

Notes from meeting of MET's Lands Committee
Wednesday 1-20-2021
1:00 pm

Attending Committee Members: G. Burnett, M. D'Arcy, M. Benjamin, J. Jitkoff, S. Zilberfarb
Attending MET Staff: J. Chapman, A. G. Carlson, J. Turgeon
Attending OAG: R. Medoff

Next meeting: Wednesday, April 21, 2020 at 1 pm

Agenda Item 1: Easement Program Update

- a) Program Updates: A. G. Carlson stated that in 2020 MET completed 7 conservation easements protecting 1378 acres; two Amendments and one other conservation project that corrected an error in an earlier easement.
J. Turgeon reported that DNR plans to approve the hiring freeze exceptions for the easement and the stewardship program vacant positions.
- b) Easement Pipeline Report: A. G. Carlson presented the pipeline.
- c) MET Revised Model Deed of Conservation Easement: A. G. Carlson presented the updates to Revised Model MET Easement. The updates were the incorporation of the Committee's comments and suggestions. M. D'Arcy asked how the building areas would be identified. Buildings areas will be shown on an exhibit as either GPS points or if funding exists with metes and bounds description.

M. D'Arcy moved to recommend approval and to forward the Revised Model Easement to the full Board for approval. M. Benjamin seconded the motion. **The committee recommended approval to the Board of Trustees.**

Agenda Item 2: Conservation Easement Projects

- a) **44.3 +/- acres, Patterson Mill LLC, Harford County with Harford Land Trust A.G.** Carlson presented the proposed conservation easement project. M. Benjamin moved to recommend approval of the project for the Consent Calendar. G. Burnett seconded the motion. **The committee unanimously recommended approval of this project to the Board of Trustees on the Consent Calendar.**
- b) **UPDATE: 247.63± acres, Watson, Dorchester County with Eastern Shore Land Conservancy, Inc., and US Navy A.G.** Carlson presented the update to the proposed conservation easement project. M. Benjamin moved to recommend approval of the Staff recommendation and place project for the Consent Calendar. M. D'Arcy seconded the motion. **The committee recommended approval of this project to the Board of Trustees on the Consent Calendar.**
- c) **29.32 +/- acres, Mount Vernon Ladies' Association of the Union, Charles County with Charles County A.G.** Carlson presented the proposed conservation easement

project. J. Turgeon explained the land conservation work of the Mount Vernon Ladies' Association of the Union. M. D'Arcy moved to recommend approval of the Staff recommendation and place project for the Consent Calendar. M. Benjamin seconded the motion. **The committee recommended approval of this project to the Board of Trustees on the Consent Calendar.**

Agenda Item 3: Stewardship Program

J. Chapman provided the following update:

Monitoring:

Since start of State fiscal year (July 1, 2020) a total 92 monitoring reports have been generated and processed, 63 by Staff, 23 by Volunteers, and 6 by Staff joint with Local Land Trusts (LLTs).

Volunteer Program:

Wendy Hershey and Volunteer MD Volunteer Coordinator Jacob Honn are conducting four webinar trainings this Spring for potential new On-The-Ground monitoring volunteers. Currently we have approximately 15 active volunteers, another 20 or so waiting out COVID travel restrictions. All monitors are prohibited from making in-person contact with landowners.

Technology:

Staff are conducting a pilot project using the LENS Aerial Imagery Review system, which staff demonstrated for the Committee. A total of 137 Eastern Shore solely-held (MET-only; 26K ac) properties are included in the pilot. A total of 120 have been examined (88% of pilot goal) since early November; 56 reports still need to be reviewed and integrated with LOCATE database (using a digital tool we contracted for, that obviates cutting and pasting from LENS to LOCATE); 17 still need to be reviewed, by volunteers or staff (were assigned to volunteers), with the official end of the pilot on January 31.

Adding 56 reports needing review & integration with the 92 reports cited earlier, 148 monitoring reports have been generated (79% aerial) since July 1, down largely due to COVID related travel restrictions.

Staff is processing paperwork for LENS contract renewal, pivoting to the Western Shore, focusing on solely held CEs and ones coheld with low capacity/low frequency reporting LLTs, Total 438 properties greater than 25 ac (total 48K ac) as goals.

In preparation, Staff (JC) is editing MET's GIS file to reflect subdivisions and transfers to multiple landowners and visually dissolving parcel boundaries within ownerships, prior to sharing with LENS for use in the Western Shore project.

Digital Field Data Collector

Led by Director John Turgeon, Staff is discussing with other DNR units and the State's Department of IT the potential to develop a new GIS-based field data collector tool as

replacement for the free-ware tool (“KOBO”) developed for us by Chesapeake Conservancy, which is outdated and problematic. John is reaching out to other DNR units to potentially share the development cost with other interested parties. The timeline is approximately a year, potentially beginning sometime in the new fiscal year after another major GIS-related project is completed by DoIT.

Staff is also discussing with Back Office Thinking (the developers of the LOCATE database) the potential for an interim solution for a field data collector app that would be based on Salesforce, sharing potential development costs with other LTs using LOCATE database located outside of Maryland.

Stewardship

Staff continues to field requests daily for copies of easements, explanations of general and specific CE restrictions, copies of policies and approval criteria (e.g. home site location), application for requesting approvals or interpretation, and assistance with property reassessment issues.

Legal Proceedings

The Director and JC were deposed for legal proceedings (re: unapproved home construction and inter-owner disputes) on the Chase Farm in Howard Co. (4 hrs of grilling), but we were well prepared thanks to AAG Talley Kovacs. Evidence that was supplied in the discovery process included aerial photos taken by a volunteer pilot associated with the LightHawk organization, who also flew over and took photos of several other Western MD properties at Staff’s request. Staff must rely more on partners and technology to keep eyes on land use in the 23 counties of MD due to COVID-related travel restrictions and staff shortages exasperated by a hiring freeze.

Eastern Shore Airstrip Update

Staff presented an update to matter that was presented to the Committee in March 2020 regarding a proposal to establish an air strip to support an aerial agricultural materials distributor of ag fumigants and cover crop seed, serving Upper Shore farms within an approximately 50 mile radius of the property.

With ESLC and MET’s consent, the applicant has purchased the property, established his airstrip, and is leasing the balance of the property back to the prior owner to continue crop production. Because the fall cover crop seeding season was extremely wet, use of the air strip was severely constrained by muddy conditions, and the owner has asked to be able to pave the strip. The ESLC and three ag producers wrote letters of support.

Staff presented on the deliberative process being followed to review the merits and justifications of the updated proposal and what mitigation and restoration will be required to consent to it. Considering that MET determined in March that an airstrip serving distribution of ag materials was a permitted use, the crux of the matter is to ensure that there is a minimum of impact to conservation features, of soil, vegetation, water quality etc. Thus, mitigating measures should include establishing grassed buffers (including warm season grasses), continuing limitations on use (no other users, no storage of planes onsite), and requiring guaranteed restoration to

productive, tillable condition following end of use exclusively serving agriculture (i.e. by crop duster/cover crop seeder).

Meeting adjourned at 2:32 pm.

<i>2021 LANDS COMMITTEE MEETING SCHEDULE</i>
January 20
April 21
May 26
September 1
October 20