

SRLT Core Funding Proposal 9/19/13

Protecting the Watersheds of the West and Rhode Rivers By Helping Landowners Maintain South County's Rural Character

Scenic Rivers Land Trust (SRLT) is seeking financial support for a campaign to protect 500 environmentally significant acres in southern Anne Arundel County (South County) over the next 24 months through highly targeted outreach. We expect that the groundwork laid during this period will result in the protection of hundreds of additional acres over the next 5 years. While this proposal focuses on the West and Rhode Rivers, outreach in these watersheds in the past has also drawn in landowners from the Patuxent River and Herring Bay watersheds.

SRLT believes that quality open space is critical to the economic, social and environmental health of our community. We know that there are willing landowners who want to protect their family lands, but may need technical assistance and tax incentives to make that a viable option for them financially. We believe that perpetual conservation easements are the most effective and pragmatic tool to meet the needs of both private landowners and the community at large.

South County remains incredibly rich in resources. Crowned by the 2,800-acre Smithsonian Environmental Research Center to the north, the 3-mile-long Rhode River and 6-mile-long West River are natural treasures and boating playgrounds. Development pressure is high, but community support for maintaining the area's rural character and protecting the Chesapeake Bay remains strong.

Over SRLT's 25-year history, we have protected 62 Anne Arundel County properties — totaling 2,800 acres — with permanent land conservation easements. An additional 700 acres have been protected through our involvement in county land purchases. In South County, SRLT easements protect 13 properties, totaling 1,170 acres. Ample opportunity still exists to expand the protected acreage before it is overtaken by growth.

Easements permanently limit future development on a given piece of land. They require that a property be managed in a way that protects its natural resources. The landowner retains full ownership. In some cases restoration activities are encouraged or required. Public access is rarely required. SRLT monitors each easement through ongoing contact with the landowner and an annual site visit. Easement terms are perpetual and are outlined in a legal document that is customized for each property based on a landowner's goals.

SRLT's success over the years is due in large part to our many supportive partners in the communities we serve. We operate within a small, yet exceedingly important, conservation niche. Other first-rate organizations in our region fulfill widely varying roles in the conservation arena. We do not duplicate their functions; we complement them with our technical expertise. In particular, we rarely get involved in political advocacy. To craft land protection agreements effectively, we must maintain our reputation as a source of confidential counsel that carries no burden of partisanship or bias.

An Incredible Resource That Deserves Protection

“Roots and Tides” is the perfect name for the Maryland Scenic Byway that extends through the heart of this region. The byway is designed to offer opportunities to, “explore the timeless traditions and deep maritime roots of Western Shore towns along the Chesapeake Bay.” Many sites along the byway are official Chesapeake Bay Gateways, including: Smithsonian Environmental Research Center, which encompasses 2,800 acres of forest, cropland, pasture, freshwater wetlands and tidal marshes; the 360-year-old Quaker settlement of Galesville; and the Captain Salem Avery Museum in Shady Side.

The Small Area Plan for the community highlights integral links between its history and geography. “This low-lying, environmentally sensitive land consists of a series of peninsulas that jut into the Chesapeake Bay. The miles of shoreline and navigable creeks foster a lifestyle of water-related activities and economic pursuits for its inhabitants.”

The plan notes that the rivers, creeks and streams winding through the area provide spawning and nursery grounds for freshwater, estuarine and anadromous fishes, supporting more than 70 species during various seasons and salinity conditions. “Spawning areas for many species are shallow and especially vulnerable to adjacent land use practices.” The rivers and marshes also provide winter habitat for migrating waterfowl such as tundra swan, Canada goose, canvasback, bufflehead and merganser. “It is home to protected species such as the bald eagle and black rail and provides rookery habitat to several species of heron and egrets.” Larger forested tracts provide protective habitat for forest-interior-dwelling bird species.

In a 2012 Water Quality and Habitat Assessment, the Maryland Department of Natural Resources (MD DNR) characterized West and Rhode River water quality as fair with high nitrogen and phosphorus levels. “Agriculture is the largest source of sediments and phosphorus, while point sources are the largest source of nitrogen. Habitat quality is poor due to low water clarity, and no underwater grass beds have been found in the West River since 2004 or in the Rhode since 1978. Dissolved oxygen levels and habitat quality are fair to good but bottom dwelling animals are not healthy.”

A West/Rhode Riverkeeper-sponsored Center for Watershed Protection assessment reports that, “14.8 stream miles within the West River watershed failed to meet biological community standards in nontidal waters and in tidal waters 5.7 square miles failed for all designated uses because of excess nutrients, low oxygen, and bacteria. The West River is currently listed as impaired on Maryland’s 303(d) report for the Environmental Protection Agency for nutrients, sediment, bacteria and toxics.”

For the Small Area Plan, the Natural Resources Conservation Service classified the majority of soils in Deale/Shady Side as sensitive. The 1973 Soil Survey of Anne Arundel County shows four soils out of about 35 classified as unsuitable for development. These four soils occur in over 90 percent of the area and are: tidal marsh, Othello silt loam, Elkton silt loam and Bibb silt loam.

The DNR calculates that about two-fifths of the West/Rhode watershed was forested in 2010 with approximately one-fourth urban and agricultural. Urban land use in the watershed increased by 9 percent from 2000 to 2010 and agricultural land use declined by the same amount. This recent growth was preceded by a boom in the 1960s and 70s when oystering and fishing industries declined and weekend cottages were converted to full-time homes for new residents. The public forums leading up to the 2001 Small Area Plan highlighted an, “awareness of the accelerated growth’s negative impacts on community culture, sustainability, ecological integrity, and quality of life.”

The West/Rhode Riverkeeper publishes an Annual Report Card for the rivers. In 2012, dissolved oxygen and bacteria received positive scores, but water clarity and chlorophyll (algae) received scores of “D” and underwater grasses received an “F” with no robust grass beds mapped. Storm water is a major factor in poorer water clarity while fertilizer runoff hurt dissolved oxygen levels. High nutrient levels in the water come from residential and farm runoff, but also from septic systems and the Mayo wastewater treatment plant. Land use management and land preservation are the keys in restoring the resource’s vigor and are a community priority.

Preservation of South County is a priority of the 2001 Deale/Shady Side Small Area Plan; 2010 County Greenways Master Plan; 2013 Land Preservation, Parks and Recreation Plan; 2009 General Development Plan; 2013 Chesapeake Bay Watershed Public Access Plan; and a Priority Preservation Area for the County Rural Legacy program.

Anne Arundel County outlined its land preservation priorities in its 2002 Greenways Master Plan, updated by its Greenways Master Plan Implementation report in 2010. The Greenways Plan divides the county into 42 greenway segments totaling 72,466 acres. Fourteen of the segments sit in South County, totaling 39,066 acres; 12,058 of these acres remain unprotected. The Small Area Plan recommends that “the county set priorities for purchase of agricultural and other easements where purchase will best promote the establishment and continuation of the Greenway.” While the will to protect is well documented, financial resources remain thin and beg for outside support and creative financial solutions such as easements

Maryland’s Rural Legacy program identifies “Anne Arundel South” as a priority area for preservation. “This area completes a greenway of gently rolling farmland from the Patuxent River to the Rhode River and contains extensive tidal fresh and forested wetlands.” Easements protect farms from development and ensure implementation of best management practices. To be competitive for this purchased easement program properties must exceed 50 acres. The county program has recently succeeded in protecting land in the Rockhold Creek area, but funding is available to meet only a small portion of landowner requests. SRLT has an opportunity to complement this program by protecting smaller farms that may link to other protected areas and developing tax-incentivized alternatives to purchased easements. Other community success stories include the protection of the 488-acre Franklin Point Park and 58-acre Jack Creek Park.

SRLT’s Proven Track Record for Protecting Land

SRLT is one of the oldest and most active land trusts in Maryland. For the past 5 years, SRLT has led a highly successful effort to permanently protect land in the South River Greenway (SRG) in the Crownsville area of Anne Arundel County. The SRG consists of one of the largest blocks of contiguous forest remaining in the county. Beginning with generous 2008 grants from the National Fish and Wildlife Foundation (NFWF), the Biophilia Foundation and a wealth of partners, SRLT launched an aggressive initiative to protect 3,000 acres of exceptional wildlife habitat in the SRG. With continued funding from NFWF and incredible support from the County Department of Recreation and Parks, the partners coordinated the preservation of over 1,200 acres of ecologically sensitive land through easement and county purchase in just 4 years.

SRLT will bring the methodology and practices that we refined in our successful SRG campaign to our new campaign in South County. With NFWF funding, we have compiled a base map of 133 properties in the West/Rhode watersheds that may be appropriate for protection. This list provides the starting point for

our new campaign. We will expand this list by researching additional properties on the West and Rhode, as well as adding properties along the Patuxent and bordering Herring Bay. While most of our easements are on privately held land, we will keep a special eye out for properties that might offer public access opportunities.

We base our property research on review of county property information and county priority preservation and greenway areas and create a GIS base map that identifies properties that score high on MD DNR's Green Infrastructure ranking. By using DNR's ranking system to prioritize parcels, we ensure that our targeted properties are of the highest ecological value. This system considers such factors as wetlands, interior forest, stream reaches, and connectivity to other forest blocks. We then use this prioritization to target our outreach to individual landowners.

Outreach in South County Critical to Connect Priority Properties with Preservation Tools

Extensive public outreach will provide the key to success in these communities. We need front-porch discussions and property hikes with many dozens of landowners to ensure successfully recorded easements for just a dozen. We will speak in front of large and small community groups and draw people to our own, more intensive, workshops. We will also distribute hundreds of letters, postcards, emails, and press articles.

With initial property identification complete, we have a solid head start. Now we require funding for continued outreach and direct field work to lock up new properties and solidify the protection of this critical natural area. Baseline work by our talented two-person staff leverages a wealth of volunteer resources.

We will continue to rely on our regional partners USFWS, MD DNR and the Maryland Environmental Trust. Local partners — the West/Rhode Riverkeeper and the Patuxent Riverkeeper — both have representatives on our board. Friends of Herring Bay are anxious to assist with land preservation in their area and we look forward to recruiting additional partners in South County.

SRLT will use a variety of land protection tools, including donated easements, fee acquisition and purchased easements, to permanently protect privately owned forests, wetlands and agricultural land. We are hopeful that we can get county commitment to use Forest Conservation Act funds to help us purchase easements on forested properties.

In the best of times, we have learned that our negotiations for specific properties can take more than a year from initial landowner contact to permanent legal protection. There is a natural progression in working with landowners on land preservation that tracks with the normal changes in day-to-day life. Land preservation depends on building trust and maintaining long-term contact with landowners. Property owners' perspectives on the options for their land evolve with changes in their work, family or health. Over time, their financial position may shift or they may become more sharply focused on estate planning. Families grow and shrink and new generations take on responsibility for land use decisions.

To enhance the resource, address specific problems and create high-profile opportunities for public engagement, SRLT will seek opportunities for habitat restoration and enhancements projects on South County properties. Our early work in the SRG led to tree plantings, a large-scale invasive plant control project and a stream headcut restoration project. The West/Rhode Riverkeeper has shown great leadership in promoting such restoration projects.

Our work with individual easement properties also directly encourages restoration. Our conservation easements require 100-foot buffers along streams and forest management plans on large tracts of forest. They also limit new structures and impervious surfaces that restrict stormwater infiltration. Protected agricultural land is targeted for upland wildlife habitat restoration and best management practice (BMP) implementation. SRLT and its partners use a variety of outreach tools to explain the conservation options available to landowners, including federally-sponsored initiatives such as USFWS Partners Programs and the Conservation Reserve Enhancement Program.

SRLT has a proven record of connecting with property owners, building trust, negotiating fair and legally enforceable easement agreements and monitoring our easements over time. We have very specific experience gained from our watershed-scale South River Greenway success story and we want to deliver similar concrete results for South County conservation.

We are seeking total funding of \$64,200 over 2 years for this phase of our protection effort. We hope to raise this amount through three or four matching grants. With this dedicated funding, we will expand our work in South County and add 500 acres of permanently protected land in the 24 months following funding.

Specific Grant Components

1. Property analysis:

Ownership analysis and GIS updating for 133 originally targeted properties

Selection, analysis, and mapping of 40 additional potential preservation targets

(We expect USFWS, Anne Arundel County and DNR to donate significant technical assistance to this component through informal networks and specific land management support programs.)

2. Development of community partnerships:

One one-day mini-conference for partners

Weekly outreach to community organizations

Weekly outreach to government agencies

3. New outreach:

Six outreach mailings of 500

Weekly web site and social media outreach

Four landowner workshops focused on principles of watershed protection, land conservation and easement options

Ongoing press releases and recognition events for property owners who protect and restore habitat

A minimum of one meeting/presentation per month with home owners associations, civic organizations, as well as political, business and community leaders

A minimum of eight fieldtrips for the public in South County over two years

4. Negotiation with landowners, easement research and drafting, closing:

Personal meetings with 60 landowners

Easement research and plat and zoning review for landowner report on 40 properties

Easement drafting for 20 properties

Easement completion and recordation for 12 properties (it is our hope that others will close after the time period of the grant)

5. Long-term stewardship:

Site visits and completion of annual stewardship reports for all protected properties in the South County

7. Dissemination:

Submission of six articles to popular and environmental press

Conference participation with the Maryland Land Trust Alliance, Land Trust Alliance, Watersheds Stewards and Chesapeake Watershed Forum.

Appendix A: Initial Map of the South County with Priority Properties

Appendix B: Detailed budget

Appendix C: SRLT 2016 Plan

References

2012 Maryland Scenic Byway – Worth the Drive Report

2001 Deale/Shady Side Small Area Plan

2012 MD DNR Lower Western Shore Water Quality and Habitat Assessment

2013 West & Rhode Rivers Report Card, West/Rhode Riverkeeper

2009 Summary of Findings from West/Rhode Watershed Stream Corridor and Upland Assessments