

LAND AND WATER LEGACY PROGRAM

Program Description

Through the Land and Water Legacy Program, the County works with landowners and organizations to purchase land or interests in land to keep in natural condition. The county purchases or accepts donated interests in land directly or in partnership with cities, townships, public agencies and nonprofit conservation organizations. Generally, for land protection purposes, the county acquires the fee title to land only when it is located within an established county or regional park. Elsewhere, the county purchases or accepts donated partial interests in the property in the form of a conservation easement. A conservation easement is a legal agreement between the landowner and a conservation organization, whereby the landowner agrees to limit or prohibit development and other activities on the land for the purposes of protecting the natural characteristics of the land. The land remains in private ownership and future landowners are bound by the terms of the conservation easement. Washington County is the holder of the conservation easement.

Competitive Program

Periodically, Washington County issues a request for proposals to solicit applications from landowners who are interested in permanently protecting their property. These applications are intended to indicate an interest in participating in the program, and do not represent a binding commitment or offer to sell a conservation easement. All applications are evaluated using the project evaluation criteria adopted specifically for the program and are ranked according to which properties best meet the goals of the program. (See Appendix B for a complete list of the criteria.) The County Board makes the final determinations as to which projects to accept and the conditions to place on each project.

Local Match Program

Washington County also contributes funds to other organizations to acquire parkland, open space and conservation easements. Payment is made after costs are incurred and upon receipt of an invoice and proper documentation of the costs. The following criteria must be met for a unit of government to receive funds:

- The request must be for a specific parcel of land; the county does not provide general program funding.
- The land must be identified in or be consistent with a locally-approved land protection plan or policy.
- The unit of government must provide at least 50% of project cost, including the real estate transaction costs as well as the value of the property.
- The owner of the property must be willing to grant the county a perpetual conservation easement over the property.

Opportunity Purchase

Although the Competitive Program is only open for new applications on a periodic basis, Washington County does consider requests on an ongoing basis. These projects, known as Opportunity Purchases, are projects that receive a high project evaluation score and whose sale is imminent. Opportunity purchases may arise when there is an imminent sale resulting from such things as a pending estate sale, a pending sheriff's sale, an impending financial hardship, or a natural disaster.

Parkland Projects

Land and Water Legacy Program funds are used to acquire high quality natural areas within county parks. Washington County has adopted a Parks Acquisition Plan that rates the inholdings within county parks and assigns an A-D priority to each parcel (See Appendix B). Generally, the Land and Water Legacy Program funds will be used to acquire lands within the county or regional parks that are classified as A or B priority or receive a high Land and Water Legacy project evaluation score.