



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Chairman and Members
Park Authority Board

VIA: Jai Cole, Executive Director

FROM: Sara Baldwin, Deputy Director/COO

DATE: September 9, 2022

Agenda

**Administration and Board Management Committee
(Committee of the Whole)**

Wednesday, September 14, 2022 – 5:15 pm

Virtual

Chairman: Faisal Khan

Vice Chair: Maggie Godbold

1. Park Authority Policy Review (with presentation) - Information*

*Enclosures



If accommodations and/or alternative formats are needed, please call (703) 324-8563. TTY (703) 803-3354

Committee Agenda Item
September 14, 2022

INFORMATION - 1

Park Authority Policy Review

The Fairfax County Park Authority Policy Manual is reviewed and updated as necessary every five years to ensure that the policies reflect the changing county need. Policies may be revised, added, or deleted upon action of the Park Authority Board. By practice, the Park Authority adopts new policies and updates existing policies as the need arises over time.

The Commission for the Accreditation of Park and Recreation Agencies (CAPRA) process that the agency is currently undergoing for reaccreditation requires that the Policy Manual for the agency be kept-up-to-date and reviewed systematically, at least every five years. As part of the reaccreditation effort, monthly review sessions are scheduled with the Administration, Management and Budget committee from April through November 2022. Policies 102, 200, 206, 207, 208, 209, 210 and 211 are scheduled for review during the September 14, 2022 meeting.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed revisions to Policies 102, 200, 206, 207, 208, 209, 210 and 211

STAFF:

Jai Cole, Executive Director
Sara Baldwin, Deputy Director/COO
Aimee Vosper, Deputy Director/CBD
Michael Peter, Director, Business Administration Division
Cindy Walsh, Director, Park Services Division
Laura Grape, Director, Resource Management Division
Kim Eckert, Acting Director, Park Operations Division
Ryan Carmen, Acting Director, Golf Enterprises
Judy Pedersen, Public Information Office
Allison Rankin, Management Analyst

Policy 102	Title: Indemnification of Officers and Employees, and Insurance Coverage for Volunteers.	
Date Approved: 1/24/2018	Last reviewed: 06/23/2013 08/01/2022	
Objective Administration Establish policies for the Park Authority that provide direction for the implementation of sustainable management practices in accordance with community needs.		

Purpose: To outline and describe indemnification of Officers and Employees and Insurance Coverage for Volunteers.

Policy Statement:

The defense of governmental immunity does not necessarily insulate Park Authority officers, employees, and volunteers from civil judgments rendered against them in their individual capacities.

Park Authority officers, employees, and volunteers may be liable for the payment of civil judgments arising out of actions which they took in furtherance of the Park Authority's interest and in their scope of their official duties.

It is in the interest of the Park Authority to protect its officers, employees, and volunteers from such civil judgments, and to remove the threat of having to pay such judgments from its officers, employees, and volunteers.

Certain liability claims and suits filed against the Park Authority, its officers, employees, and volunteers may not fall within the scope of coverage afforded by policies of insurance currently in effect.

The Park Authority desires to provide legal defense for and indemnification of its officers and employees, and insurance coverage for volunteers.

1. For the purpose of this policy the terms "Park Authority officers and employees" shall include Board members, officers, and all employees of the Fairfax County Park Authority. Park Authority employees are considered employees of Fairfax County Government and, as such, are subject to County rules and procedures and are covered by the County's various insurance plans. For purposes of this policy, references to Park Authority employees are referring to this definition. The terms "Park Authority officers and employees" and "officers and employees" shall include Board members. The term "volunteer" includes Park Authority volunteers who are working at the direction of the Park Authority, some of whom are working under volunteer agreements.
2. The Park Authority shall provide legal counsel to represent, without charge, Park Authority officers and employees with respect to any claim or cause of action arising from the conduct of such officers or employee in the discharge of their official duties as officials or employees of the Fairfax County Park Authority. Said conduct is hereby deemed to include administrative and professional

**Policy 102 Indemnification of Officers and Employees, and Insurance
Coverage for Volunteers ~~(continuation)~~**

malpractice, as well as acts committed or alleged to have been committed that result or are alleged to result in deprivations of rights, privileges, and immunities guaranteed by the United States or Virginia Constitution, or by any statute affording a cause of action for damages or injunctive relief.

3. Park Authority volunteers shall be provided coverage and legal representation pursuant to the terms of the Risk Management Division, Fairfax County, Virginia, Volunteer Insurance Program. Park Authority volunteers should register in the designated Volunteer Management System to ensure proper acknowledgement of volunteer status.
4. Pursuant to the Memorandum of Understanding between the Fairfax County Board of Supervisors and Fairfax County Park Authority dated ~~October 17, 1994~~August 15, 2021, the Fairfax County Park Authority shall use the legal services of the County Attorney's Office unless the Park Authority and the County Attorney believes that (a) the service needed is non-routine and time critical which could not be met by the County Attorney's Office or (b) that a conflict of interest may exist.
5. In the event of a real or potential conflict of interest involving the County Attorney's representation of the Park Authority or any of its officers or employees, on any claim, lawsuit or combination of claims or lawsuits; and in the event that any such conflicts of interest or other ethical considerations might impede effective representation and legal defense by the County Attorney, the Park Authority will proceed to select counsel from an approved list submitted by the County Attorney.
6. All officers and employees who become legally obligated to pay any claims, including but not limited to settlements, suits, satisfactions of judgment, costs or awards of attorney's fees, arising from the conduct of said officers or employees in the discharge of their duties, shall only be entitled to indemnification therefore where the claim shall have been determined by the ~~Director of the Park Authority~~County Executive, upon the recommendation of the County Attorney, to have resulted from actions which:
 - A. Were done in good faith; and
 - B. Were done in a reasonable belief that such activities were in the best interest of the Park Authority and in the furtherance of the official policies of the Park Authority, and

**Policy 102 Indemnification of Officers and Employees, and Insurance
Coverage for Volunteers ~~(continuation)~~**

- C. Were within the scope of authority of the person so acting; and
- D. Were within the course of employment of the person so acting; and
- E. Were not willful, malicious or wanton.

The determination of the ~~Director of the Park Authority~~County Executive as to whether the conduct of any such officer or employee satisfies the requirements of subsection A - E shall be final.

~~7. The Director of the Park Authority or his/her designee is authorized to continue in effect liability insurance policies for Park Authority officers, employees, and volunteers with legal defense of claims thereunder to be provided in accordance with the terms of the policies of insurance. The County Attorney shall represent Park Authority officers, employees, and volunteers to the extent deemed necessary by him/her to supplement legal counsel provided under said liability insurance policies.~~

~~8.7.~~ In no event shall legal fees be paid on behalf of Park Authority officers, employees, or volunteers, or legal counsel be provided by the County Attorney for the defense of acts alleged to have been committed by Park Authority officers, employees, or volunteers in violation of criminal laws, nor shall any fines or penalties imposed by criminal conduct be reimbursed by the Park Authority.

~~9.8.~~ Claims filed against the Park Authority, its officers or employees shall be handled by the County's Risk Management Division.

Nothing contained in this policy shall be construed to abrogate or waive any defense of governmental immunity on behalf of the Fairfax County Park Authority, or of its officers, employees, or volunteers.

References:

1. Memorandum of Understanding with the Board of Supervisors

~~4.2.~~ Risk Management Division
<https://www.fairfaxcounty.gov/finance/riskmanagement>

Supporting Documentation:

1. Volunteer Management System
<https://volunteer.fairfaxcounty.gov/custom/1380/>



FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 200	Title: Use of Parkland for Non-Park Purposes
Date Approved: 1/24/2018	Last reviewed: 6/26/2013
Objective: <u>Natural and Cultural Resources</u> Ensure the long-term protection, preservation, and sustainability of natural, cultural park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines, policies, and related plans.	

Purpose: Lands and facilities under the control of the Park Authority are held as a public trust for the stewardship, enjoyment, and recreation of present and future generations. The Park Authority is pledged to protect holdings from activities (ie infrastructure) that would threaten use as parkland but recognizes that non-park uses on parkland may be required in order to serve the greater public interest.

Policy Statement: In cases where non-park uses on parkland are required to serve the greater public interest, non-parkland alternatives must be pursued first.

When impacts to parkland, from infrastructure related proposals, are prohibitive or unavoidable, the Park Authority shall ensure that impacts for the non-park use are minimized to the greatest extent practicable, and impacts are mitigated at equal or greater natural, cultural, and/or recreational value. The extent of the impact to parkland and the mitigation shall be approved by the Park Authority.

Public hearings for non-park proposals shall be coordinated with the Park Authority.

Any requests for non-park purpose on parkland, such as survey, access, easement, staging, etc will be subject to Park Authority staff review, approval, and issuance of land right per occurrence. All temporary or permanent land rights are subject to applicable fees.

Policy 200 Disposal of Land or Facilities (continued)

References:

1. Park Policy 201 - Natural Resources
2. Park Policy 203 - Cultural Resources
3. Park Policy 208 - Protection of Lands and Facilities
4. Park Policy 209 - Disposal of Land or Facilities
5. Park Policy 210 - Easements
6. Park Policy 211 - Stormwater Management

Supporting Documentation:

1. § 15.2-5704, Code of Virginia
<https://law.lis.virginia.gov/vacode/title15.2/chapter57/section15.2-5704/>
2. Park Authority Natural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
3. Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>



FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 206	Title: Museum and Archaeological Collections
Date Approved: 1/24/2018	Last reviewed: 6/26/2013
Objective: <u>Natural and Cultural Resources</u> Ensure the long-term protection, preservation, and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.	

Purpose: In support of its cultural resource stewardship mission, the Fairfax County Park Authority shall collect, preserve, exhibit, interpret, and where appropriate, make available for research, museum objects, archaeologically-derived artifacts, and other material culture.

Policy Statement:

1. The Park Authority shall ensure that collections under its stewardship are protected, secure, unencumbered, cared for, accounted for, and documented. The Park Authority will strive to ensure that archaeological and museum collections are stored in an appropriate facility with adequate storage, climate control and conditions, according to best practices, and shall plan for their future needs and growth.
2. Acquisition, loan, deaccessioning and disposal activities shall be conducted in a manner that respects the protection and preservation of cultural resources and ~~discourages and~~ prevents illicit trade in such materials. Collections-related activities shall promote the public's understanding and appreciation for our past over financial gain.
3. The Park Authority shall subscribe to the American ~~Association- Alliance~~ of Museums (AAM) "*Code of Ethics for Museums*" as it applies to museum collections, the Museum Collections Policy, and all collections management procedures.
4. The Park Authority shall maintain detailed guidelines and procedures for the management and care of the museum collections and archaeological collections in respective conformity to the professional standards established by the AAM, Virginia Department of Historic Resources (VDHR), and federal collections management standards, and shall revise those guidelines and procedures as needed to comply with current professional standards and guidelines. These are defined in *Guidelines and Procedures for Museum Collections Management*.

Policy 206 Museum and Archaeological Collections (continued)

References:

1. VDHR Collections Management Standards
http://www.dhr.virginia.gov/pdf_files/Collections%20Mgmt%20Standards%20June2011.pdf, page 162
2. Code of Ethics for Museums
<http://aam-us.org/resources/ethics-standards-and-best-practices/code-of-ethics-for-museums>
3. Guidelines and Procedures for Museum Collections Management

Supporting Documentation:

- ~~1. Curation of Federally Owned and Administered Archaeological Collections (36 CFR 79)
<https://www.gpo.gov/fdsys/granule/CFR-2012-title36-vol1/CFR-2012-title36-vol1-part79>~~
Curation of Federally Owned or Administered Archeological Collections (36 CFR 79)

~~eCFR :: 36 CFR Part 79 -- Curation of Federally Owned or Administered Archeological Collections~~

~~1.~~

- ~~2.1.~~ NPS Archeology Laws and Ethics
<https://www.nps.gov/archeology/public/publicLaw.htm>

- ~~3.2.~~ Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>

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Policy 207 Live Collections Management (continued)

Policy 207	Title: Live Collections Management
Date Approved: 1/24/2018	Last reviewed: 6/26/2013 TBD
Objective: <u>Natural and Cultural Resources</u> Ensure the long-term protection, preservation, and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural, and cultural resource management guidelines, policies, and related plans.	

Purpose: This policy states the reason for maintaining live animal and horticultural collections, including their use and the importance of their proper care and management in parks.

Policy Statement:

1. The Fairfax County Park Authority collects, exhibits, interprets, and studies farm animals; and captive, bred, rehabilitated, or non-releasable wild animals; and horticultural plants for educational purposes to support the mission of the Park Authority and its sites.
2. Each individual or group of living collections shall be evaluated for its inclusion in terms of its conformity to the scope of collections criteria outlined in Appendix 15: Guidelines for Living Collections Management: Plants and Animals, and to the ability of the Fairfax County Park Authority to care for live collections in a manner consistent with professional standards. The Fairfax County Park Authority does not collect, display, or hold listed threatened, endangered or rare species (specifically S1, S2 or S3 state ranked species) unless the proper permits are obtained and its use is authorized for participation in a program to restore native populations or horticulturally significant species.
3. The Fairfax County Park Authority shall ensure that live collections under its stewardship are protected, secure, cared for, and documented, while under our care. Acquisition, loan, presentation, deaccessioning, and disposal activities shall be conducted in a dignified, respectful, humane, and safe manner. All live collections will be maintained in a manner that will insure their health and well-being and the safety of staff, visitors, and the live collections.
4. The Fairfax County Park Authority shall maintain a record of live collections including all legal instruments, agreements, conveyances, research and descriptive catalog records, and any other pertinent data necessary to meet permit requirements and record-keeping purposes consistent with professional standards.
5. The Fairfax County Park Authority is bound by all federal, commonwealth, and

Policy 207 Live Collections Management (continued)

county regulations and laws applicable to the stewardship and use of live animals and plants where appropriate.

Supporting Documentation:

1. Appendix 15: Guidelines for Living Collections Management: Plants and Animals
2. Code of Ethics for Museums AAM Code of Ethics for Museums – American Alliance of Museums (aam-us.org) (link as of 5/16/2022)
3. Resources provided by the [Virginia Natural Heritage Program: Virginia Natural Heritage Program](#)



FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 208	Title: Protection of Lands and Facilities	
Date Approved: 9/12/2018	Last reviewed: 1/24/2018	
Objective: <u>Natural and Cultural Resources</u>		
Ensure the long-term protection, preservation, and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.		

Purpose: ~~The Park Authority shall resist by all appropriate means, including legal action, any attempt to damage, destroy or encroach upon any park, historical site, nature preserve or recreational facility under its control. The Park Authority considers its responsibilities to the residents of Fairfax County to be in the nature of a public trust, requiring commitment to the preservation and protection of natural, cultural, horticultural, and recreational resources located on parklands.~~

The Park Authority is committed to the preservation and protection of natural, cultural, horticultural, and recreational resources located on parklands.

Policy Statement: ~~The Park Authority shall resist by all appropriate means, including legal action, any attempt to damage, destroy or illegally encroach upon any park, historical site, nature preserve or recreational facility under its control.~~

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An encroachment ~~is defined as an unauthorized activity on parkland that includes, but is not by definition shall include, but not be limited to, the act of unauthorized~~ mowing or clearing of ~~land~~ park property; ~~the~~ planting, ~~removing,~~ tilling, or pruning of vegetation; ~~the deposition of~~ depositing debris or refuse in a park; ~~engaging in~~ activities that disturb soil or cause erosion; ~~creating trails or paths; extending use of~~ private property onto park property; installing a feature which impedes public access; ~~an extension of a use by adjacent property owner; an installation which impedes public access;~~ the construction of any facility or structure; ~~the installation or maintenance of~~ installing or maintaining equipment and/or utilities on parkland without the express written permission ~~or permit~~ of the Park Authority unless permissions are inherently granted in accordance with the terms of an existing easement ~~and/or~~ agreement running with the land and duly recorded in the land records of Fairfax County.

The Park Authority shall strive to be a good neighbor to adjacent property owners, ~~and expects the same in return, including voluntary compliance with the expectation of the same in return, by working in good faith by park neighbors~~ to remedy encroachment conditions on parkland within the parameters of Park Authority policy, regulations, and standard operating procedures, ~~or Fairfax County code requirements.~~

Any proposals for non-park use on parkland are subject to Policy 200. Any disposal of **200.**



FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

land, land exchange or granting of easements required in order to remedy encroaching conditions ~~resulting from an encroachment~~ on parkland, as determined by the Park Authority, shall be in accordance with Policy 209 Disposal of Land or Facilities which incorporates a public process.

This policy shall not prevent individuals or groups from seeking permission to (1) performing FCPA-approved community service activities on parkland, ~~including, but not limited to, the removal of invasive plants or the construction of trails; or (2) adopting a park or athletic field~~. Approval of these community service activities require expressed written permission from ~~the Director of~~ the Park Authority.

References:

1. ~~1.~~ Park Policy 200 – Use of Parkland for Non-Park Purposes

2. Park Policy 209 Disposal of Land or Facilities

Supporting Documentation:

1. §1.15 Protection of Park Property, Park Authority Regulations
2. Encroachment Prevention_
<https://www.fairfaxcounty.gov/parks/encroachment>
3. Park Authority Natural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
4. Cultural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>

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FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 209	Title: Disposal of Land or Facilities	
Date Approved: 1/24/2018	Last reviewed: 6/26/2013	
Objective: <u>Natural and Cultural Resources</u>		
Ensure the long-term protection, preservation and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.		

Purpose: Lands and facilities ~~under the control of entrusted to the care of~~ the Park Authority are ~~held as~~ a public trust ~~for the stewardship, recreation, and enjoyment of present and future generations. The lands are entrusted to the care of the Park Authority and are to be~~, protected from ~~threat of loss or and~~ encroachment. ~~However,~~ ~~†~~The Park Authority may dispose of property when it would best serve the public interest. ~~When any such instance occurs, r~~Residents or visitors are guaranteed the opportunity to express their opinions in a public hearing and the Park Authority is bound to consider them in arriving at a decision.

Policy Statement: The Park Authority may dispose of property under one or more of the following conditions:

1. Where, as determined by the Park Authority, an exchange of property would better serve the needs of Fairfax County;
2. When land more suitable for the needs of residents or visitors who are being served by the property in question has been or can be acquired;
3. When another governmental agency could more appropriately administer the property;
4. When covenants that ensure the protection of historic, scenic, conservation or other values can be placed on the disposed property to provide in-kind protection in lieu of fee ownership;
5. When the disposal serves to further the mission of the Park Authority or produces a financial or operational benefit;
6. When the disposal is in accordance with the BOS-FCPA Land Bank Agreement.

Requests for non-park use on parkland are subject to Policy 200 Use of Parkland for Non-Park Purposes. Park Authority shall require adequate compensation for non-park uses on parkland, based on fair market value or established rates, unless a prior agreement is already in place for use of the parklands for non-park purposes.

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Policy 209 Disposal of Land or Facilities (continued)

References:

1. ~~4.~~ Park Policy 200 – Use of Parkland for Non-Park Purposes
2. Park Policy 208 – Protection of Lands and Facilities
3. Land Bank Agreement and First Amendment
These documents are on file in the Park Authority Director's Office.

Supporting Documentation:

1. § 15.2-5704, Code of Virginia_
<https://law.lis.virginia.gov/vacode/title15.2/chapter57/section15.2-5704/>
2. Park Authority Natural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
3. Cultural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>

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FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 210	Title: Easements
Date Approved: 1/24/2018	Last reviewed: 06/23/2016
Objective: <u>Natural and Cultural Resources</u>	
Ensure the long-term protection, preservation and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.	

Purpose: The Park Authority ~~is committed to providing an enduring park system for present and future generations of the community. The Park Authority is pledged to protect holdings from activities that would threaten use as parkland but recognizes that non-park uses on parkland may be required in order to serve the greater public interest shall consider use of easements to protect and preserve natural, cultural, horticultural resources, to expand recreational opportunities countywide, and for infrastructure that provide benefits for Park purposes.~~ is committed to providing an enduring park system for present and future generations of the community. The Park Authority is pledged to protect holdings from activities that would threaten use as parkland but recognizes that non-park uses on parkland may be required in order to serve the greater public interest shall consider use of easements to protect and preserve natural, cultural, horticultural resources, to expand recreational opportunities countywide, and for infrastructure that provide benefits for Park purposes.

Policy Statement: The Park Authority shall consider use of easements for Park purposes and for Non-Park purposes.

- A. Park Purposes: Easements on non-park properties may be negotiated ~~in order to protect or preserve sensitive resources, or to provide recreational opportunities on land owned by others, or to provide for public recreational opportunities on land owned by others when land acquisition of land in fee ownership is not an option.~~ Easements on non-park properties for park purposes may be negotiated as part of rezoning or land development cases.
- B. Non-Park Purposes: The Park Authority may consider proposals for easements on park ~~land properties~~ for non-park purposes subject to Policy 200 – Use of Parkland for Non-Park Purposes. ~~Requests shall be evaluated to ensure that any impacts to sensitive resources and public recreational opportunities on park lands are avoided or minimized to the greatest extent feasible.~~

The Park Authority shall consider requests for easements by outside parties for non-recreational uses of park lands under the following conditions:

1. When the land records allow for future easements per the deed of Ownership;
2. Where the Park Authority has determined that the proposed facility is in the best interests of public stewardship;



FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

3. When it has been determined that there is no feasible or prudent alternative to the use of parklands for the requested easement;
4. Planning to minimize harm is included in the proposed project; Impacts for the non-park use are minimized to the greatest extent practicable and impacts are mitigated at equal or greater natural, cultural, and/or recreational value, subject to Park Authority approval, and mitigation is included in the proposed project;
5. The easement is not restricted by deed or covenant;

Policy 210 Easements (continued)

6. The easement request is consistent with the provisions of the Fairfax County Comprehensive Plan.

The Park Authority shall require adequate compensation for the granting of easements on park ~~land~~ property unless a prior agreement is already in place for the use of parklands for non-park purposes.

References:

1. ~~4.~~ Park Policy 200 – Use of Parkland for Non-Park Purposes
2. Fairfax County Comprehensive Plan
<https://www.fairfaxcounty.gov/planning-zoning/fairfax-county-comprehensive-plan/>

Supporting Documentation:

1. Memorandum of Agreement between the Fairfax County Board of Supervisors and the Fairfax County Park Authority
2. Park Authority Natural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
3. Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>

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FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

Policy: 211	Title: Stormwater Management
Date Approved: 1/24/2018	Last reviewed: 06/26/2013
Objective: Natural and Cultural Resources	
Ensure the long-term protection, preservation and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence to natural and cultural resource management guidelines, policies, and related plans.	

Purpose: The Commonwealth of Virginia and Fairfax County maintain longstanding policies and regulations to improve surface water by treating stormwater runoff, preserving open space, and stabilizing stream corridors. Stormwater projects constructed on park land must be conducted in a manner that does not adversely affect the stewardship and recreation missions of the Park Authority.

Policy Statement:

Requests for locating stormwater features, easements or restrictive covenants on park land shall be evaluated to ensure that sensitive natural or cultural resources are not impacted, and the Park Authority's ability to protect, manage or conduct research on such resources, or develop park land, is not restricted. The Park Authority will work in cooperation with the Department of Public Works and Environmental Services to provide opportunities for stream restoration, or other innovative stormwater management projects that enhance water quality and stream conditions in accordance with County approved Watershed Management Plans. Any proposals for non-park use on parkland are subject to Policy 200 – Use of Parkland for Non-Park Purposes.

References:

1. Park Policy 200 – Use of Parkland for Non-Park Purposes

Supporting Documentation:

1. United States Environmental Protection Agency, Clean Water Act of 1972. <https://www.epa.gov/laws-regulations/summary-clean-water-act>
2. Code of Virginia, Chesapeake Bay Preservation Act. <https://law.lis.virginia.gov/vacodefull/title62.1/chapter3.1/article2.5/>
3. Virginia Department of ~~Conservation and Recreation~~ Environmental Quality Information on the Chesapeake Bay Preservation Act. <http://www.deq.virginia.gov/Programs/Water/ChesapeakeBay/ChesapeakeBayPr>

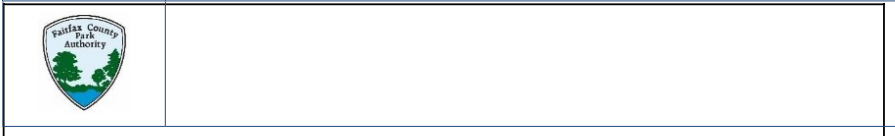
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FAIRFAX COUNTY PARK AUTHORITY POLICY MANUAL

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4. Fairfax County, Chesapeake Bay Preservation Ordinance_
<https://www.fairfaxcounty.gov/landdevelopment/chesapeake-bay-preservation-ordinance>
5. Agreement between the Fairfax County Board of Supervisors and the Fairfax County Park Authority
6. Fairfax County Municipal Separate Storm Sewer System (MS4) Permit_
<https://www.fairfaxcounty.gov/publicworks/stormwater/municipal-separate-storm-sewer-system-ms4-permit>
7. Park Authority Natural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/nrmp012914.pdf>
8. Cultural Resource Management Plan_
<https://www.fairfaxcounty.gov/parks/sites/parks/files/assets/documents/naturalcultural/crmpfinal.pdf>

Policy 102: Indemnification of Officers and Employees, and Insurance Coverage for Volunteers.



Added clarification that Park Authority employees are considered employees of the County Government.



Updated references to current Memorandum of Understanding with the County BOS.



Clarified that County Executive determines when indemnification applies to employees, officers, and/or volunteers

Policy 200: Use of Parkland for Non-Park Purposes



This is a new policy that formalizes current practices for addressing use of parkland for non-park purposes



FCPA shall ensure that impacts for the non-park use are minimized to the greatest extent practicable, and impacts are mitigated at equal or greater natural, cultural, and/or recreational value



Public hearings for non-park proposals shall be coordinated with FCPA



Requests will be subject to Park Authority staff review, approval, and issuance of land rights per occurrence



Adds strength to Policies 201, 203, 208, 209, 210, 211



Applicable primarily to infrastructure related requests. Recreational activities and events are guided by prevailing operational policies.

Policy 206: Museum and Archaeological Collections



Updated language to more clearly reflect intent of guiding documents and provided current information.



Deleted the word “discourages” so as not to be repetitive. Corrected American “Association” of Museums to American “Alliance” of Museums.



References: Updated link to “*Curation of Federally Owned or Administered Archaeological Collections*” to reflect May 16, 2022 changes.

Policy 207: Live Collections Management



Nature Centers host animal collections for display and education. Green Spring Gardens has an accredited plant collection.



Adopted stronger language related to collecting, displaying or holding endangered or rare species, and clarified permit requirements.



Changed “discourages collection” to “does not collect display or hold ... without proper permits...” Specifies the level for state listed and rare species affected, S1, S2 and S3.



The related appendix, Guidelines for Living Collections Management: Plants and Animals, is currently under review for updates.

Policy 208: Protection of Lands and Facilities



Defines encroachments to include activities that remove resources, disturb soil, cause erosion, create trails or paths



States that voluntary compliance to remedy encroachments is expected from park neighbors



Incorporated new Park Policy 200 Use of Parkland for Non-Park Purposes



Establishes FCPA as authority for determining if temporary or permanent land right will be granted

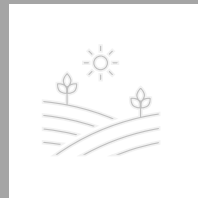


Clarifies that approved park use activities (ie invasive plant removal, trail construction, field adoption) require FCPA written permission

Policy 209: Disposal of Land or Facilities



Final disposition for disposal of parkland is subject to Park Authority approval



Incorporated new Park Policy 200 – Use of Parkland for Non-Park Purposes



Adequate compensation is expected based on fair market value or established rates unless prior agreement is in place

Policy 210: Easements



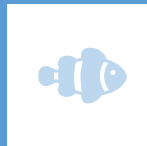
Easements on non-park properties for park purposes may be negotiated as part of rezoning or land development cases



Incorporated new Park Policy 200 Use of Parkland for Non-Park Purposes



Non-Park alternatives must be pursued first



Stated that mitigation must be included in proposed project that needs easements

Policy 211: Stormwater Management



Clarified the Park Authority role for non-park proposals on parkland.



References: Updated the Virginia Department of Environmental Quality (DEQ) link to the Chesapeake Bay Preservation Act.