

# 1995 SESSION

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## SENATE JOINT RESOLUTION NO. 297

*Memorializing the Congress of the United States to support permanent access for the Commonwealth of Virginia and her citizens to False Cape State Park.*

Agreed to by the Senate, February 7, 1995

Agreed to by the House of Delegates, February 22, 1995

WHEREAS, the Commonwealth acquired lands and established False Cape State Park in Virginia Beach for the purpose of conserving the natural and cultural values of these lands and making these lands available for the beneficial use of Virginians and their guests; and

WHEREAS, the United States Government, through the Department of Interior, assisted the Commonwealth in the acquisition and development of this state park with the full understanding that the Park would require reasonable and permanent access through the lands of Back Bay National Wildlife Refuge; and

WHEREAS, the Commonwealth has acted in good faith on numerous occasions to attempt to establish reasonable access to the park, including the Virginia legislature's endorsement of park management guidelines and authorization to negotiate land exchange agreements with the federal government; and

WHEREAS, the federal government has consistently thwarted the efforts of the Commonwealth to establish reasonable access to the park by placing such unreasonable demands upon the Commonwealth as (i) requiring that disproportionate amounts of state land be exchanged for federal lands, (ii) placing an unreasonably high valuation on federal lands as compared to state lands, and (iii) imposing the Refuge's vehicle-permitting requirements on resident park employees; and

WHEREAS, although limited access through the refuge to the park has existed on an interim basis for many years, the federal government has recently taken action to severely reduce this access, ostensibly basing this decision on a study conducted by employees of the National Wildlife Refuge, which is flawed in its methodology and conclusions; and

WHEREAS, the Commonwealth has steadfastly managed its property at False Cape State Park in a manner which (i) exhibits good conservation practices and good stewardship, resulting in the protection and enhancement of one of the last barrier spit ecosystems and (ii) serves the mission of the park and greatly enhances the mission of Back Bay National Wildlife Refuge; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Congress of the United States be hereby requested to support, through the passage of federal legislation, if needed, the establishment of a permanent access corridor through Back Bay National Wildlife Refuge to False Cape State Park. The establishment of this corridor should guarantee legal access to the park and should not be subject to revocation or further restrictions by the federal government; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the Virginia General Assembly in this matter.

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