

THE
RURAL
LEGACY
PROGRAM



Annual Report Fiscal Year 2021
(July 1, 2020 thru June 30, 2021)



RURAL LEGACY PROGRAM– FISCAL YEAR 2021 ANNUAL REPORT

Legislative Requirement for the Annual Report

This is the 23rd Annual Report¹ on the progress of the Maryland Rural Legacy Program (Program) pursuant to Section 5-9A-07(g) of the Natural Resources Article of the Maryland Annotated Code. This report covers the time period from July 1, 2020 through June 30, 2021 (FY21), and includes the 23rd cycle of grant applications that were submitted for FY21. The Rural Legacy Board (RLB) is required to report annually to the Governor of Maryland and the Maryland General Assembly on: (1) the financial status of the Program for the preceding fiscal year, including the amount of grants encumbered and disbursed; (2) the number of applications received; (3) the number and location of Rural Legacy Areas (RLAs) designated, and (4) the Program's progress in contributing to land preservation efforts. This report is intended to satisfy these requirements based on the Program statistics for FY21, and the grants applied for that fiscal year.

Background

The Program was established in 1997 to protect the state's natural resources, farms, forests, and other sensitive environmental areas, while maintaining the viability of resource-based economies, and the proper management of tillable and wooded areas. The Program provides funds to local governments and land trusts to purchase conservation easements and property in fee simple in designated RLAs. The Program is focused on a community-up approach to land preservation, stressing partnerships among federal, state, and local governments, and nonprofit land trusts. Counties are encouraged to initiate other land conservation measures to build upon the land preservation accomplishments achieved through Program funds.

Rural Legacy Program Criteria

The Program is a strategic land conservation program based on private, local, state, and federal government partnerships. The statutory criteria, which is the basis for designation of RLAs and funding awards, includes analysis of a wide range of natural and cultural resources, availability of a variety of tools to accomplish conservation, strength of public and private partnerships, and support of land use mechanisms.

Program staff and sponsors continue to ensure adherence to the Program's statute. The Program has encouraged local land conservation and preservation initiatives by promoting partnerships between state and local governments with nonprofit land trust organizations.

RLAs represent a targeted strategy of land conservation through local and state partnerships. Creation of RLAs involves a combined effort by county governments, land trusts, and landowners to protect what is collectively regarded as the best of Maryland's concentrated natural, cultural and agricultural resources. Communities and local governments desiring to protect working farms and forests, support the local resource-based economy, and conserve natural resources and open space are able to do so through Program grants.

¹ The 1998-99 fiscal years were combined into one grant cycle and one annual report.

Strategic Conservation

Conservation under the Program meets the standards set for land conservation policy, including:

- A focus on the most strategic lands to protect the Chesapeake Bay and its tributaries as well as the most significant natural and agricultural resources.

The law states that the Program was established to enhance natural resource, agricultural, forestry, and environmental protection...while maintaining the viability of resource-based land usage and proper management of tillable and wooded areas through accepted agricultural and silvicultural practices for farm production and timber harvests. The emphasis on resource protection in the Program's statutory criteria, combined with the Program sponsors' grassroots knowledge of regionally significant areas throughout the state, ensures that RLAs and acquisitions represent strategic conservation of resources. Easement requirements include soil conservation and water quality plans, forest management plans, and riparian buffers, which ensure water quality benefits and protect the Chesapeake Bay and its tributaries.

- Application of the best scientific information and technology to identify resource lands that are important, the potential threats to these lands, and the areas in which preservation goals can be maximized.

Proposed RLAs and specific properties proposed for conservation under Program grants are analyzed under the Green Infrastructure Assessment. Pertinent statistical data is also obtained through state agency land conservation databases in order to target areas for preservation where the maximum return on investment will be achieved.

- Establish a process for collaboration and coordination among state and local land conservation programs to identify geographic and natural resource areas.

Proposed applications for designation and funding are reviewed by all of the state agencies involved in land conservation and preservation, including the Maryland Department of Natural Resources (DNR), the Maryland Department of Agriculture (MDA) and the Maryland Department of Planning (MDP). The Rural Legacy Advisory Committee (RLAC), an 11-member multi-disciplinary committee appointed by the Governor, and the RLB (Secretaries of DNR, MDA, and MDP), represent a coordinated and collaborative approach to review and propose RLAs for designation and grant recommendations.

- Establish an Easement Valuation System (EVS), which is a points-based method to determine the value of a perpetual conservation easement.

In 1999, DNR, in conjunction with the MDP, developed the Program's model EVS. In turn, each of the Program's sponsors used this to develop their own EVS. The

authority to do so rests in the Program's statute and regulations. *See Natural Resources Article Sec. 5-9A-05; and COMAR 08.05.01.07.* (All sponsor EVSs must be approved by DNR, MDP, and MDA staff (as designees of the RLB).

Rural Legacy Program Advisory Committee and Board

The FY21 RLAC members and their area of representation on the RLAC consisted of:

Maureen Heimbuch, Business (Chair)
Vacant, Private Land Owner
Mary Burke, Maryland Environmental Trust
Michael Calkins, Maryland Agricultural Land Preservation Foundation
Frank Dudek, Forest Industry
Elizabeth Carter, Environmental Organization
Vacant, Land Conservation
Kyle Murray, Mineral Resource Industry
Honorable Daniel Colmer, Municipal Corporation
Jeff Degitz, County Parks and Recreation
Jamie Tiralla, Agriculture Industry

The FY21 RLB members included:

Secretary Jeannie Haddaway-Riccio, DNR, Chair of the RLB
Secretary Robert S. McCord, MDP
Secretary Joseph Bartenfelder, MDA

Program Progress and Accomplishments in FY21

The Program supports the goals of strategic conservation through focused land preservation in designated RLAs where it will make the greatest difference in enhancing the state's green infrastructure in order to improve the health of the Chesapeake Bay, and protect the state's agricultural and natural resources. The Program's conservation easements require the appropriate best management practices and management plans, as well as establishing and maintaining riparian buffers on the Chesapeake Bay and its tributaries. In order to derive even greater benefits to Maryland's waterways, Program sponsors are encouraged, whenever possible, to negotiate a minimum of 100-foot riparian buffers into easement terms.

In FY21, the Program preserved 4,792 acres within RLAs throughout Maryland. From inception in FY98, the Program has preserved 111,624 acres of the state's most scenic landscapes and critical natural resources that support resource-based industries.

Stewardship of easements is a priority of the Program. In order to protect the state's fiscal investment, Program sponsors are required to monitor Program properties to ensure compliance with the terms and conditions of conservation easements. Site visits must be performed at a minimum of once every three years. Monitoring reports are submitted to the Program, and any violations are documented and corrective actions are taken. In FY21, 100% of the Program

easements in the cycle due for monitoring were monitored to ensure that conservation practices are being followed and maintained.

The Financial Status of the Program

Since the Program's inception in FY98, a total of \$384.362 million has been appropriated to the Program, including \$17,999,092 authorized in the FY21 budget.

In addition, the RLAC and the RLB voted to redirect \$2 million in unused prior year funding to the FY21 grant awards. The Bear Creek Rural Legacy Area (Garrett County) and the Harriet Tubman Rural Legacy Area (Dorchester County) each had \$1 million in previously awarded grant funds that they would not be able to use in the next 12 months. Therefore, \$1 million from the Bear Creek Rural Legacy as well as \$1 million from the Harriet Tubman Rural Legacy Area was reallocated. Thus, a total of \$19,999,092 in annual grant awards were available for distribution by the Program in FY21.

These funds were awarded by the RLB and approved by the Board of Public Works (BPW) as grants to Program sponsors.

FY21 Grant Applications Received

Applications are submitted on a yearly basis by Program sponsors. Applications include requests for grant funding, RLA boundary expansions, and proposed new RLA designations. In February 2020, there were 27 applications submitted requesting over \$117.44 million for FY21 grants.

FY21 Grant Applications Reviewed

The RLAC's recommendations for funding distribution were based on review of the applications and through the use of an objective scoring approach in which a scoring matrix ranked various criteria based on DNR, MDP and MDA information. The criteria included: natural and working resources, planning and land use, leveraging, ability to administer, and other factors such as stewardship, need for funding, and unique circumstances that would enhance or hinder an RLA's ability to spend grant funding. In addition, bonus points were given under the categories of enlarged stream buffers, public access, and social benefits. The RLAC gave additional consideration to RLAs with projects ready to go, and the need for immediate funding to make those projects happen.

FY21 Recommendations and Approval

Based on the review of the grant applications submitted, and informed by the objective scoring approach, the RLAC made recommendations to the RLB to approve five RLA expansions, and requested grant awards and reallocations totaling \$19,999,092. The grant award amount represents the total FY21 Program budget appropriation and reallocations. The RLB, chaired by DNR Secretary Haddaway-Riccio, accepted these recommendations, and BPW approved the five RLA expansions and FY21 grant awards as outlined below on Oct.21, 2020, as Agenda Item 12A on the DNR Real Property Agenda.

1. Agricultural Security Corridor - Eastern Shore Heartland Rural Legacy Area:
Caroline, Dorchester, and Talbot Counties

Grant: of \$813,419 to acquire conservation easements to protect a range of resources that includes forests, farmlands, wetlands, historic sites, and endangered species habitat in the Agricultural Security Corridor in three counties on the Eastern Shore. Conservation of property in this Area will support the local resource-based economy, including agricultural production of grains, hay, dairy, beef and poultry operations. The Board approved the designation of the Agricultural Security Corridor Rural Legacy Area encompassing five counties in 1998 and split it into three separate and distinct RLAs in January of 2020.

2. Agricultural Security Corridor - Harvest Crescent Rural Legacy Area: *Cecil and Kent*

Grant: of \$620,620 to acquire conservation easements to protect a range of resources that includes forests, farmlands, wetlands, historic sites, and endangered species habitat in the Agricultural Security Corridor in two counties on the Eastern Shore. Conservation of property in this Area will support the local resource-based economy, including agricultural production of grains, hay, dairy, beef and poultry operations. The Board approved the designation of the Agricultural Security Corridor Rural Legacy Area encompassing five counties in 1998 and split it into three separate and distinct RLAs in January of 2020.

3. Calvert Creeks Rural Legacy Area: *Calvert County*

Grant: of \$857,025 to acquire conservation easements on historic farmland, forests and significant natural areas in the Patuxent River and Chesapeake Bay watersheds. The Board approved the designation of the Calvert Creeks Rural Legacy Area, formerly known as the Battle Creek/Parkers Creek Rural Legacy Area, in 1998.

Expansion: of 162.96 acres located within the U.S. Navy's Readiness and Environmental Protection Integration (REPI) Program preservation boundary, which will enable leveraging with Rural Legacy Program funds.

4. Coastal Bays Rural Legacy Area: *Worcester County*

Grant: of \$538,749 to acquire conservation easements to protect forest, agricultural, natural areas and shoreline in Worcester County's coastal bays. This Area includes important tidal marshland areas, forests, and farmland, which provides one of the most ecologically diverse and outstanding wildlife habitat in the State. The Board approved the designation of the Coastal Bays Rural Legacy Area in 1998.

5. Deer Creek Rural Legacy Area: *Harford County*

Grant: of \$1,123,249 to acquire conservation easements within the watershed of Deer Creek River, a State-designated Scenic River, and adjacent to Rocks and

Susquehanna State Park to protect historic farmland, forests, natural and cultural areas. This Area is located within the Lower Susquehanna Heritage Greenway, a certified Maryland Heritage Area. The Board approved the designation of the Lower Deer Creek Rural Legacy Area in 1999.

6. Dividing Creek Rural Legacy Area: *Somerset and Worcester Counties*

Grant: of \$813,749 to acquire conservation easements to protect significant woodland, farmland and wetlands. The Area includes one of the most pristine and ecologically significant watershed basins on the mid-Atlantic. It includes exemplary plant and wildlife habitat, prime farmland and large blocks of working forests and over 10 miles of shoreline of Dividing Creek. The Board approved the designation of the Dividing Creek Rural Legacy Area in 2008.

7. Fair Hill Rural Legacy Area: *Cecil County*

Grant: of \$1,382,249 to acquire conservation easements to protect farmland, forests, natural areas and historic sites in the northeast corner of Cecil County contiguous to Fair Hill Natural Resources Management Area. Conservation of property in this Area will support the local resource-based economy, including equestrian activities. The Board approved the designation of the Fair Hill Rural Legacy Area in 1999.

Expansion: of 261 acres that will add contiguity to the existing area.

8. Foreman Branch/Lands End Rural Legacy Areas: *Queen Anne's County*

Grant: of \$774,038 to acquire conservation easements to protect environmentally significant tributaries of the Chester and Corsica Rivers, including farmland, forest land, wetlands and wildlife habitat. The Board approved the designation of the Foreman Branch and Lands End Rural Legacy Areas in 1998.

Expansion: of 469 acres to increase connectivity to existing protected lands, and contribute to the creation of a greenbelt in proximity to the Town of Church Hill in Queen Anne's County.

9. Gunpowder Rural Legacy Area: *Baltimore County*

Grant: of \$377,249 to acquire conservation easements and fee simple interests to protect historic farmland, forests and natural and cultural areas on both sides of the Gunpowder River and the Northern Central Railroad Trail in Baltimore County. Conservation within the Area will provide water quality benefits to the Prettyboy and Loch Raven Reservoirs. The Board approved the designation of the Gunpowder River Rural Legacy Area in 1999.

10. Huntersville Rural Legacy Area: *St. Mary's County*

Grant: of \$1,275,000 for partnership with the U.S. Navy's Readiness and

Environmental Protection Integration (REPI) funds to acquire conservation easements to protect forests, natural and archeological areas, farmland, and historic sites. Portions of the Area are designated by the Smithsonian Center for Natural Areas as critical wildlife habitat in need of protection. The Board approved the designation of the Huntersville Rural Legacy Area in 1998.

11. Mattapanay Rural Legacy Area: *St. Mary's County*

Grant: of \$1,453,247 to match the U.S. Navy's Readiness and Environmental Protection Integration (REPI) funds to acquire conservation easements to protect the Area's rich farmland, forests, wetlands, historic sites, and wildlife habitat. Conservation within the Area will provide water quality benefits to the Chesapeake Bay and the St. Mary's River watershed. The Board approved the designation of the Mattapanay Rural Legacy Area in 2006.

12. Mid-Maryland Frederick/Carrollton Manor Rural Legacy Areas: *Frederick County*

Grant: of \$1,700,000 to acquire conservation easements to protect farmland, forestland, Civil War historic sites and a greenbelt around the historic Town of Burkittsville. Conservation of property in the Area will protect the view surrounding the Appalachian Trail and South Mountain Battlefield State Park, which are nationally significant natural and cultural resources. The Board approved the designation of the Mid-Maryland Frederick Rural Legacy Area in 1998 and the Carrollton Manor Rural Legacy Area in 2004.

13. Mid-Maryland Washington Rural Legacy Area: *Washington County*

Grant: of \$1,691,000 to acquire conservation easements to protect farmland, forests and Civil War sites within view of Washington Monument State Park, South Mountain Battlefield State Park, Antietam National Battlefield and its approaches. Conservation within the Area will provide water quality benefits to the Potomac River, a Maryland designated Scenic River. The Board approved the designation of the Mid-Maryland Washington Rural Legacy Area in 1998.

Expansion: of 12,413 acres in three areas that includes properties significant to the Battle of Antietam, properties on the Potomac River and C&O Canal, properties along the Appalachian Trail, as well as within the Targeted Ecological Areas.

14. Mountain Ridge Rural Legacy Area: *Allegheny County*

Grant: of \$2,950,000 to acquire conservation easements of significant woodland, farmland and wetlands. Situated within the Ridge & Valley Physiographic Province where it meets the Allegheny Front, the Area includes large blocks of unbroken forest, pristine ecologically significant areas and historic sites. The Area includes an important migration corridor and the most significant golden eagle flyway in the State. The Board approved the designation of Mountain Ridge Rural Legacy Area in 2010.

15. Nanticoke Rural Legacy Area: *Dorchester County*

Grant: of \$998,500 to acquire conservation easements to protect forest, agricultural, natural areas and shoreline in Dorchester County. The Area includes one of the most pristine and ecologically significant watershed basins on the mid-Atlantic. It includes exemplary plant and wildlife habitat and over 16 miles of shoreline along the Nanticoke River and Marshyhope Creek. The Area will provide a greenbelt around the rural historic village of Vienna. The Board approved designation of the Nanticoke Rural Legacy Area in 2001.

16. Piney Run Rural Legacy Area: *Baltimore County*

Grant: of \$2,092,249 to acquire conservation easements to protect farmland, forests, natural areas and historic properties within and near National Register Historic Districts. Conservation within the Area will provide water quality benefits to the Prettyboy and Loch Raven Reservoirs, two of the drinking supply reservoirs for the Baltimore Metropolitan Area. The Board approved the designation of the Piney Run Rural Legacy Area in 1998.

17. Quantico Creek Rural Legacy Area: *Wicomico County*

Grant: of \$538,749 to acquire conservation easements to protect forests, farmland, and wintering waterfowl habitat and historic villages. Conservation within the Area will provide water quality benefits to Quantico Creek, part of the Nanticoke Watershed Greenway. The Board approved the designation of the Quantico Creek Rural Legacy Area in 2000.

18. Zekiah Rural Legacy Area: *Charles County*

This Area contains the largest natural hardwood swamp in the State and is considered by the Smithsonian Institute to be one of the most important ecological areas on the East Coast. The Board approved the designation of the Zekiah Watershed Rural Legacy Area in 1998.

Expansion: of 30,591 acres that essentially doubles the size of the Zekiah Rural Legacy Area. This is an extensive expansion within the U.S. Navy's Readiness and Environmental Protection Integration (REPI) Program preservation boundary, allowing the ability to leverage Rural Legacy funds with REPI funds. It includes properties on both the Potomac and Wicomico Rivers within Targeted Ecological Areas. This expansion brings the Rural Legacy Area in line with not only REPI boundaries, but also the entire Charles County Preservation Area.

Designated Rural Legacy Areas

RLAs are located in all of Maryland's 23 counties. The existing RLAs cover approximately 1,072,038 acres of Maryland's most significant natural resource, agricultural, open, and scenic lands.

To date, there are 32 designated RLAs in Maryland:

Rural Legacy Area	Counties	Sponsor
Agricultural Security Corridor – Eastern Shore Heartland; Harvest Crescent; Tuckahoe.	Caroline, Dorchester, Talbot, Cecil, Kent	Eastern Shore Land Conservancy
Anne Arundel South	Anne Arundel	Anne Arundel County
Baltimore Coastal	Baltimore	Baltimore County, Gunpowder Valley Conservancy
Bear Creek	Garrett	Garrett County
Calvert Creeks	Calvert	Calvert County
Carrollton Manor	Frederick	Frederick County
Coastal Bays	Worcester	Worcester County
Deer Creek (formerly Lower Deer Creek)	Harford	Harford County
Dividing Creek	Somerset, Worcester	Somerset County, Worcester County, Lower Shore Land Trust
Fair Hill	Cecil	Cecil Land Trust
Foreman Branch (formerly Chino Farms)	Queen Anne’s	Queen Anne’s County
Gunpowder	Baltimore	Gunpowder Valley Conservancy
Harriet Tubman	Dorchester	The Conservation Fund
Huntersville	St. Mary’s	Patuxent Tidewater Land Trust, St. Mary’s County
Lands End	Queen Anne’s	Queen Anne’s County
Little Pipe Creek	Carroll	Carroll County
Long Green Valley	Baltimore	Long Green Valley Land Trust
Manor	Baltimore and Harford	The Manor Conservancy
Mattapanay	St. Mary’s	Southern Maryland Resources Conservation & Development Board, Inc., St. Mary’s County
Mid-Maryland Frederick	Frederick	Frederick County
Mid-Maryland Montgomery	Montgomery	Montgomery County Agricultural Preservation Advisory Board
Mid-Maryland Washington	Washington	Washington County
Mountain Ridge	Allegany	Allegany County
Nanticoke	Dorchester	The Nature Conservancy, The Conservation Fund
North Calvert	Calvert County	Calvert County
Patuxent – Prince George’s	Prince George’s	Prince George’s Soil Conservation District
Piney Run	Baltimore	The Land Preservation Trust, Inc.
Quantico Creek	Wicomico	Lower Shore Land Trust, Wicomico County
Upper Patapsco	Carroll	Carroll County
Upper Patuxent - Howard	Howard	Howard County

Upper Patuxent - Montgomery	Montgomery	Montgomery County Agricultural Preservation Advisory Board
Zekiah Watershed	Charles	Charles County

Summary

Strong interest in the Program continues, as shown by the amount of funds requested for the FY21 grant cycle. As in previous years, the amount requested far exceeded the amount of funding available. Over the 23 application cycles (FY98/99 through FY21), requests for grant funds have totaled over \$2.2 billion for \$384.362 million in available funding. In the FY21 grant cycle, this trend continued; DNR received applications totaling over \$117.44 million for \$17,999,092 million in available FY21 funding. The Governor’s FY21 budget provided full funding for land conservation, preservation and recreation programs, including the Program, through the distribution of state transfer tax revenues.

At the end of FY21, the Program had permanently conserved 111,624 acres. Sustained funding will be needed to support local governments and land trusts to meet the goal of conserving the RLAs throughout the state. This partnership of local government, land trusts, landowners, and the State of Maryland continues to make a substantial commitment of supporting the conservation and preservation of the state’s most valuable agricultural, natural, open space resources and scenic landscapes.

Acknowledgements:

Program staff of DNR would like to acknowledge the RLA sponsors, the members of the RLAC, the RLB, and the staff of MDP and MDA for their dedicated work on behalf of the Program. It is through the Program’s targeted objectives that the state’s open space land is conserved and preserved, the health of the Chesapeake Bay and water quality to our waterways is improved, our resource-based economies thrive, and our wildlife, cultural heritage and natural resources are protected; a legacy to be passed on to all Maryland citizens and future generations to come.

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