



Legislation Text

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Resolution Supporting the Fort Monroe Authority's Request for the U.S. Department of the Interior to Allow the National Park Service to Accept Donation of 35+/- Acres of Real Property and Expansion of Federal Easement Rights Over Property Currently Owned by the Commonwealth of Virginia at Fort Monroe to Facilitate a Unified National Monument

PURPOSE/BACKGROUND:

The Fort Monroe National Monument was established in 2011 by presidential proclamation and, since that time, the Commonwealth of Virginia has transferred two large areas on Fort Monroe to the United States of America -- the Inner Fort parcel (9+/- acres) and the North Beach parcel (112+/- acres) along with easement rights to an additional 92.7+/- acres. Currently, the National Park Service (NPS)-managed properties are separated by a gap of additional property that remains under Commonwealth ownership. The NPS and Fort Monroe Authority (FMA) have surveyed the boundary of this gap in order to facilitate the donation of the property, totaling approximately 35+/- acres, to the United States of America as well as an additional 5+/- acres in easement rights. At its meeting on November 21, 2019, the FMA formally approved a resolution requesting that the U.S. Department of the Interior Allow the National Park Service (NPS) to accept the donation of the 35+/- acres.

Adoption of this resolution would set forth the City of Hampton's support for the transfer of the 35+/- acres from the Commonwealth of Virginia to the United States of America and expansion of the federal easement, which would unify the national monument and optimize preservation and adaptive management of the historically significant structures and landscapes at Fort Monroe under federal oversight.

Recommendation:

Adopt the resolution.

WHEREAS, the Fort Monroe Authority (FMA) was established by an Act of the Virginia General Assembly, as a political subdivision of the Commonwealth, charged with preservation, conservation, protection, and maintenance of the natural resources and real property interests of the Commonwealth, on the state property deeded to the Commonwealth following the closure of the U.S. Army installation at Fort Monroe;

WHEREAS, by Presidential Proclamation on November 1, 2011 under the Antiquities Act of 1906, the Fort Monroe National Monument (Monument) was established as a unit of the national park system, consisting of cultural landscapes and outdoor recreation open spaces along the Chesapeake Bay shoreline, three historic buildings, the historic parade ground, and an easement over and inside the moated historic fortress;

WHEREAS, on August 25, 2015, the Commonwealth transferred ownership of two parcels of

land inside the stone fortress totaling 9± acres (Inner Fort parcel) together with a 112± acre parcel (North Beach parcel) to the United States of America (USA);

WHEREAS, on October 25, 2016 the Commonwealth granted a Historic Preservation and Access Easement (Easement) to the United States of America by and through the National Park Service (NPS) for 92.7± acres around and including the historic stone fortress;

WHEREAS, since the establishment of the Monument, the FMA and NPS have worked collaboratively to optimize efficient and effective preservation and adaptive management of these nationally significant structures and landscapes, having mutually adopted the overarching management theme of “One Fort Monroe”;

WHEREAS, since the establishment of the Monument, it became clear to both parties that the significant separation between the 92-acre Easement boundary and the 112-acre North Beach parcel diminished the functionality and the cohesion being sought for One Fort Monroe, and that the closure of the physical gap separating elements of the Monument was highly desirable;

WHEREAS, in 2016, NPS indicated it could accept a donation of 44 acres of land that would provide a physical connection between the two divided sections of the Monument to achieve an unbroken coastline along the Chesapeake Bay, from Old Point Comfort north to the end of the property;

WHEREAS, on August 18, 2016, the FMA Board unanimously approved a Resolution to support transfer of the 44-acre parcel from the Commonwealth to the USA in order to buttress the partnership between NPS and the Commonwealth by completing the long planned connection to better balance and rationalize the respective responsibilities of the partners for properties at Fort Monroe;

WHEREAS, since August 2016 the NPS and FMA have worked to finalize the boundary of the additional donation, resulting in a 35± acre parcel to be donated to the USA and a 5± acre expansion of the Easement boundary;

WHEREAS, the NPS notified the Commonwealth that the Minor Boundary Revision process was completed as of June 16, 2017;

WHEREAS, at the request of the NPS the final survey boundary was recorded at the Hampton Circuit Court on December 8, 2017 in Plat Book 5 on Page 48;

WHEREAS, U.S. Senators Mark R. Warner and Timothy M. Kaine, and U.S. Representatives Elaine G. Luria, Robert C. “Bobby” Scott, Robert J. Wittman, and A. Donald McEachin recently introduced legislation (S. 2329 and H.R. 4345) in the U.S. Congress to require NPS to accept the donation of these lands from the Commonwealth

WHEREAS, at its meeting on November 21, 2019, the FMA adopted a resolution requesting that U.S. Department of the Interior allow the NPS to accept the transfer of the 35+/- acres of additional property from the Commonwealth of Virginia and expand the Easement boundary as above-described; and

WHEREAS, the City of Hampton desires to memorialize its support for the transfer of the 35+/- acres of additional Commonwealth property and the expansion of the Easement boundary through adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia as follows:

1. That the City of Hampton, Virginia strongly supports the donation of the proposed 35+/- acres of Commonwealth land and expansion of the federal Easement in order to unify the National Monument at Fort Monroe;
2. That the City Manager or her designee is authorized to perform any such acts as may be necessary and appropriate to cooperate with the Fort Monroe Authority, Commonwealth of Virginia, and United States of America to facilitate the transfer of such property interests.