

Lands Legacy Program

Action Plan 2024-2027



Steep Bottom Branch, Chapel Hill, NC

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

www.co.orange.nc.us/deapr/index.asp



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Introduction

The purpose of Orange County's ***Lands Legacy Program, adopted in the year 2000***, 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. The overarching goals of the Lands Legacy Program have been mutually beneficial to both the protection of valuable natural communities in addition to preserving Orange Counties rural and farmland character. Much has been accomplished by the County and its many partners, but there are still many special places needing some level of protection.

The focal areas for the Lands Legacy Program are:

- Future parks and public open space and trails
- Prime and threatened farmland in water supply watersheds
- Important natural areas and wildlife habitat
- Watershed riparian buffer lands, and
- Cultural and historic sites of significance

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. In most cases, the property possesses multiple conservation values. Many landowners benefit most in the ability to continue to own and manage land they would otherwise have financial difficulties to sustain, while permanently protecting the land and its resources in perpetuity. Efforts have been increased to incorporate diversity, equity, inclusion and justice (DEIJ) more explicitly to land conservation, and continue to build on existing relationships with groups and organizations which work to enhance the conservation of natural and cultural resource lands among historically-underserved communities in the context of DEIJ.

Likewise, many of the County's conservation goals are symbiotic with efforts to address climate change and are reflected in the newly adopted Climate Action Plan. Conservation priorities should also have synergy with climate change objectives.

Projects are considered by staff through a series of ranking criteria to gauge the importance of conservation to these values. Ranking criteria include several factors including but not limited to water supply watersheds, prime and threatened farmland, natural heritage areas, and sites of historic or cultural value. Many of these factors are also very important to State and Federal grant funding criteria, and are recognized as priorities in State funding matrices. For example, the occurrence of a North Carolina Inventory of Natural Heritage Areas site is of great bearing. These areas are occurrences of rare and unique plant and/or animal communities of local, regional, or statewide significance. The presence of these sites within a project equates to significant points and ranking for likely funding.

Partnerships are of vital importance and have been since the program's inception. Many projects completed through Lands Legacy are in conjunction 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 by 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 pertinent advisory boards for their input on development of priorities for the upcoming years.

Staff prepares a draft Action 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).

The following is the proposed Action Plan is for the years 2024 through 2027ⁱ. Like the previous action plans, 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, and to recognize that the park sites called for in the Parks and Recreation Master Plan have now been secured (with one exception). 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. This is of increased importance as the program enters its third decade and protection and stewardship of places now conserved becomes more critical each year. Even so, as with previous Action Plans, the number and amount of potential strong conservation projects still exceeds available funds. This has been the case for many years and requires that prioritization among the many worthy projects will be needed as they move toward completion.

The proposed 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 summary of the projects completed through Lands Legacy over its first 24 years (2000-2024).

Overarching Objectives for 2024 - 2027

1. **Complete Ongoing (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. Improve and expand connectivity and available resources between County, Municipal, and State parks to allow further access and diversity of experiences for typically underserved communities. Link to Orange County Strategic Action Plan goals under Environmental Protection and Climate Action.
5. **Grant Funds:** Continue to pursue state and federal grants to leverage existing County funds authorized for land acquisition, site stewardship, or park development.
6. **Climate Change Action Plan Linkage:** Ensure that conservation projects which fulfill the goals and objectives of the adopted Climate Action Plan are included in the priorities for the three-year period.

Advisory Board Comments and Priorities

In the winter of 2023-24, 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)

The Orange County Commission for the Environment recommends that the Lands Legacy Action Plan (LLAP) take actions to recognize, protect, and interpret sites vital to the County for preservation of our natural environment, wildlife corridors, stream and creek health, climate resiliency, and prevention of erosion and stormwater run-off. In particular, we propose the following major considerations for determining the future land parcels protection by the County

- Focus on natural area connectivity, connections between protected areas, parks, easements, etc. As a guideline, we recommend that County staff should work to protect wildlife corridors, specifically those outlined in Eno New Hope Landscape Connectivity Plan (Triangle Connectivity Collaborative).
- Continue efforts to protect Natural Areas identified by the NC Natural Heritage Program, specifically those under private ownership.
- Seek projects that align with the County Climate Action Plan, which will benefit climate resiliency, both in terms of carbon storage and watershed safety due to increased storm strength and drought protection due to likely overall reduction of precipitation over time.
- Explore opportunities to expand protection of both water quality and quantity for future projects.

- Aim to preserve Orange County's rural character and cultural heritage through farmland, historically designated areas, and scenic viewsheds.
- Continue efforts to connect the Mountains to Sea Trail through Orange County, specifically the connection between Occoneechee Mountain Natural Area and the County Seven Mile Creek Natural Area.

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.
- Work to identify areas of highest agricultural land loss and development pressures. Prioritize and consider higher ranking figures for project proposals in these identified areas.
- Work to identify opportunities to address funding and value disparity between appraised and market values.

C. Parks and Recreation Council (PRC)

- 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 Natural Area.
- Consider an option for a future park in Bingham Township to be a small preserve, possibly one that acts primarily as a trailhead for the Mountains to Sea Trail and pursue land acquisitions as recommended in the Master Recreation & Parks Plan.
- Consider and pursue land acquisitions that may accommodate future recreation site potential, and possibly the ability to accommodate indoor recreational facilities much needed in Orange County.

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.

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 6-7). Note: For purposes of landowner confidentiality and the ability to negotiate property transactions, the projects in the table are described in a general manner without specificity.

As has been noted in every Action Plan, it is acknowledged up front that all these projects likely will not be completed during the three-year timeframe for this Action Plan. This is especially true in the recent years, with delayed grant funding and approval cycles. Nevertheless, all of these areas 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. Wildlife and Natural Connection Corridors**
 - a. Specifically, those outlined in the Eno-New Hope Landscape Conservation Plan**
- 2. Upper Eno, New Hope Creek and Jordan Lake Headwaters Preserves**
- 3. Farmland Conservation Easements**
- 4. Historic and Cultural Landmarks (and historic easements)**
- 5. Mountains-to-Sea Trail (trail corridor and trailheads)**
- 6. Future Bingham Township Park**

Priority List for January 2024-December 2027

Priority Need	Purpose/Use	Estimated Cost*	Timetable
<p>1. Wildlife and Natural Connection Corridors between New Hope Creek and the Eno River 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, Little River, and New Hope Creek watersheds to maintain ecosystem functions and processes. Create new metric within current ranking matrix that increases conservation values within identified areas of priority. Add areas of county (Cane Creek /Haw) not in current plan.</p> <p>Partner with members of the Triangle Connectivity 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 estimated long-term cost of \$2 to \$3 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 Eno-New Hope Landscape Conservation Plan. Begin discussions with landowners and identify willing sellers/donors by December 2024; coordinate with partners, secure grants, negotiate any closings by end of 2027.</p> <p>Related – tree canopy assessment (as per Climate Action Plan) in 2027.</p>
<p>2. Upper Eno, New Hope and Jordan Lake Headwaters Preserves Acquire/protect additional priority lands adjoining existing nature preserve lands in Seven Mile Creek, as well as the Mason Farm to Jordan Lake wildlife corridor and associated natural areas.</p>	<p>Partner with Collaborative agencies and nonprofits to preserve one the County’s largest intact natural areas for a planned nature preserve with trails, outdoor education, and campsite. Partnering to 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). Examine linkages and gaps in New Hope Creek corridor.</p>	<p>Multi-year projects. Potential cost-share with multiple partners and State/Federal grant funds.</p> <p>Total estimated long-term cost of combined projects \$1.5 -3 million. County share of this (~33%) from combination of Lands Legacy and Conservation Easement Funds.</p>	<p>Continue working with key landowners and update site reconnaissance in 2024. Collaborate with partners in acquiring lands as feasible in 2024-2027. Actively pursue grants and partner funding.</p>

<p>3. Farmland Conservation Easements Acquire farmland conservation easements in priority water supply watersheds (Cane Creek, Upper Eno, Back Creek, and University Lake).</p>	<p>Work to preserve Orange County’ rural cultural and farmland character by helping conserve critical “communities” of prime and active farmland with good conservation practices that protects water quality by preserving riparian buffers on farms. Partner with Orange NRCS/Soil & Water Conservation District and state or federal farmland grant agencies.</p>	<p>\$500,000 from Lands Legacy CE Fund to be matched with potential grants from federal and/or State farmland grant programs, or from other partners as may be available. Landowner donation of portion of easement value for tax purposes is standard practice and expected.</p>	<p>Using the farm owner interest list and priority ranking system, identify best candidate farms for annual grant submittals ; negotiate easement(s) for closing by end of 2027. (Note – grant programs for farm easements now take 12-24 months for completion)</p>
Priority Need	Purpose/Use	Estimated Cost*	Timetable
<p>4. Historic and Cultural Landmarks Augment current efforts to designate local landmarks for high-priority historic sites, including sites on Study List for National Register of Historic Places, with a special focus on historically underserved and limited recognition sites.</p>	<p>Designating local historic landmarks is an effective way of protecting high-priority historic sites and may lead to historic preservation easements for selected properties. Partner with Historic Preservation Commission (HPC) and other organizations.</p>	<p>\$15,000 from Lands Legacy Fund matched by landowner funds for consultants to prepare landmark applications for HPC/BOCC consideration. An additional \$200-300K could be needed to acquire historic preservation easement on selected properties, as needed.</p>	<p>HPC to identify priority landmarks and contact owners for landmark consideration; negotiate historic preservation easements when feasible.</p>
<p>5. Mountains-to-Sea Trail Long-term project to complete the Trail link through Orange County utilizing County, State, and municipal public lands and natural areas in conjunction with private non-profit natural areas.</p>	<p>Partner with Eno River Association; coordinate MST with State Parks, OWASA, and Friends of Mountain-to-Sea Trail. County focus area is from Hillsborough Riverwalk southwest to Alamance line near Saxapahaw (an MST “Trail Town”).</p>	<p>\$500,000 from Mountains to Sea Trail Funds within Lands Legacy budget, in addition to limited funds in the MST CIP project. Potential partnering with FMST, in addition to willing landowners and groups such as OWASA and Eno River Association, depending on trail location.</p>	<p>Contact key landowners and update site reconnaissance in 2024. Collaborate with partners in acquiring lands as feasible in 2024-27 with a goal of having the Alamance County to Buckhorn Road segment secured and OWASA trail corridor approved. Pursue grant and partner funding. This continues a multi-year initiative.</p>

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<p>6. Bingham Township Park Pursue acquisition of park site in Bingham Township, the last identified park site in the approved P&R Master Plan to be acquired.</p>	<p>Acquire new district park site for active and low-impact recreation consistent with County’s Parks & Recreation Master Plan, as well as land that can act as a small preserve and trailhead for the MST. Conduct random-sample survey of Bingham residents on park facility needs.</p>	<p>Estimated \$750,000 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. Negotiate acquisition of future park site for closing by end of 2027.</p>
<p>Other Opportunities</p>	<p>In each Action Plan period, new and previously unidentified opportunities arise, some of which may rise to be high priority projects.</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.

Acquisition Objectives Description

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. Wildlife Habitat and Natural Areas

- 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 and Monadnock Ridge (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 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 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, #2, and #3 on the Priority Table (Pages 4-5)*

B. Farmland Preservation

- Continue working with the Orange Soil and Water Conservation District and other agricultural agencies to identify and prioritize willing sellers and donors of conservation easements on prime farmland in priority watersheds
- Continue working with the Orange 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
- Seek out/increase ranking for projects that benefit or promote local food production, recapitalizing farms, social justice, underserved communities, beginning or small farms

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

C. 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 Land and Water 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, #2, and #3 on the Priority Table (Pages 4-5)***

D. Parklands and Open Space

- Acquire land for a future district park in Bingham Township (southwestern Orange County), consistent with the County's adopted Parks & Recreation Master Plan
- Acquire access for the Mountains to Sea Trail that create 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 the 2024-27 timeframe on the link between Oconeechee Mountain and the Seven Mile Creek component of the Upper Eno Preserve and the connections from Cane Creek Reservoir area southwest to the MST connection point at the Alamance County line.
- In all acquisitions, be cognizant of the potential for meeting other objectives of protecting riparian buffers, natural areas and historic/archaeological sites
- Seek opportunities to improve connectivity to municipal parks and/or areas that link County parks to underserved communities.

➤ ***See #2, #5 and #6 on the Priority Table (Pages 4-5)***

E. 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)
- Look at historically underserved communities as a focus area for designation and protection
- Continue to stabilize, maintain and renovate existing structures on County-owned properties acquired for future parks (e.g., Blackwood Farm park site)
- Work with the HPC to pursue applications from high-priority candidates for local historic landmark designation

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

Conclusion

The first 24 years of the Lands Legacy Program saw tremendous strides in the protection of priority resource lands: 4,087 acres of important natural and cultural resource lands and future parks and public open space are permanently protected (as of March 2024), with 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, especially in the area of wildlife habitat and connectivity as shown in the new Eno-New Hope Connectivity Plan.

The 2024-27 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 within public water supply watersheds). This Action Plan will continue to use previously appropriated funding to leverage matching grants from State, federal and other sources for protecting the most-important natural and cultural resource lands in Orange County.

ⁱ Due to the Covid pandemic and the resultant slowdown in activity by conservation organizations and grant agencies, the previous Action Plan from 2018 was extended through 2023.