

## **IMPLEMENTING THE LEGACY**

- Leveraging and Funding
- Stewardship
- Inventories
- Measuring Progress

## **XV. LEVERAGING AND FUNDING APPROACH**

Montgomery County has pioneered many innovative techniques to conserve open space and manage the effects of growth on the County's open space assets. While there are common elements in these programs, each program has been designed to achieve a desirable outcome or to resolve a problem. Legacy Open Space is a comprehensive, visionary approach that brings together in one planning document the protection of critical environmental, water, heritage, and land resources. The funding strategy must be equally innovative and visionary.

The leadership for approving and funding such an initiative is primarily a County and governmental responsibility. The primary purpose of Legacy is the protection of significant resources on behalf of the public's interest on multiple levels, now and into the future. This purpose is one of the fundamental missions of government. No other entity, foundation, or corporation has this purpose as its essential or sole mission.

Funding of the Commission's general capital improvement program (CIP) is supported by a variety of sources including County general obligation bonds, Commission general obligation bonds, County current receipts, Commission current receipts, municipal funding sources, grants and donations. In the early years, it is anticipated that the Legacy Program will need to rely heavily on public dollars of the County and/or the Commission until the accomplishments and resulting significance of the program is recognized and embraced by outside groups. In later years, the revenue sources will be diversified to spread the funding responsibility of this critical program by accessing sources similar to those available to our CIP and take advantage of other sources that are identified through research. It is the intent of this program that County funds will have a multiplier effect, leveraging additional funds from state and federal sources, as well as private contributions of funds, lands, and easements.

To support open space acquisition, the County has used a wide range of mechanisms, including fee-simple purchase, purchase and donation of easements, dedications, transfer of development rights, and purchase of development rights, providing that open space conservation goes hand in hand with sustainable economic benefits. Building on these past successes, Legacy Open Space includes a number of funding and implementation assumptions.

- Legacy is a multi-year program.
- Legacy must provide a dedicated public revenue stream to support acquisition of critical land, water, and heritage resources.

- Legacy will pursue funding from County/State/Federal programs. Illustrative examples include the County's Agricultural Easement Program, the State's Rural Legacy and the Federal Land and Water Conservation Fund.
- Legacy will establish a major capital campaign through the Montgomery Parks Foundation to raise funds and generate donations of land and easements. The Foundation will establish a Legacy Fund to facilitate the capital campaign.
- Legacy will establish a relationship with a non-profit organization to negotiate easements with willing landowners to protect resources identified in this master plan.
- Legacy will establish partnerships with specific land trusts, non-profit organizations, municipal, state and federal agencies to jointly fund protection of sites of mutual interest.
- Legacy will work with other agencies, land trusts and conservation organizations to manage and interpret the resources protected through the program.
- Legacy will not undermine or compete with Program Open Space funding for master plan parks outside the Legacy Open Space Plan.

## **XVI. ACQUISITION OF LAND AND EASEMENTS**

This plan identifies various sites for potential County purchase or acquisition of easements. The Plan does not require the County to purchase all of the identified parcels or preclude development under existing zoning. A property owner may choose to place a property in voluntary reservation through agreements with the Commission to gain tax benefits while funding sources for acquisition are identified. If a property owner seeks to develop one of the properties identified in this plan, the County will consider acquisition of the property or an easement at that time, including the placement of the property in reservation (for Class I properties only) pending completion of the purchase. For all sites in Class I or II, the County may decline to purchase the property and allow the proposed development to proceed. In certain cases, where the Legacy Open Space objectives can be accomplished through cluster development and dedication of the remainder of the property, this option may also be considered under various cluster zoning tools.

There may be cases where only part of a property or an easement is necessary to protect the Legacy resource, but the entire property must be purchased to secure it in a timely fashion. If this is the case, the staff report to the Planning Board will clearly indicate the intent to re-sell the property on the open market in whole or in

part after an easement has been recorded against the property. Any proceeds for the sale would be used to purchase other Legacy properties and easements.

Ownership of sites may be held by other agencies or organizations (i.e., the Trust for Historic Preservation, the Conservation Fund, the Washington Suburban Sanitary Commission, County Executive Agencies, etc.) by agreement with the Department of Park and Planning if appropriate to protect the Legacy resource. Any agreement will clearly indicate measures necessary to assure protection of the resource.

## **XVII. STEWARDSHIP**

There are several aspects to stewardship under the Legacy Open Space Program. One is stewardship of the land protected under this program. This includes both protection of the physical resources on the land as well as educating the public to increase their enjoyment and appreciation of those resources. Another aspect is promoting the awareness among all Montgomery County residents about the value of the County's "green infrastructure."

In order to protect the resources on land acquired under this program, property may be managed or maintained by another public agency, a land trust or conservation organization with specific guidance placed on its maintenance and use by the Department of Park and Planning. If protection is secured through an easement, maintenance and use guidance must be included in the easement agreement. While every effort will be made to reduce the potential for operating budget impacts, sufficient funds must be allocated to preserve the desired resources that are added to the park system.

As the Legacy program evolves, management plans for each resource will be developed. The management plan will clearly indicate protection goals for the site as well as the range of uses anticipated for the site. The program will set up a process for resolving any existing problems or access issues with the site; as well as any capital, management or interpretation needs for appropriate use and/or protection of the site. These programs will be designed to help the staff, volunteers and managers responsible for the use and maintenance of the acquired property preserve it in a manner that will assure that the county and the region receive the most environmental and/or cultural benefit possible from the acquisition of the property.

Interpretive and educational outreach of these open space resources is an important element of stewardship. Legacy provides an opportunity to expand these activities. A program will be developed through the Montgomery County Public Schools and libraries, private conservation, preservation and community groups, as well as county programs to educate and inform Montgomery County residents about the

value and the need for responsible stewardship of the County's "green infrastructure."

## **XVIII. INVENTORIES**

While the recommendations regarding sites in this master plan were made with the most accurate information available, many questions remain unanswered. What is the appropriate amount of key open space resources needed to maintain biodiversity, maintain clean drinking water and safe streams, secure our cultural heritage, provide adequate greenways and a network of major trails, protect key farmland and important urban open spaces? A series of inventories and analyses are underway that will continue to provide insight into these questions. This master plan recommends that this work continue to be supported to further refine the implementation of this program.

## **XIX. MEASURING PROGRESS**

An annual report will be made to the County Council detailing progress and current activity in the implementation of the Legacy Open Space Master Plan. This report will document expenditure of County funds, state and federal funding, donations of land or easements and funds and services donated by the private or non-profit sector. When the opportunity exists to sample public opinion of the program, the Planning Board will measure customer satisfaction with the program.