



Annual Report Fiscal Year 2022 (July 1, 2021 thru June 30, 2022)





RURAL LEGACY PROGRAM- FISCAL YEAR 2022 ANNUAL REPORT

Legislative Requirement for the Annual Report

This is the 24th 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, 2021 through June 30, 2022 (FY22), and includes the 24th cycle of grant applications that were submitted for FY22. 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 FY22, 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

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

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.

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 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), Maryland Department of Agriculture (MDA) and 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 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. <u>See Natural Resources Article Sec. 5-9A-05</u>; and <u>COMAR 08.05.01.07</u>. (All sponsor EVSs must be approved by DNR, MDP, and MDA staff (as designees of the RLB).

Rural Legacy Program Advisory Committee and Board

At the time of the FY22 RLAC meeting held on July 21, 2021, the RLAC members and their area of representation on the RLAC consisted of:

Maureen Heimbuch, Business (Chair)
Jane Griffith Evans, Private Land Owner
Mary Burke, Maryland Environmental Trust
Mary E. "Cricket" Goodall, 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 FY22 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 FY22

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 FY22, the Program preserved 3,824 acres within RLAs throughout Maryland. Since inception, the Program has preserved 115,449 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 3 years. Monitoring reports are submitted to the Program, and any violations are documented and corrective actions are taken. In FY22, 100% of the Program easements in the cycle due for monitoring were monitored by August 2022 to ensure that conservation practices are being followed and maintained.

The Financial Status of the Program

Since the Program's inception, a total of \$404.399 million has been appropriated to the Program, including \$20,037,061 authorized in the FY22 budget.

In addition, the RLAC and the RLB voted to redirect \$6,222,326 in unused prior year funding to the FY22 grant awards from the following areas:

Patuxent Prince George's (Prince George's County)	\$125,561.00
Mountain Ridge (Allegany County)	\$4,607,128.79
Nanticoke (Dorchester County)	\$544,553.67
Manor (Baltimore/Harford counties)	\$312,914.11
North Calvert (Calvert County)	\$543,792.09
Calvert Creeks (Calvert County)	\$88,376.70

Thus, a total of \$26,259,387 in annual grant awards were available for distribution by the Program in FY22.

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

FY22 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 2021, there were 23 applications submitted, requesting over \$92.251 million for FY22 grants.

FY22 Grant Applications Reviewed

The RLAC's recommendations for funding distribution were based on a review of the applications, and 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.

FY22 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 two RLA boundary changes, one new RLA, and requested grant awards and reallocations totaling \$26,259,387. The grant award amount represents the total FY22 Program budget appropriation and reallocations. The RLB, chaired by DNR Secretary Haddaway-Riccio, accepted these recommendations, and BPW approved the two RLA expansions, the designation of one new RLA, and FY22 grant awards as outlined below on December 1, 2021, as Agenda Item 14A on the DNR Real Property Agenda.

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

Grant: of \$750,056 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 Counties

Grant: of \$1,897,634 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. Agricultural Security Corridor - Tuckahoe Rural Legacy Area: Caroline and Talbot Counties

Grant: of \$1,316,321 to acquire conservation easements to protect a range of resources that include 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.

4. Baltimore Coastal Rural Legacy Area: Baltimore County

Grant: of \$498,311 to acquire conservation easements to protect a range of resources, including forests, farmlands, and water quality. Coastal resiliency benefits include riparian buffers and restrictions on structures in flood and surge zones to protect important ecosystem functions.

Reduction of 139.75 acres such that the resulting area will be 13,969 acres. The area to be removed from the RLA is currently being developed and is located within the county's growth boundary.

5. Calvert Creeks Rural Legacy Area: Calvert County

Grant: of \$352,529 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.

6. Coastal Bays Rural Legacy Area: Worcester County

Grant: of \$760,000 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.

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

Grant: of \$1,005,000 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.

8. Fair Hill Rural Legacy Area: Cecil County

Grant: of \$1,296,850 to acquire conservation easements to protect farmland, forests, natural areas and historic sites in the northeast corner of Cecil County contiguous to the 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.

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

Grant: of \$1,650,321 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 308 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.

10. Gunpowder Rural Legacy Area: Baltimore County

Grant: of \$1,062,000 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.

11. Harriet Tubman Rural Legacy Area: Dorchester County

Grant: of \$925,152 to acquire conservation easements to protect farmland, woodland, natural and historic landscapes associated with the legacy of Harriet Tubman and the history of the Underground Railroad. The Board approved the designation of the Harriet Tubman Rural Legacy Area in 2018.

12. Huntersville Rural Legacy Area: St. Mary's County

Grant: of \$2,217,053 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.

13. Little Pipe Creek /Upper Patapsco Rural Legacy Areas: Carroll County

Grant: of \$872,754 to acquire conservation easements to protect farmland, woodland, natural and cultural land within the Little Pipe Creek and upper Monocacy River Watersheds. Conservation within the Area will provide water quality benefits not only for the two watersheds, but also for the underground aquifers that supply many residents with drinking water. The Board approved the designation of the Little Pipe Creek Rural Legacy Area in 1998 and Upper Patapsco Rural Legacy Area in 2004.

14. Long Green Valley Rural Legacy Area: Baltimore County

Grant: of \$1,271,000 to acquire conservation easements and fee simple interests to protect woodland, farmland and significant habitat and wildlife corridors, including lands within or directly contiguous to the Long Green Valley National Register Historic District. Conservation within the Area will provide water quality benefits for the Little and Big Gunpowder Rivers and the Loch Raven Reservoir. The Board approved the designation of the Long Green Valley Rural Legacy Area in 1999.

15. Mattapany Rural Legacy Area: St. Mary's County

Grant: of \$570,201 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 Mattapany Rural Legacy Area in 2006.

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

Grant: of \$1,501,994 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.

17. Mid-Maryland Montgomery Rural Legacy Area: Montgomery County

Grant: of \$2,772,761 to acquire conservation easements and fee simple interests

to protect farmland, open space, and natural areas. The Area protects farmland, open space and natural resources located within the heart of the County's Agricultural Reserve. The Area contains large contiguous tracts of rural lands, numerous agricultural operations, and forest resources rich in both aquatic and terrestrial wildlife. Conservation within the Area provides water quality benefits to the Potomac River, a Maryland designated Scenic River. The Board approved the designation of Mid-Maryland Montgomery Rural Legacy Area in 1998.

18. Mid-Maryland Washington Rural Legacy Area: Washington County

Grant: of \$1,554,300 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.

19. Nanjemoy – Mattawoman Forest: Charles County

Designation of 64,000 acre Nanjemoy-Mattawoman Forest Rural Legacy Area in Charles County. A RLA on the west side of Charles County will complement the existing Zekiah RLA on the east side, buffering the County's agricultural and natural resources from development pressure extending south from Washington DC. Combined with the existing set of protection and preservation mechanisms utilized by Charles County, this RLA proposal will yield a high degree of success in achieving the goals and objectives of the County's Comprehensive Plan. The resources to be protected include the fisheries of the Mattawoman Creek – one of the steadiest and busiest recreational fishing destinations in Maryland. The proposed RLA includes diverse forest habitats, thousands of acres of Ecologically Significant Areas, and 28 species of plants and animals considered rare, threatened, or endangered in the Mattawoman Watershed alone. The citizens of Charles County recognize the value and significance of these resources and have continually supported the County's land preservation successes and robust preservation goals. Charles County expects that this historical legacy of preservation success will continue with the designation of the Nanjemoy-Mattawoman Forest RLA.

Grant: of \$1,111,942 to acquire conservation easements to protect farmland, forests, natural areas, and historic properties within the Nanjemoy and Mattawoman watersheds. This area includes properties on the Potomac River, Mallows Bay, Nanjemoy Creek, and Mattawoman Creek, and is within the U.S. Navy's Readiness and Environmental Protection Integration (REPI) preservation boundary.

20. Piney Run Rural Legacy Area: Baltimore County

Grant: of \$1,013,208 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.

21. Quantico Creek Rural Legacy Area: Wicomico County

Grant: of \$630,000 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.

22. Zekiah Rural Legacy Area: Charles County

Grant: of \$1,280,000 to acquire conservation easements to protect farmland, forests and natural and historic properties contiguous to Zekiah Run. 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.

Designated Rural Legacy Areas

RLAs are located in all of Maryland's 23 counties. The existing RLAs cover approximately 1,308,068 acres of Maryland's most significant natural resource, agricultural, open, and scenic lands.

To date, there are 35 designated RLAs in Maryland:

Rural Legacy Area	Counties	Sponsor
Agricultural Security	Caroline,	
Corridor - Eastern Shore	Dorchester,	Eastern Shore Land Conservancy
Heartland*	Talbot	·
Agricultural Security	Casil Vant	Fastom Chara Land Consequency
Corridor - Harvest Crescent*	Cecil, Kent	Eastern Shore Land Conservancy
Agricultural Security	Carolina Talkat	Fastom Shara I and Consequence
Corridor – Tuckahoe*	Caroline, Talbot	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		
Deer Creek (formerly Lower	Wolcester	Worcester County	
Deer Creek (formerly Lower Deer Creek)	Harford	Harford County	
Dividing Creek	Somerset,	Somerset County, Worcester County, Lower	
	Worcester	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	
Mattapany	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	
Nanjemoy-Mattawoman	Charles County	Charles County	
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 County Agricultural Preservation	
Montgomery	Montgomery	Advisory Board	
Zekiah Watershed	Charles	Charles County	
*Note that Agricultural Security Corridor DI A which was prayiously one area with sub-focus			

^{*}Note that Agricultural Security Corridor RLA, which was previously one area with sub-focus areas, split into three separate RLAs.

Summary

Strong interest in the Program continues, as shown by the amount of funds requested for the FY22 grant cycle. Over the 24 application cycles (FY98/99 through FY22), requests for grant funds have totaled almost \$2.3 billion for \$404.399 million in available funding. In the FY22 grant cycle, this trend continued; DNR received applications totaling over \$92.251 million for \$20,037,061 in FY22 funding. Governor Hogan's FY22 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 FY22, the Program had permanently conserved 115,449 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 to 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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Larry Hogan, Governor Jeannie Haddaway-Riccio, Secretary

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