

Rural Legacy Advisory Committee
Minutes
June 17, 2024

The Chair, Mary E. "Cricket" Goodall, called the annual meeting of the Rural Legacy Advisory Committee (RLAC) to order at 2:06 p.m. on Monday, June 17, 2024. The Chair announced that the meeting is being recorded and asked any of the members objected to being recorded. Hearing no objections, the meeting proceeded to the Agenda. The Chair advised that the committee will consider the funding scenarios presented by the Rural Legacy Program Staff for FY 2025 Rural Legacy Program funding, as well as three Rural Legacy Area boundary expansion requests, and a request to create a new Rural Legacy Area in Worcester County. Staff introduced themselves, followed by roll call of the members and the sector that they represent.

The following members and staff were in attendance:

RLAC Members

Mary E. "Cricket" Goodall, Chair (Trustee of MALPF)
Greg Bowen (Maryland Environmental Trust)
Elizabeth Carter (Non-profit Environmental Organization)
Robert "Bob" Cissel (Agricultural Industry)
Steve Kline (Non-profit Land Conservation Organization)
Anthony DiPaolo (Forestry Industry)
Gregory Clinton Sterling, Jr. (County Government Dept. of Recreation & Parks)
Jane Evans (appears as Ortis Evans on screen) (Private Land Owner)
Arshad Sayad (Mineral Resources Industry)
David Jenkins (Municipal Organization)

Vacant (Business Organization)

Staff

Hilary Bell, DNR	Diane Chasse, DNR
Carrie Lhotsky, DNR	Deborah Herr Cornwell, MDP
Shawn Clotworthy, DNR	Ellen Mussman, MDP
Katrina Tucker, DNR	Chana Turner, MDA
Kat Midas, DNR	

The Chair announced that the meeting is open to the public pursuant to the Open Meetings Act, Maryland Annotated Code, General Provisions Article 3-301. The public may observe the meeting and, at the specified time on the agenda, the committee will receive public comments if there is anyone present who wishes to speak.

The Chair informed the members that for the FY 2025 grant application cycle, the Rural Legacy program received applications from 24 of the 35 Rural Legacy Areas, requesting a total of \$104.18 Million in funds. The Rural Legacy program received \$15.329 Million in the FY 2025 budget as passed by the General Assembly.

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The Chair invited any members of the public to speak at this time. Seeing no comments, the committee continued with the agenda.

A PowerPoint Presentation (PPT) prepared by staff was shared with the RLAC, with Katrina Tucker going through each slide. Ms. Tucker started the presentation by giving a brief background of the Rural Legacy Program, explaining details of the Rural Legacy Process, offering program statistics, and program partnerships. During this PPT presentation, RLAC member Mr. Sterling joined the meeting at 2:22 p.m.

Ms. Tucker continued the PPT and explained that there were three requests for expansion of Rural Legacy Area boundaries. These are for the Deer Creek, Gunpowder, and Piney Run Rural Legacy Areas.

The expansion request for Deer Creek was for 31,323.73 acres, which would increase the total acreage of the Deer Creek RLA by 47% from 66,702.44 acres to 98,026.17 acres.

Ms. Tucker continued the PPT to discuss the request for expansion of the Rural Legacy boundary for the Gunpowder Rural Legacy Area. The expansion request for Gunpowder was for 7,560 acres, which would increase the total acreage of the Gunpowder RLA by 51% from 14,808 acres to 22,368 acres.

Ms. Tucker continued the PPT to discuss the request for expansion of the Rural Legacy boundary for the Piney Run Rural Legacy Area. The expansion request for Piney Run was for 16,210 acres, which would increase the total acreage of the Piney Run RLA by 37% from 43,478 acres to 59,688 acres.

Ms. Carter asked if the Prettyboy Reservoir in the Piney Run RLA is privately owned. Ms. Anne Jones, sponsor of the Gunpowder and Piney Run RLAs, answered that it is owned by the City of Baltimore.

The Deer Creek, Gunpowder, and Piney Run RLA boundary expansions would increase statewide Rural Legacy Area acres by 55,093.73 acres from 1,276,538 acres to 1,331,632 acres.

Ms. Tucker continued the PPT and described the designation of the new Bishopville-Showell Rural Legacy Area encompassing 11,743 acres. Worcester County is the sponsor of this proposed RLA that will extend to the Delaware state line and include portions of Maryland's Isle of Wight and Assawoman Bay watersheds. Mr. Cissel advised that the 2017 market value of farm products sold in the area is now likely higher than the information on the PPT slide in light of the newest USDA Census of Agriculture from a couple months ago; although that information was probably not yet available when the Sponsor submitted their application in February. Ellen Mussman (MDP) joined the meeting at 2:39 p.m.

The Chair asked if there were any questions at this time before taking a vote. Mr. Cissel asked to see the Deer Creek map again. He asked if we gather any information about the active farms in potential expansion zones (such as tillable land, etc). Ms. Tucker answered that the sponsors do look at the land that has potential for preservation, not necessarily at the farming operation on specific properties. Ms. Tucker clarified that the RL program also protects habitat and woodlands as well as farmland.

Mr. Kline said that consistently expanding the Rural Legacy footprint in an environment of static or decreasing funding may present some challenges at some point. Mr. Sayed asked, in terms of the program's objectives and when funding is requested, if we are looking at criteria of what are the high-risk priority areas in terms of development pressure, water quality protection, leveraging of funds, and any other criteria that helps get to the program's core objectives. Ms. Tucker answered that those specifics are part of the analysis when applications for funding are scored – some scoring is ecologically related, forestry related, degree of development threat, etc. When seeking to expand an RLA, a Sponsor should consider these types of criteria so that the expansion is into an area that would result in high scores in those categories.

Ms. Tucker asked if there were any more questions. Mr. Cissel added that Class 1 and 2 soils are part of the scoring equation as well, to which Katrina confirmed also advising that MALPF is an entity that provides scores for the applications. Mr. DiPaolo spoke in support of the new Bishopville-Showell Rural Legacy Area, citing that the new area is under significant development pressure and is an important agricultural part of Worcester County. Mr. Cissel also commented that the area in this new designation is facing significant pressure from solar development, and stated that while he supports solar, it is important to preserve tillable land.

The Chair asked if the group would like to vote on expansions as a group or individually. Ms. Evans made a motion to vote on them as a group of three, Mr. Cissel seconded. Ms. Tucker took roll call for votes on the three expansions. All members voted yes, and the motion passed unanimously to approve the expansions.

The Chair asked if there were any motions to approve the new Bishopville-Showell Rural Legacy Area designation. Mr. Kline made a motion to approve the new designation, which was seconded by Mr. Cissel. The Chair asked Ms. Tucker to take roll call again. All members voted yes, and the motion passed unanimously to approve the new RLA designation.

Ms. Tucker continued with the PPT and explained the scoring system for Rural Legacy. Ms. Tucker presented three funding scenarios; allocate by overall score high to low (straight score), allocate by region, allocate by alternative region, or RLAC members may select another option.

Ms. Tucker advised that the committee could recommend one of the scenarios to the Rural Legacy Board for the grant awards, move funding within any of the scenarios, or allocate grant awards to Rural Legacy Areas and in amounts not included in the staff presentation. Ms. Tucker

presented the funding distribution options among the RLAs and four regions of the State in the three scenarios. The Chair called for any questions or comments about the presentation.

Ms. Tucker clarified the third funding scenario because it does not include funding for the Zekiah RLA, which would receive funding under the second scenario, and instead moves that funding to the Huntersville RLA. The Zekiah RLA obtained a score of 61, one point higher than Huntersville, but the sponsor for the Zekiah has not submitted an easement acquisition request in over a year, such that the Zekiah RLA has a current available grant balance of \$2,570,032 with funds remaining from FY 2022 and FY 2024 grants.

Mr. Jenkins asked if there was a reason why Zekiah had not spent that money. Ms. Tucker responded that when a County has more than one RLA, that county indicates which RLA is their priority for funding for that fiscal year and that RLA gets 10 additional points in scoring. Charles County is the Sponsor for both the Zekiah RLA and the Nanjemoy-Mattawoman Forest RLA, and because the County prioritized the Zekiah RLA this year, then 10 additional points were awarded to the Zekiah in the scoring thus resulting in a score of 61 points. Mr. Jenkins asked if there was any incentive for Zekiah to use their funding. Ms. Tucker advised that the category for “old funds” in the scoring results in a lower score for not spending funds, there is a possibility that old funds will be reallocated, and grant agreements with unspent funds do expire. Mr. Jenkins asked if we’ve been in contact with the county to ask if they have a plan to spend the money. Ms. Tucker advised that the RL Program Administrators are in regular contact with the sponsors as to status updates on the projects listed in their grant agreements.

Mr. Cissel asked DNR staff’s opinion about the three options. Ms. Tucker answered that the third option was included because while Zekiah scored higher than Huntersville, the Zekiah has over \$2.5 million in unspent funds, and there is a limited amount of funding for the Rural Legacy Program this year. Mr. Jenkins mentioned that he’s a Charles County resident and he is perplexed by the lack of action by the county to spend Rural Legacy funds in the Zekiah RLA and asked if it would be inappropriate for him to reach out to the sponsor about this issue. Director Bell mentioned that RL staff can reach out to Charles County on behalf of the advisory committee as to their plans for spending the balance. Mr. Bowen commented that he likes the regional option DNR staff presented to keep funding support balanced throughout the State, and he appreciated the staff for presenting the adjusted third option for dealing with this type of situation, and thanked staff for their work and mentioning that it’s an idea worth considering. Mr. DiPaolo asked whether anyone had seen the technical study done by the Hughes Foundation about the changes in tree canopy and loss of forest cover in the state. Central and Southern Maryland are the regions that continue to lose forest cover, and that trend is continuing. He believes we need to do what we can to encourage and promote these easement programs in these portions of Maryland.

Mr. Sayed believes that with such little money, we really need to make sure we target high priority areas instead of trying to make things fair and spread evenly across counties and RLA’s. He thinks we need to look at immediate threats and dangers, where we can leverage other

sources of funds, and he wonders if anyone from the advisory committee has reviewed the scoring criteria. Ms. Tucker answered that some of the RLA's have more opportunities to leverage federal funding, such as REPI and ACUB. Some sponsors that are counties that are able to leverage the RL funding with county funding and other sponsors sometimes are able to secure their own additional funding for a specific project. Those that can leverage other fund sources receive higher scoring. The scoring criteria is in a written document dictating how points are awarded. Ms. Tucker presented and reviewed the Grant Application Scoring document and explained how points are awarded, and how scores are compared and the ranking. There was dialogue among the members with respect to the scoring process.

The Chair asked if there were any motions to approve the staff recommendation of funding by the regional adjusted option presented in the third scenario. Mr. Bowen motioned to approve the regional adjusted option in the third scenario, which was seconded by Ms. Evans. Mr. Bowen wanted to clarify that the land trusts he is involved with are not a conflict of interest. Ms. Tucker confirmed they are not.

Ms. Tucker took roll call on the motion to recommend the funding allocations presented in the third scenario for the regional adjusted option for the FY 2025 Rural Legacy grant awards. Mr. Kline and Ms. Carter recused themselves from the vote, and Mr. DiPaolo abstained from voting on the Dividing Creek and Quantico Creek RLAs that are sponsored by the Lower Shore Land Trust. The Chair abstained from the vote. The motion passed unanimously.

The Chair asked if there were any members of the public present who would like to make comments or ask questions. Hearing none, the Chair asked if there were any further comments or questions from the members.

Mr. Cissel thanked staff for all the hard work they have done.

The Chair thanked the members of the RLAC for their time and participation, and then concluded the business of the committee. The Chair asked for a motion to adjourn. Mr. Cissel motioned to adjourn, seconded by Mr. Bowen. Hearing no opposition to the motion, the Chair adjourned the meeting at 3:33 p.m.