

# Lands Legacy Program

## Action Plan 2018-2020



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**Orange County Department of  
Environment, Agriculture, Parks and Recreation**

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# Lands Legacy Program Action Plan 2018-2020

## Introduction

The purpose of Orange County's **Lands Legacy Program** is to help protect the county's most important natural and cultural resource lands before they are damaged or lost to incompatible land-uses activities. Much has been accomplished by the County and its many partners, but there are still many special places needing some level of protection.

Lands Legacy works with landowners who are interested in conserving their land. All projects are voluntary. Some properties are purchased outright to serve a specific public purpose, such as for a park or nature preserve, consistent with adopted county plans. Most properties protected through the program are accomplished with a conservation easement-- a permanent, legal agreement between the County and the landowner, whereby the land remains in private ownership. To qualify for a conservation easement the property must have special "conservation values," the protection of which will provide meaningful and lasting public benefit (e.g., water supply watershed, prime farmland, natural heritage area, historic or cultural site). In most cases the property possesses multiple conservation values.

Most projects completed through Lands Legacy are in partnership with other organizations, such as Eno River Association, Triangle Land Conservancy, Orange Water and Sewer Authority, Duke University, and other local governments. The County often uses state and federal matching grant funds to acquire land or to construct facilities.

The Lands Legacy Program is guided by a three-year **Action Plan** that sets priorities for determining what projects to work on over the specified timeframe. The Lands Legacy Action Plan is prepared the DEAPR staff and adopted by the Board of Commissioners. Some projects are long-term efforts that span multiple action plans.

The process of developing the Action Plan begins with staff identifying potential projects and asking the Board for initial guidance. Staff then meets with advisory boards for their input on development of priorities for the upcoming years.

Staff prepares a draft Plan and presents it to the Board of Commissioners for their consideration and feedback. The Action Plan is then finalized for Board approval prior to adoption of the County's Capital Improvement Plan (CIP).

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**The following is the Action Plan is for the years 2018 through 2020.** Like the previous action plan, this one focuses on fewer target areas. The reason for limiting the scope of projects is to allow staff to complete one or more of the larger, multi-year priority projects. Staff is also adjusting to the reduced availability of state grant funds to local governments and the elimination of the NC Conservation Tax Credit. The scaled-back plan will also continue to enable the staff to tend to its land stewardship responsibilities of properties "land-banked" for future parks and preserves. However, as with previous plans, the number and amount of potential projects exceeds available funds. This is an expected and regular occurrence with these plans, and simply requires that prioritization among the projects will be needed as they move toward completion.

The Action Plan includes current goals and a priority list of land conservation projects for the coming three years, followed by a summary of advisory board comments, and specific acquisition objectives. Also attached is a brief summary of the projects completed through Lands Legacy over its first 17 years (2000-2017).

## Overarching Objectives for 2018 - 2020

1. **Previously-Approved Projects:** Complete projects that were approved by the Board of Commissioners during the previous planning period, but have not yet closed. These include acquisitions that received final Board approval and other projects that are still being negotiated but have not received final approval for close out.
2. **Site Stewardship:** Make sure all properties have boundaries marked in accordance with the Department's land management policy. Complete management plans for all properties "land banked" for future public parks and preserves.
3. **Natural Heritage Areas:** Protect high-priority natural heritage areas contiguous with existing conservation lands, allowing low-impact recreation where suitable.
4. **Joint Town/County Open Space:** Continue collaborating with the towns and other entities in acquiring land for establishing or expanding public trails or greenways identified in town plans that tie together important county-wide open spaces.
5. **Grant Funds:** Continue to pursue state and federal grants to leverage existing County funds authorized for land acquisition, site stewardship, or park development.

## Summary List of Priority Projects

The following areas are considered as higher priority locations for completing conservation projects through the Lands Legacy Program. Details for each project are provided in the table below (Pages 4-5).

As has been noted in every Action Plan, it is acknowledged up front that all of these projects likely will not be completed during the three-year timeframe for this Action Plan. Nevertheless, all are priorities and progress can be made in moving each of these projects forward. Completion of active projects and stewardship of existing properties remain overarching priorities.

1. **Upper Eno Preserve/Mountains-to-Sea Trail**
2. **Farmland Easements**
3. **Future Bingham Township Park**
4. **Jordan Lake Headwaters Preserve**
5. **Wildlife and Natural Connection Corridors between New Hope Creek and the Eno River within Orange County**
6. **Historic Landmarks (and historic easements)**

## Priority List for January 2018-June 2020

Priority Need	Purpose/Use	Estimated Cost*	Timetable
<p><b>1. Upper Eno Preserve/ Mountains-to-Sea Trail</b> Acquire/protect additional priority lands adjoining existing nature preserve lands in Seven Mile Creek division; and for trail link to Hillsborough Riverwalk (Mountains-to-Sea Trail).</p>	<p>Preserve one the County’s largest intact natural areas for a planned nature preserve with trails, outdoor education, and campsite. Partner with Eno River Association; coordinate MST with State Parks and Friends of Mountain-to-Sea Trail.</p>	<p>Total \$1.5 to \$2.0 million, depending on total acres and acquisition methods. County share (~33%) from the Lands Legacy Fund and Conservation Easement Fund. Pursue grants from State and others.</p>	<p>Contact key landowners and update site reconnaissance in 2018. Collaborate with partners in acquiring lands as feasible in 2018-20. Pursue grant and partner funding. This continues a multi-year initiative.</p>
<p><b>2. Farmland Easements</b> Acquire farmland conservation easements in priority water supply watersheds (Cane Creek, Upper Eno, Back Creek, and University Lake).</p>	<p>Maintain a critical mass of prime and active farmland and protect water quality by preserving riparian buffers on farms. Partner with Orange NRCS/ Soil &amp; Water District and state or federal farmland grant agency.</p>	<p>\$500,000 from Lands Legacy CE Fund to be matched with potential grants from federal (ACEP) or State (ADFP) farmland grant programs, or from other partners as may be available.</p>	<p>Identify priority farm(s) for annual grant submittals (ACEP and ADFP Trust Fund); negotiate easement(s) for closing by end of 2020.</p>
<p><b>3. Bingham Township Park</b> Pursue acquisition of park site in Bingham Township.</p>	<p>Acquire new district park site for active and low-impact recreation consistent with County’s Parks &amp; Recreation Master Plan.</p>	<p>\$600,000 from Lands Legacy Fund for acquisition costs depending on potential collaboration with OWASA.</p>	<p>Re-evaluate previously-identified sites in context of the Mountains to Sea Trail (MST) and OWASA’s Cane Creek Recreation Area. Conduct random-sample survey of Bingham residents on park facility needs. Negotiate acquisition of future park site for closing by end of 2020.</p>

\* - Cost estimates are rough estimates based on expected per acreage land prices, and actual negotiations may produce different results. As acquisition opportunities are reviewed and evaluated, the cost estimates will be refined.

Priority Need	Purpose/Use	Estimated Cost*	Timetable
<p><b>4. Jordan Lake Headwaters Preserve</b> Expand current efforts to protect more of the Mason Farm to Jordan Lake wildlife corridor? connector and associated natural areas.</p>	<p>Protect remaining portions of an important natural corridor that links UNC lands (including Mason Farm Biological Reserve) with the New Hope game lands (Jordan Lake). Partner with UNC, Chapel Hill and the Botanical Garden Foundation.</p>	<p>Multi-year project. Potential cost-share with UNC, Chapel Hill, Botanical Garden Fdn., and NC trust funds. Total est. long-term cost of \$1.5 million. County share (~25%) from Lands Legacy Fund.</p>	<p>Continue discussions with landowners and identify willing sellers/donors by June 2018; coordinate with partners, secure grants, negotiate any closings by end of 2020.</p>
<p><b>5. Wildlife and Natural Connection Corridors between New Hope Creek and the Eno River</b> Pursue land protection projects that create connections between critical wildlife habitats across the “land bridge” between New Hope Creek and the Eno River in Orange County.</p>	<p>Protect and link existing habitats to ensure landscape connectivity within and between the Eno River and New Hope Creek watersheds to maintain ecosystem functions and processes. Partner with members of the Eno-New Hope Landscape Conservation Collaborative.</p>	<p>Potential cost-share with members of the Eno-New Hope Landscape Conservation Collaborative and grant funds from local municipalities, state, and federal agencies. Total est. long-term cost of \$1.5 to \$2.0 million, depending on total acres and acquisition method. County share (~33%) from Lands Legacy Fund and Conservation Easement Fund.</p>	<p>Multi-year project as identified in the pending Eno-New Hope Landscape Conservation Plan. Begin discussions with landowners and identify willing sellers/donors by December 2018; coordinate with partners, secure grants, negotiate any closings by end of 2020.</p>
<p><b>6. Local Historic Landmarks</b> Augment current efforts to designate local landmarks for high-priority historic sites, including sites on Study List for National Register of Historic Places.</p>	<p>Designating local historic landmarks may be more effective way of protecting high-priority historic sites, and may lead to historic preservation easements for selected properties. Partner with Historic Preservation Commission.</p>	<p>\$15,000 (\$5,000/yr) from Lands Legacy Fund matched by landowner funds for consultants to prepare landmark application for HPC/BOCC consideration. An additional \$200-300K could be needed to acquire historic preservation easement on selected properties.</p>	<p>HPC to identify priority landmarks and contact owners farm(s) for landmark consideration; negotiate historic preservation easements when feasible.</p>
<p>Others as opportunities arise.</p>	<p>N/A</p>	<p>Unknown</p>	<p>Unknown</p>

\* - Cost estimates are rough estimates based on expected per acreage land prices, and actual negotiations may produce different results. As acquisition opportunities are reviewed and evaluated, the cost estimates will be refined.

## Advisory Board Comments and Priorities

In the fall of 2017, staff met with each of the advisory boards involved in Lands Legacy Program activities to discuss priorities and thoughts on the new plan.

### **A. Commission for the Environment (CFE)**

Continue efforts to protect significant natural heritage areas especially near local waterways like Jordan Lake and major streams, creeks and rivers; protect wildlife corridors, especially between the Eno River and New Hope Creek; ensure water quality; and prevent erosion. The plan should recognize, protect, and interpret sites representative of the rich geologic history of Orange County. All county parks and recreation facilities, including the planned Mountains-to-Sea Trail, should be designed to avoid sensitive natural areas and be constructed using environmentally friendly and sustainable methods. Land purchases for parks and preserves should protect streams and creeks, potable water resources, old forests, rare plants, and cultural sites.

### **B. Agricultural Preservation Board (APB)**

Prioritize working with farms interested in protecting prime/active farmland with permanent agricultural conservation easements. Pursue state and federal grant funds to match County funds available for easement purchases.

### **C. Parks and Recreation Council (PRC)**

Complete the acquisition of land for a future park in Bingham Township as recommended in the Master Recreation & Parks Plan. Acquire land and trail easements for an Orange County segment of the NC Mountains-to-Sea Trail, with priority for linking Hillsborough Riverwalk to the Seven Mile Creek component of the Upper Eno Preserve. Complete the acquisitions of land for Seven Mile Creek Preserve.

### **D. Historic Preservation Commission (HPC)**

Continue efforts to acquire conservation easements to protect important cultural and/or archaeological resources. Consider allocating funds to support applications from high-priority candidates for Local Historic Landmark and National Register designation.

## Specific Acquisition Objectives

The following are more specific acquisition objectives developed from existing plans, BOCC feedback/direction, County staff knowledge, and discussions with other conservation partners; in some cases expanding upon or refining advisory board recommendations. These are not listed in priority order.

### A. Natural Areas and Wildlife Habitat

- Work with the Botanical Garden Foundation and other partners to conserve key areas and establish a Jordan Lake Headwaters Preserve, including Mason Farm Oak-Hickory Forest (natural heritage area of state significance)
- Work with the Eno River Association and others to conserve critical land for the Seven Mile Creek component of the Upper Eno Preserve, including Sevenmile Creek Sugar Maple Bottoms (natural heritage area of state significance)
- Work with the Eno River Association, the Town of Hillsborough, and others to conserve priority riparian and upland habitats in the Upper Eno River critical area
- Work with the Eno-New Hope Conservation Collaborative to conserve priority wildlife corridors between the Eno River and New Hope Creek watersheds.
- Work with Triangle Land Conservancy and others to conserve priority riparian lands and prime forest lands located in the Upper New Hope Creek watershed
- Work with the Town of Carrboro, University of NC, and the Friends of Bolin Creek to identify priority lands for conserving the Upper Bolin Creek corridor

➤ ***See #1, #4, and #5 on the Priority Table (Pages 4-5)***

### B. Farmland Preservation

- Continue working with the Orange NRCS/Soil and Water Conservation District to identify and prioritize willing sellers and donors of conservation easements on prime farmland in priority watersheds
- Continue working with the Orange NRCS/Soil and Water Conservation District to apply for grants from the NC Agricultural Development & Farmland Preservation Trust Fund and federal Agricultural Conservation Easement Program for the purchase of agricultural conservation easements

➤ ***See #2 on the Priority Table (Pages 4-5)***

### C. Parklands and Open Space

- Acquire land for a future district park in the White Cross area (Bingham Township) consistent with the County's Parks & Recreation Master Plan
- Acquire key parcels needed for a public pedestrian trail and wildlife corridor that would connect Hillsborough Riverwalk to the Haw River for the planned NC Mountains-to-Sea Trail—focusing in short-term on the link between Occoneechee Mountain and the Seven Mile Creek component of the Upper Eno Preserve
- In all acquisitions, be cognizant of the potential for meeting other objectives of protecting riparian buffers, natural areas and historic/archaeological sites

➤ ***See #1 and #3 on the Priority Table (Pages 4-5)***

## **D. Cultural and Archaeological Sites**

- Continue working with landowners in the Faucette’s Mill and Hall’s Mill areas to protect the combination of historic and natural features in those communities
- Work with the owners of the former Hillsborough Academy property to protect the remains of historic and archaeological resources associated with that site
- Conduct archaeological surveys of county properties acquired for future parks and nature preserves (e.g., McGowan Creek Preserve, Seven Mile Creek Preserve, Millhouse Road Park, and Northeast Park)
- Continue to stabilize, maintain and renovate existing structures on County-owned properties acquired for future parks (e.g., Millhouse Road park site)
- Work with the HPC to pursue applications from high-priority candidates for local historic landmark designation

➤ ***See #6 on the Priority Table (Pages 4-5)***

## **E. Watershed Riparian Buffers**

- Protect riparian corridors in the Upper Eno River protected watershed; partner with the Eno River Association and others; pursue grant funds from the NC Clean Water Management Trust Fund and Upper Neuse Clean Water Initiative
- Identify and protect priority areas in Upper New Hope Creek corridor; work with New Hope Creek Corridor Advisory Committee and Triangle Land Conservancy
- Work with the Eno-New Hope Conservation Collaborative and others to conserve priority landscape corridors between the Eno River and New Hope Creek watersheds.
- Identify priority areas for protection in the Bolin Creek corridor; collaborate with Friends of Bolin Creek, the Town of Carrboro, the University of NC, and others
- Preserve riparian buffers in other water supply watersheds through parkland acquisitions and agricultural conservation easement projects

➤ ***See #1, #4, and #5 on the Priority Table (Pages 4-5)***

## **Conclusion**

The first 17 years of the Lands Legacy Program saw tremendous strides in the protection of priority resource lands, with 3,401 acres permanently protected (as of December 2017) and several more projects in the works. While this has been a significant accomplishment that has garnered state and national awards, much remains to be done.

The 2018-20 Action Plan builds on projects from previous years, and includes projects in each of the Lands Legacy priority areas (natural areas, parkland, cultural/historic resources, prime farmland and riparian buffers and public water supply watersheds). This Action Plan will continue the use of 2001 Parks and Open Space bonds funds to leverage grant funds from state and federal sources for protecting high priority natural and cultural resource lands.