

# 2007 SESSION

## HOUSE SUBSTITUTE

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### HOUSE BILL NO. 3151

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources  
on January 31, 2007)

(Patron Prior to Substitute—Delegate Iaquinto)

*A BILL to authorize the Department of Conservation and Recreation, lessor, to lease certain land within First Landing State Park to the City of Virginia Beach, lessee.*

#### **Be it enacted by the General Assembly of Virginia:**

1. § 1. *That, in accordance with and as evidence of General Assembly approval pursuant to §§ 10.1-104 and 10.1-109 of the Code of Virginia, the Department of Conservation and Recreation, lessor, is hereby authorized to lease on behalf of the Commonwealth, upon terms and conditions the Department deems proper, with approval of the Governor and in a form approved by the Attorney General, a portion of First Landing State Park in the City of Virginia Beach to the City of Virginia Beach.*

§ 2. *The purpose of the lease is to allow certain property currently owned by the Commonwealth within First Landing State Park, to be used for a recreational facility not operated under the purview of the Department of Conservation and Recreation.*

§ 3. *The lease shall be subject to (i) the public participation guidelines of the Administrative Process Act (§ 2.2-4000 et seq.) and (ii) inclusion in the master plan for the park.*

§ 4. *Any further subletting of the property by the lessee shall be subject to review and approval by the Department, with approval of the Governor, and in a form approved by the Attorney General. Upon expiration of the lease, or when the lessee no longer wishes to have the property operated under the terms of the lease, the lessee shall return the property to the Department in the condition specified by the lease.*

§ 5. *The lease agreement shall incorporate language that ensures that the property and any facilities constructed on the site provide for adequate public access and use to comply with the requirements of the federal Land and Water Conservation Act.*

§ 6. *The provisions of this act shall expire on July 1, 2009, unless its provisions have been incorporated into the lease agreement by July 1, 2009.*

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