
The Honorable Robert R. Ramsey, Jr.
Deputy Chancellors
Dr. John W. Lavery
Dr. George Pass



RADFORD COLLEGE
RADFORD, VIRGINIA 24141

OFFICE OF THE PRESIDENT

TELEPHONE (703) 731-5401

March 17, 1977

Mr. Ray D. Pethtel, Director
Joint Legislative Audit and
Review Commission
Suite 200, 823 E. Main Street
Richmond, Virginia 23219

Dear Mr. Pethtel:

This letter is to acknowledge receipt of the draft copy
of the report on State Land Holdings.

As my assistant communicated to Mr. Schuerch, the Radford
College Board of Visitors approved the sale of the two
parcels of land referred to in the report. A copy of the
Board approved resolution is attached for your information.

Thank you for affording us the opportunity to review the
draft and comment on it.

Cordially,

A handwritten signature in cursive script, reading "Donald N. Dedmon".

Donald N. Dedmon
President

DND:pb

Enclosure

MAR 30 1977



COMMONWEALTH of VIRGINIA
COUNCIL OF HIGHER EDUCATION

DANIEL E. MARVIN, JR.
DIRECTOR

700 Fidelity Bldg., 9th and Main Streets, Richmond, Va. 23219

(804) 786-2143

March 29, 1977

Mr. Ray D. Pethel, Director
Joint Legislative Audit and Review Commission
823 East Main Street
Richmond, Virginia

Dear Ray:

I write in response to the assessment of the management of state-owned land recently completed by the Joint Legislative Audit and Review Commission. I think the report is generally thoughtful and carefully prepared. I have only a few comments.

First, on page 77, reference is made to a memorandum from the Secretary of Administration and Finance. The memorandum directs that real property reviews be carried out biennially and that findings be reported to the Governor's Office and the Division of Engineering and Buildings. I believe the Council of Higher Education needs this information also from the institutions of higher education. Perhaps your report could recommend that the Division of Engineering and Buildings forward copies of the institutional reports to us.

Also on page 77, I would suggest that the Director of the Division of Engineering and Buildings promulgate realistic criteria for the biennial review of State land holdings, having consulted with the Council of Higher Education about criteria which may be unique to institutions of higher education.

As part of the Council's work in the area of facilities, we propose expanding data collection on usable and used land. A more comprehensive inventory of these holdings would be valuable to institutions and to the Commonwealth as a whole.

Thank you for giving us the opportunity to review this preliminary draft. Please call me if you have any questions about the points I have made.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gordon K. Davies".

Gordon K. Davies
Acting Director

GKD/r

JOINT LEGISLATIVE AUDIT & REVIEW COMMISSION

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