

MEMORANDUM OF AGREEMENT

BETWEEN

MIDDLE PENINSULA
PLANNING DISTRICT COMMISSION

COUNTY OF ESSEX, VIRGINIA

COUNTY OF GLOUCESTER, VIRGINIA

COUNTY OF KING AND QUEEN, VIRGINIA

COUNTY OF MIDDLESEX, VIRGINIA

TO PARTICIPATE IN THE

DRAGON RUN WATERSHED
SPECIAL AREA MANAGEMENT PLAN

Memorandum of Agreement

Between

**Middle Peninsula Planning District Commission
County of Essex, Virginia
County of Gloucester, Virginia
County of King and Queen, Virginia
County of Middlesex, Virginia**

**To Participate in the
Dragon Run Watershed Special Area Management Plan**

1. PARTIES TO THE AGREEMENT

This Memorandum of Agreement (MOA) is between the following entities:

- Middle Peninsula Planning District Commission
- County of Essex, Virginia
- County of Gloucester, Virginia
- County of King and Queen, Virginia
- County of Middlesex, Virginia

2. ENABLING AUTHORITY

Counties of Essex, Gloucester, King and Queen, and Middlesex

Section 15.2-1300 of the Code of Virginia enables local governments to enter into cooperative agreements to exercise those powers that each may be enabled to exercise.

Middle Peninsula Planning District Commission

Section 15.2-4205 of the Code of Virginia enables the Middle Peninsula Planning District Commission to enter into cooperative agreements with local governments to exercise those powers that each may be enabled to exercise.

3. CONTEXT

The Dragon Run is a brackish water stream that flows forty miles through the Virginia Middle Peninsula counties of Essex, King and Queen, Middlesex, and Gloucester and eventually empties into the Piankatank River. The Dragon Run Watershed has been defined for the purposes of this Agreement as the Commonwealth Hydrologic Unit ID

'CO2' described by the Virginia Department of Conservation and Recreation from the streams' headwaters down to and including Meggs Bay (see Appendix).

The Dragon Run's pristine nature can, in large part, be attributed to exemplary landowner stewardship and difficult access and is a central part of the region's culture and identity. Ecologically unique, the Dragon Run was ranked second of 232 ecologically significant areas throughout the Chesapeake Bay region by the Smithsonian Institution and is characterized by extensive tidal and nontidal cypress swamp, which is otherwise rare this far north. Furthermore, the Virginia Division of Natural Heritage recognizes the importance of the Dragon Run due to occurrences of one endangered animal species, five rare animal species, eight rare plant species, and five rare natural communities. Moreover, the Dragon Run Watershed supports a high quality of life for its residents. For example, recreational activities, such as hunting, fishing, and paddling, are popular in the Dragon Run.

The Middle Peninsula Planning District Commission, advised by the Dragon Run Steering Committee, obtained a Virginia Coastal Resources Management Program grant for the development of the Dragon Run Watershed Special Area Management Plan (SAMP). Each county in the watershed makes three appointments – one elected official and two landowners along the Dragon Run – to the Dragon Run Steering Committee. The SAMP Advisory Group, which reports to the Steering Committee, represents a cross-section of the community, including: Steering Committee members; local government elected officials and planning staff; landowners; state agencies; farming; forestry; education; non-profit organizations; and ecotourism.

4. PURPOSE AND TERMS OF THE AGREEMENT

The project's mission, as recommended by the SAMP Advisory Group to the Dragon Run Steering Committee, is to support and promote community-based efforts to preserve the cultural, historic, and natural character of the Dragon Run, while preserving property rights and the traditional uses within the watershed.

Each of the signatory entities in this Memorandum of Agreement agrees to participate in the Special Area Management Plan to promote the distinctive treatment deserving of the Dragon Run Watershed through the support and efforts of local government, the fostering of educational partnerships and grassroots support and the involvement of landowners whose stewardship has served to preserve the wonder of the Dragon. The signatories will consider the recommendations of the Dragon Run Steering Committee's SAMP Advisory Group to achieve the following goals and objectives that it developed by consensus:

GOAL I

Establish a high level of cooperation and communication between the four counties within the Dragon Run Watershed to achieve consistency across county boundaries.

OBJECTIVE A

Develop a plan to address the inevitable future development pressure to change the traditional use of land in the Dragon Run Watershed.

OBJECTIVE B

Achieve consistency across county boundaries among land use plans and regulations in order to maintain farming and forestry and to preserve natural heritage areas by protecting plants, animals, natural communities, and aquatic systems.

OBJECTIVE C

Provide ongoing monitoring of existing plans and planning tools in order to assess traditional land uses and watershed health and take action necessary to preserve the watershed.

OBJECTIVE D

Comprehensively implement Best Management Practices (BMPs) for water quality, wildlife habitat, and soil conservation.

GOAL II

Foster educational partnerships and opportunities to establish the community's connection to and respect for the land and water of the Dragon Run.

OBJECTIVE A

Encourage experience-based education consistent with the Stewardship and Community Engagement goals of the Chesapeake 2000 Agreement.

OBJECTIVE B

Promote the community and economic benefits of the Dragon Run derived from its natural characteristics and traditional uses such as farming, forestry, hunting and fishing.

GOAL III

Promote the concept of landowner stewardship that has served to preserve the Dragon Run Watershed as a regional treasure.

OBJECTIVE A

Address the potential dilemma of preserving the watershed's sense of peace and serenity by protecting open space and reducing fragmentation of farms, forests, and wildlife habitat versus the landowners rights in determining or influencing future land use.

OBJECTIVE B

Educate landowners about the regional importance of the Dragon Run.

The Advisory Group's recommendations to achieve the goals and objectives will be delivered by the Dragon Run Steering Committee to the signatory entities for their consideration.

5. MODIFICATIONS

Modifications to this Memorandum of Agreement must be submitted in writing and approved by all parties to the Memorandum of Agreement.

6. EFFECTIVE DATE

The effective date of the Memorandum of Agreement shall be the date of the signing of the Memorandum of Agreement by the Counties of Essex, Gloucester, King and Queen, and Middlesex and the Middle Peninsula Planning District Commission.

7. DURATION AND TERMINATION OF THE AGREEMENT

The duration of this Memorandum of Agreement will be until such time as it is terminated upon agreement of all parties; however, any party to the Memorandum of Agreement may terminate its participation by written notice to all other parties.

8. MANNER OF FINANCING

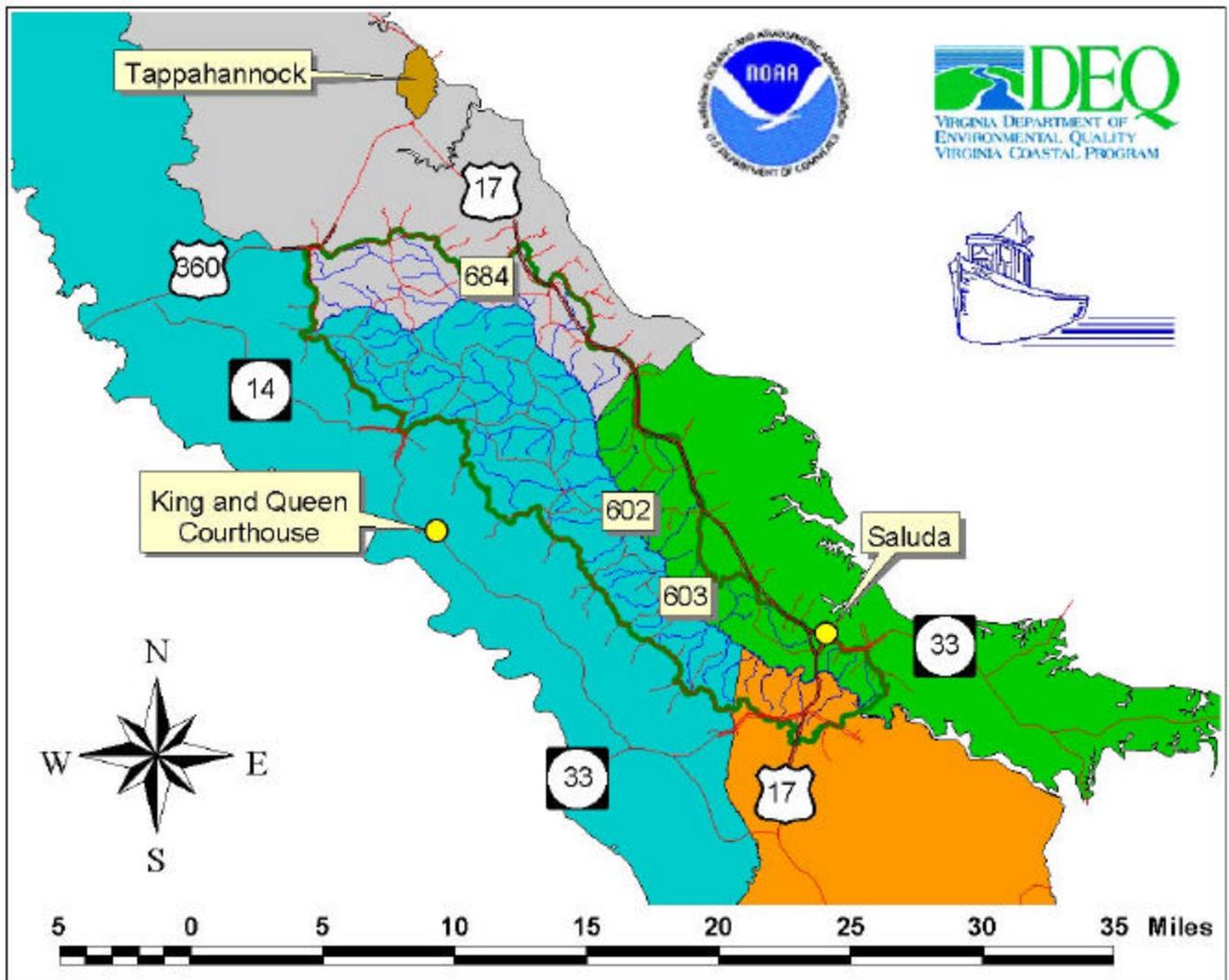
This Memorandum of Agreement will not require financing or budgeting from or by the signatory agencies; however, this clause will not preclude, under a separate document or agreement, grant funding or other financial assistance from one signatory to another for the purpose of carrying out the purposes of the Memorandum of Agreement.

9. OWNERSHIP OF PROPERTY

It is not the intent of the signatory parties that this Memorandum of Agreement will result in the purchase, ownership, holding or conveying of any real or personal property.

10. APPENDIX

Map of the Dragon Run Watershed - defined as Commonwealth Hydrologic Unit ID 'CO2' described by the Virginia Department of Conservation and Recreation from the streams' headwaters down to and including Meggs Bay.



LIST OF SIGNATORIES

Middle Peninsula Planning District Commission

County of Essex, Virginia

County of Gloucester, Virginia

County of King and Queen, Virginia

County of Middlesex, Virginia

**SIGNATURE PAGE FOR THE MIDDLE PENINSULA
PLANNING DISTRICT COMMISSION**

IN WITNESS WHEREOF, the following individuals execute this agreement

Chairman, Middle Peninsula Planning District Commission

County Administrator, County of Essex, Virginia

County Administrator, County of Gloucester, Virginia

County Administrator, County of King and Queen, Virginia

County Administrator, County of Middlesex, Virginia

MIDDLE PENINULA PLANNING DISTRICT COMMISSION

By: Shade E. Ingram

Date: 8-1-2002

Attest: [Signature]

Date: 8/1/02

SIGNATURE PAGE FOR THE COUNTY OF ESSEX, VIRGINIA

IN WITNESS WHEREOF, the following individuals execute this agreement

Chairman, Middle Peninsula Planning District Commission

✓ County Administrator, County of Essex, Virginia

County Administrator, County of Gloucester, Virginia

County Administrator, County of King and Queen, Virginia

County Administrator, County of Middlesex, Virginia

COUNTY OF ESSEX, VIRGINIA

By: Margaret Dennis

Date: AUGUST 20, 2002

Attest: Linda E. Dempster

Date: AUGUST 20, 2002

SIGNATURE PAGE FOR THE COUNTY OF GLOUCESTER, VIRGINIA

IN WITNESS WHEREOF, the following individuals execute this agreement

Chairman, Middle Peninsula Planning District Commission

County Administrator, County of Essex, Virginia

County Administrator, County of Gloucester, Virginia

County Administrator, County of King and Queen, Virginia

County Administrator, County of Middlesex, Virginia

COUNTY OF GLOUCESTER, VIRGINIA

By: Will H

Date: 10-3-02

Attest: _____

Date: _____

SIGNATURE PAGE FOR THE COUNTY OF KING AND QUEEN, VIRGINIA

IN WITNESS WHEREOF, the following individuals execute this agreement

Chairman, Middle Peninsula Planning District Commission

County Administrator, County of Essex, Virginia

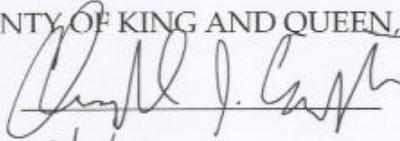
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County Administrator, County of King and Queen, Virginia

County Administrator, County of Middlesex, Virginia

COUNTY OF KING AND QUEEN, VIRGINIA

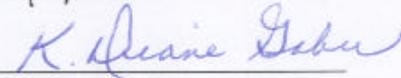
By:



Date:

9/9/02

Attest:



Date:

9-9-02

SIGNATURE PAGE FOR THE COUNTY OF MIDDLESEX, VIRGINIA

IN WITNESS WHEREOF, the following individuals execute this agreement

Chairman, Middle Peninsula Planning District Commission

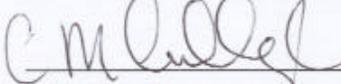
County Administrator, County of Essex, Virginia

County Administrator, County of Gloucester, Virginia

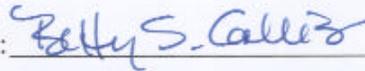
County Administrator, County of King and Queen, Virginia

County Administrator, County of Middlesex, Virginia

COUNTY OF MIDDLESEX, VIRGINIA

By: 

Date: 10-2-02

Attest: 

Date: 10-2-02