



# Mattapany Rural Legacy Area

**Prepared By:**

The Maryland Department of Planning



The 16,850-acre Mattapanay Rural Legacy Area is an example of local governments, states, and federal agencies working together to further land preservation goals, in coordination with military neighbors.

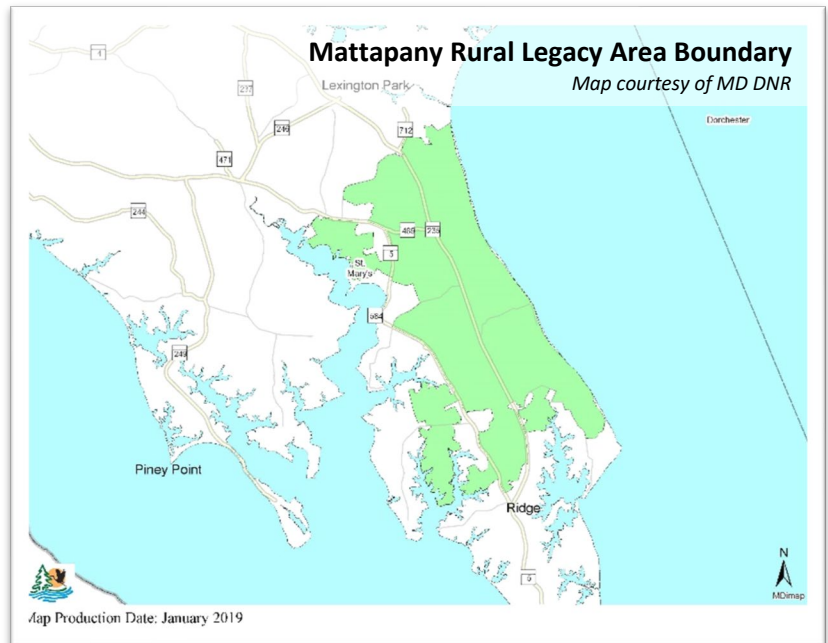
A **Rural Legacy Area (RLA)** is defined by Maryland's Rural Legacy Board as being rich in multiple agricultural, natural, forestry, or cultural resources. Local governments and private land trusts (sponsors) identify resource-rich areas and **apply** to have these lands designated as an RLA. Once designated by the Board of Public Works, an RLA is eligible to participate in the voluntary Rural Legacy Easement process. Sponsors can apply for Rural Legacy grants for conservation easements (or occasional in-fee land purchases) within Rural Legacy boundaries. The Mattapanay RLA is one of two Rural Legacy Areas in St. Mary's County.

### Land Preservation in St. Mary's County

Ecologically and environmentally sensitive, St. Mary's County recognizes the importance of protecting its natural resources and preserving land, while responsibly supporting the Navy's mission at Naval Air Station (NAS) Patuxent River. In support of these objectives, the county is home to a successful land preservation program, supported and funded by three sources: St. Mary's County Commissioners, Maryland's Department of Natural Resources **Rural Legacy Program**, and the Department of Defense (DoD)'s **Readiness and Environmental Protection Integration (REPI) Program**.

### Mattapanay Rural Legacy Area Designation

The Mattapanay Rural Legacy Area was first designated in 2006 when the state awarded more than \$1.5 million in rural legacy funding for land preservation efforts in St. Mary's County. In 2016, **Southern Maryland Resource Conservation and Development (RC&D)** assumed main sponsorship for the initial expansion, taking advantage of federal funding opportunities and facilitating a partnership between the Navy, MD DNR, and St. Mary's County that still exists today.



Mattapanay RLA is located in the southern portion of St. Mary's County. Conservation within the RLA provides water quality benefits to the Chesapeake Bay and the St. Mary's River watershed.

### At-A-Glance

**Established:** 2006, expanded 2017

**Rural Legacy Area designated acres:** 16,850

**Acres preserved in Rural Legacy easements:** 2,117

#### Partnership Details

- MD Department of Natural Resources
  - 25% Purchase Price of Easement
  - 100% Incidental Costs
- Department of Defense (DoD)/Navy
  - 50% Purchase Price of Easement
- St. Mary's County
  - 25% Purchase Price of Easement
- Southern Maryland Resource Conservation & Development (RC&D)
  - Administrator of Program
  - Responsible for Easement Monitoring

#### Contacts:

- Cynthia Greb, Executive Director | Southern Maryland Resource Conservation & Development ([cindy.greb@somdracd.org](mailto:cindy.greb@somdracd.org))
- Tom McCarthy, Conservation Easement Supervisor | Maryland DNR ([tom.mccarthy@maryland.gov](mailto:tom.mccarthy@maryland.gov))

## Easement Process

An application for a Rural Legacy easement is voluntary; however, land that has previously sold or transferred its development rights is not eligible. A landowner may sell an easement, donate an easement in exchange for income tax credits, or combine payments and tax credits. Easement value is based on a per acre formula that considers several factors, including the presence of a tidal waterfront, access limitations, and whether property is forested or is proximate to a mix of forest, farm, and developed areas.

If a property meets the minimum criteria and funding is available, an owner can accept a Rural Legacy easement offer and sign a sales agreement with RC&D. Various property surveys and studies are then required, at no cost to the landowner. RC&D submits all documentation to funding organizations and final approvals must occur before settlement, which is coordinated between RC&D and the landowner. Once accepted, the landowner and all future owners are bound by the terms of the executed easement. Importantly, the easement does not take away ownership interests or any right not expressly granted in the easement document, as accepted by the owner. Working with the Navy requires additional paperwork and studies, adding 12-18 months to the process.

Refer to DNR's [Rural Legacy Program Process webpage](#) to learn about the application process, additional funding, [criteria used to evaluate applications](#), and the [program manual](#), which explains the easement valuation and appraisal process.

## Benefits

Land preservation around bases is particularly important to sustain military training and testing by buffering them from residential areas, or other incompatible uses. In this case, Mattapany RLA minimizes conflicts between development and military operations at NAS Patuxent River and Webster Field.

Additional benefits of the Rural Legacy Program and land conservation easements include managing growth impacts on the Chesapeake Bay; protecting endangered species, water quality, and green infrastructure hubs; and responding to landowner interests to protect agricultural and forest lands while maintaining rural character.



Elms Beach Park is south of Naval Air Station Patuxent River and is located within the existing boundaries of the Mattapany RLA. The 1,020-acre park is managed by several user groups, including DNR, which manages 544 acres for hunting and conservation. [View the park's master plan to learn more.](#)

### A Rural Legacy Easement Will:

- Define terms for agreement and provide compensation
- Reduce development on the parcel but allow continued farming and other activities
- Establish minimum conservation practices to manage and protect farm, forest, and water resources
- Potentially impose light and height restrictions to protect military operations
- Grant the right of inspection to the co-holders of the easement (with notice) to assure easement compliance
- Exist in perpetuity

*Source: St. Mary's County Dept. of Economic Development*





UNITED STATES DEPARTMENT OF DEFENSE

**REPI** READINESS AND ENVIRONMENTAL  
PROTECTION INTEGRATION PROGRAM

### Funding Spotlight: REPI Program

The DoD's **REPI Program** provides funds across the country to limit encroachment that can affect or restrict military training, testing, and operations. The program protects military missions by helping to remove or avoid land-use conflicts near installations and addressing regulatory restrictions that inhibit military activities. Additionally, the program can provide up to 50% of the cost of easements, making land preservation efforts more affordable for counties.

### Mattapan RLA Expansion: Benefits

Expansion of the Mattapan RLA will:

- Add protection for operations at NAS Patuxent River and Webster Field and better leverage DoD's **Readiness and Environmental Protection Integration (REPI) Program** funding.
- Offset some of the financial impacts of **The Sustainable Growth and Agricultural Preservation Act of 2012** (Septics Bill) for owners of large parcels. The law eliminates major subdivisions in county-designated preservation and conservation areas.
- Further county goals to maintain rural character in key areas with scenic value for tourism.
- Offer more large parcel owners in the expansion area opportunities to participate in the land preservation program.
- Protect farms that contribute to the local agricultural economy.

### Mattapan RLA Expansion: Process

To expand an RLA, a request is submitted to the state by the county, land trusts, or partnership of

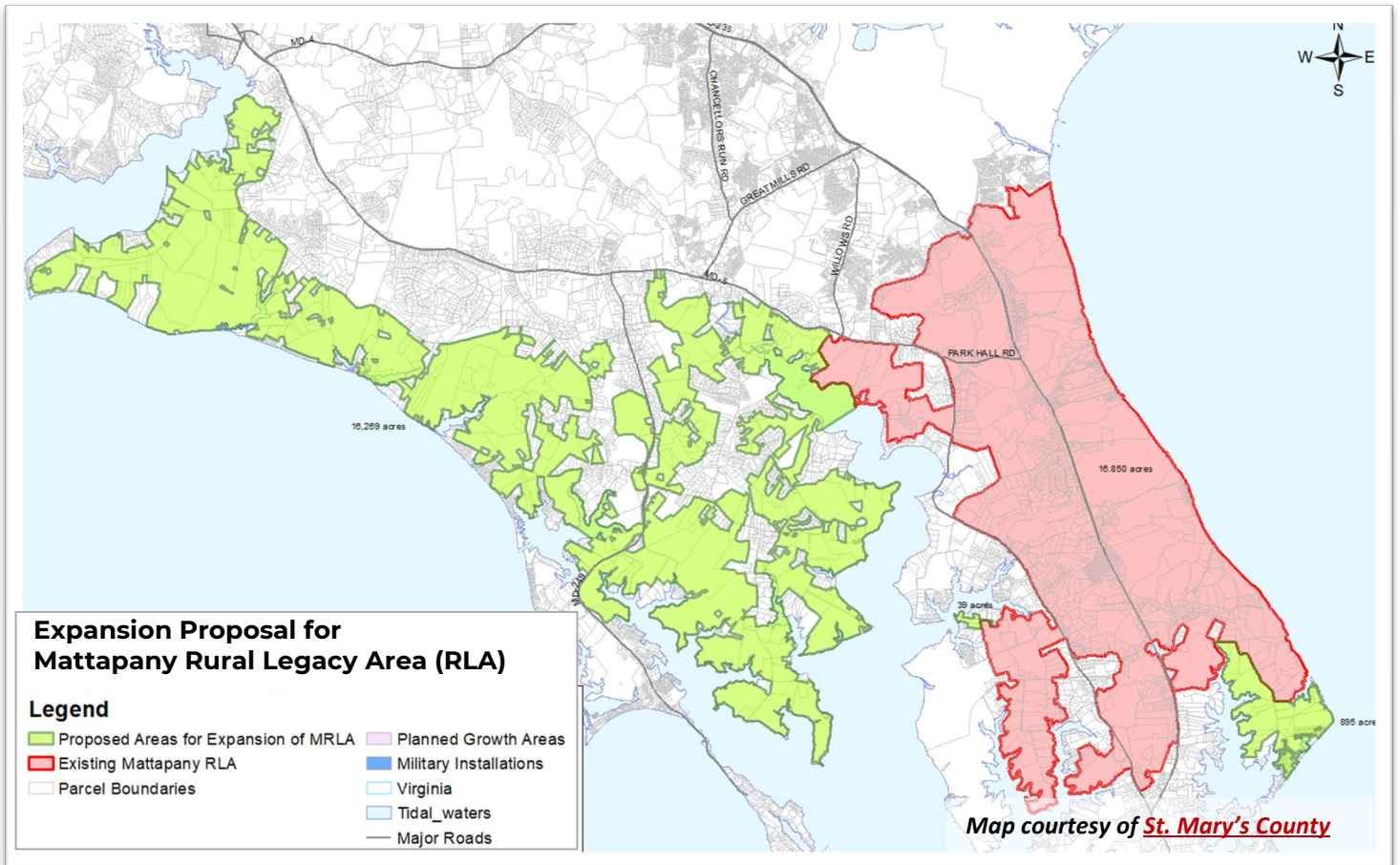
both. The request may also be accompanied by a letter of support from the County Commissioners. The Rural Legacy Advisory Committee recommends approval by the Rural Legacy Board, which approves the expansion and sends it to the Board of Public Works.

In March 2021, RC&D submitted an intent to request an expansion of the Mattapan RLA to St. Mary's County's Department of Economic Development. Since then, the Navy has supported the expansion to further protect NAS Patuxent River from encroachments.

The Department of Economic Development conducted extensive discussions with property owners to ensure they were aware of the proposed Mattapan RLA expansion. This also gave property owners an opportunity to ask to be removed from the expansion area, if not interested. All requests to be removed were accommodated. A notice, including a letter and map (*see following page*) of the proposed expansion area, was mailed to all impacted landowners.

RC&D also hosted a series of public information meetings about the expansion, land preservation process, and benefits throughout fall 2021. Based on these discussions, RC&D refined area boundaries and discussed the expansion and funding application with County Commissioners. A County Commission **letter of support for the application** was signed December 14, 2021. Following stakeholder outreach and public information sessions, a formal application was submitted to the Rural Legacy Program for expansion and funding.

The current application cycle for the FY23 Rural Legacy Program closed in February 2022, with results anticipated by fall 2022. If funded, RC&D will work with the Navy to initiate property ranking and easement negotiations with landowners who submitted a **Voluntary Easement Agreement**. Historically, waterfront properties and those closest to the installation have been ranked higher than smaller, more distant lands. The proposed expansion will more than double the current size of the Mattapan RLA, to 33,914 acres.



## Setting a Precedent

RC&D's collaboration with St. Mary's County, MD DNR, and other partners has resulted in a model for similar projects. RC&D has been invited to speak at conferences about the three-tiered funding partnership and has also been approached by Calvert County to assist with the Calvert Creek RLA (southern portions are close to NAS Patuxent River).

As demonstrated by the Mattapani RLA, land preservation, particularly near military installations, is most successful when durable collaboration leads to lasting partnerships. A strong relationship between federal partners, county stakeholders, and local land trusts helps achieve conservation successes while protecting Maryland's military interests.

## Mattapani RLA in the News

**Southern Maryland Resource Conservation and Development** continues its efforts to expand the Mattapani RLA and acquired two additional conservation easements in southern St. Mary's County in November 2021. These easements, funded by Maryland's Rural Legacy Program, St. Mary's County's Land Preservation Program, and REPI, brings RC&D's total co-held easements in the RLA to 19, covering over 2,117 acres. The parcels, located south of NAS Patuxent River, are beneath the Navy's airspace used for testing and training and will further the work of the county and RC&D to limit development near the installation while protecting scenic views, biodiversity, habitat, and agriculture.

## Maryland's Rural Legacy Program

Maryland's Rural Legacy Program aims to protect areas rich in agricultural, natural, and cultural resources. The program provides the necessary funding to protect large adjoining tracts of land using a series of cooperative grant agreements with the state and a local sponsor. Through the program, local governments, land trusts, and landowners work together to determine how best to protect the state's vital working landscapes through conservation easements. The program is administered by the Department of Natural Resources. [Learn more about Maryland's Rural Legacy Program.](#)



# Maryland

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