

Orange County, North Carolina

LANDS LEGACY PROGRAM

A. PROGRAM OVERVIEW AND OBJECTIVES

On April 4, 2000, Orange County adopted a new program designed to protect the most important natural and cultural resource lands in the county. The program was entitled Lands Legacy—recognizing the goal of preserving community assets for future generations.

The program was developed in 1999-2000 by County staff in response to board of commissioner direction, which emanated in part from an issue paper created by Commissioner Alice Gordon in 1998. Since the inception of the program, the County Commissioners continue to exhibit strong interest and support for environmental protection and land conservation.

Lands Legacy was the first comprehensive county open space land protection program in North Carolina. The objectives are to protect significant resource lands in the following categories: a) natural areas and wildlife habitat, b) riparian buffers in water supply watersheds, c) prime farmland, d) cultural and archaeological sites, and e) future parkland. The most common methods used by the program are the outright purchase of land and the placement of permanent restrictions on privately-owned land using conservation easements.

B. THE COMMUNITY AND ITS NEEDS

Citizens of Orange County have long espoused a strong environmental ethic with an interest in natural and cultural resource protection – dating back to the protection of landmarks such as Oconeechee Mountain in historic Hillsborough and the Davie Poplar at the University of North Carolina in Chapel Hill. Orange County is blessed with a variety of such resources:

- Located at the headwaters of three of North Carolina's river basins, the County contains 10 drinking water supply watersheds
- Over 300 historic sites, three National Historic Districts, and 51 sites listed on the National Register of Historic Places or NRHP Study List
- A total of 53 important natural heritage sites—14 with national or state significance
- Large Piedmont forests, which support a rich and diverse wildlife population
- 250 years of agricultural heritage, from tobacco farms in the county's northern reaches to family-owned dairies in southwestern Orange County

From 1957 to 1997, Orange County's population nearly tripled, from 40,000 to 115,000.

The creation of the nearby Research Triangle Park with large high-technology industries, and the growth of the University of North Carolina further changed the economic dynamic of the County and the region. During that 40-year timeframe, farmland in the County declined by almost 100,000 acres. The average cost of rural land increased from around \$400/acre to \$5,000/acre in 1997, with some rural areas now commanding \$15,000/acre.

The existence of resource lands, the dramatic increase in population, land converted to development, and rising land prices led the Orange County Board of Commissioners in 1999 to re-examine the commitment needed to land conservation. Substantial funds were committed annually to economic development, planning and other human services functions, but the amount of funding and resources given to land conservation was essentially zero.

C. PROGRAM DESIGN

The Lands Legacy Program is implemented by:

- A Lands Legacy **policy document**, which addresses the goals and objectives of the program, as well as the land protection methods to be employed

- A **Comprehensive Resource Database**, using GIS technology to identify priority resource lands and opportunities to meet multiple acquisition objectives
- A biennial **Action Plan**, which identifies specific land protection objectives, priorities and funding sources for the next two-year period.
- The **Department of Environment, Agriculture, Parks and Recreation (DEAPR)** identifies potential acquisitions, develops projects with landowners and partners, obtains funding, negotiates the acquisition agreement, and oversees land stewardship.

Land protection through Lands Legacy is guided by the biennial Action Plan, which is developed by DEAPR and adopted by the Board of Commissioners. The process of developing the Action Plan begins with staff identifying potential projects and consulting with a regional land protection plan adopted by local governments in the six-county Triangle region (“Triangle GreenPrint”). Staff then meets with four citizen advisory boards for input on the development of protection priorities, and discusses potential projects with partner agencies. Using the advisory board recommendations, a draft Plan is presented to the Board of Commissioners for adoption.

The Lands Legacy Action Plan for the fiscal years 2010-2012 contains program goals, advisory board input, specific action objectives, and a priority list of land protection projects for the two years. The Orange County Board of Commissioners adopted the plan on February 15, 2011. The County has also adopted a Long-Term Priorities document to address land conservation objectives through 2010. The long-term objectives include:

- Protecting the remaining natural areas located throughout Orange County
- Creating a system of nature preserves with interconnecting wildlife corridors, and
- A goal of protecting 10% of the County’s total land area (25,600 acres)

One of the strengths of the Program is an emphasis on partnering with other like-minded entities to protect important resource lands of mutual interest. Orange County collaborates with other local jurisdictions, area land trusts, conservation groups, the local Soil and Water Conservation District, and large institutional landowners (Duke University and the University of North Carolina). In 2004, Orange County entered into an agreement to co-hold conservation easements with the Orange Water and Sewer Authority, and in 2006 a similar agreement was approved for co-holding easements with the Eno River Association, a local land trust with whom the County is a partner on projects in the Upper Eno Watershed.

D. FUNDING FOR THE PROGRAM

Initial funding for the Program was from a 1997 voter-approved Parks Bond, with \$3 million for parkland acquisition. Subsequent funding came from a 2001 Parks and Open Space Bond, which included \$7 million for Lands Legacy. Those sources are augmented by four other Orange County funds: the Lands Legacy Opportunities Fund, the Lands Legacy Conservation Easement Fund, the School/Park Reserve Fund, and the Parks Payment-in-Lieu Fund.

Orange County has demonstrated a commitment to fund this Program, with \$19.4 million appropriated to date in the County's Capital Investment Plan 2005-15 from the above sources. Most of this funding is recent – with \$14 million appropriated since the Land Legacy Program's creation in 2000. In addition, the County has shown willingness to both spend these funds for acquisition priorities, as witnessed by the \$10.5 million expended to date, and retain funds for future long-term projects (the remaining \$8.4 million).

Finally, the local funding has enabled the County to leverage **\$5.1 million in Federal and State grants** from a variety of sources toward Lands Legacy acquisitions. A good example

is the four grants (\$2.44 million) awarded by the USDA Farm and Ranch Land Protection Program (FRPP) for farmland conservation easements. Because the County had matching funds it was able to secure a large share of the FRPP grant funds allocated to State of North Carolina: 36% in 2002, 28% in 2004 and 28% in 2005.

E. PROGRAM BENEFITS

Anticipated (and realized) benefits of the Program to the community and the environment include the following:

- Preservation of “critical masses” of prime farmland and farmlands threatened by development in water supply watersheds
- Water quality protection by keeping lands in a natural state, providing important filtering and buffering actions for the County’s 10 water supply watersheds
- Provision of new parks and nature preserves for low-impact recreation uses and enjoyment by for current and future County citizens
- Environmental education, in conjunction with local universities, for programs related to natural and cultural resource lands
- Protection of important historic and archaeological sites

Orange County has protected well over 2,500 acres of important resource land during the first 10 years of the Lands Legacy program, and has further contributed funds toward the preservation of another 1,200 acquired by other conservation partners. That includes the acquisition of 990 acres for new parkland and nature preserves, and the permanent protection of 1,563 acres of privately-owned farmland and natural areas through conservation easements. An annotated summary of completed projects is available on request.