



MEMORANDUM

March 10, 2016

TO: Montgomery County Planning Board

VIA: Mike Riley, Director of Parks *MGR*
 Mitra Pedoeem, Acting Deputy Director of Parks *mitra*
 John E. Hench, Ph.D., Chief, Park Planning & Stewardship Division *Jehench*
 Michael Ma, Acting Chief, Park Development Division

FROM: Brenda Sandberg, Legacy Open Space Program Manager, PPSD *BS*
 Dom Quattrocchi, Planner Coordinator, PPSD
 William E. Gries, Park Development Division *weg*
 Josh Kaye, Park Development Division *JK*

SUBJECT: Land Acquisition Recommendation, Legacy Open Space Program
 Black Hill Regional Park
 Philip G. Rable & Richard P. Rable, Trustees, Vinnie M. Rable Revocable Trust
 (Rable Property)
 89.3155 acres, more or less

STAFF RECOMMENDATION

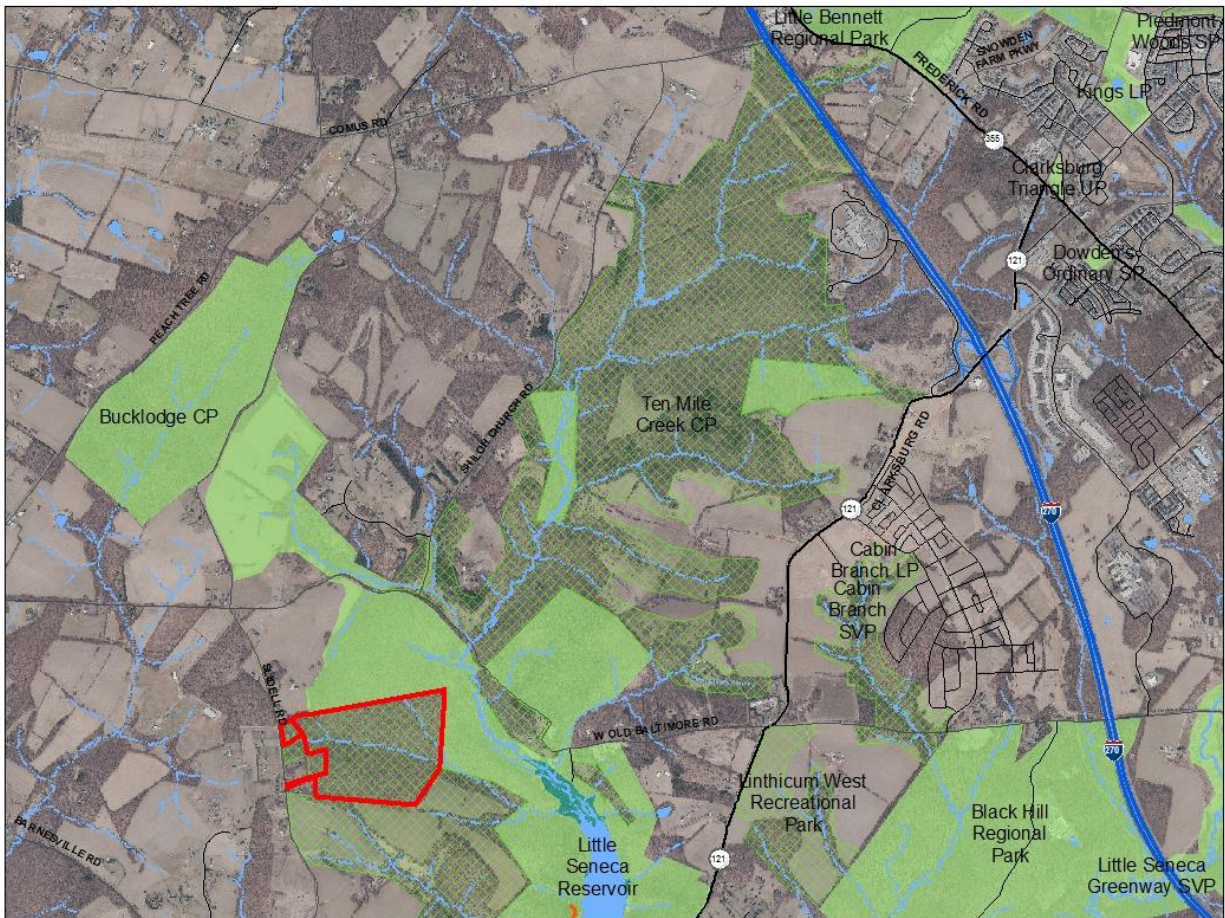
Approve the attached Resolution to acquire the Rable Property, 89.3155± acres, to add to Black Hill Regional Park for the negotiated purchase price of \$1,030,000.00 to be funded through the Legacy Open Space CIP with County G.O. Bonds.

The Rable acquisition is important to the park system for several reasons. It can provide a much-needed trailhead and parking lot to support the natural surface trail network in Black Hill Regional Park and beyond. This trailhead will help to implement the vision for connecting the natural parklands and recreational trails between Black Hill Regional Park, Bucklodge Forest Conservation Park, Ten Mile Creek Conservation Park (present and future portions), and Little Bennett Regional Park. In addition, the site will provide public parkland to preserve mature interior forest canopy in a sensitive watershed, add to the Best Natural Area in Black Hill Regional Park, protect the water quality in Little Seneca Reservoir, and provide trails and other resource-based recreation opportunities for the growing community of Clarksburg.



**Vicinity of Proposed
Addition to Black Hill
Regional Park**

Figure 1: Aerial Photo of Proposed Acquisition of Rable Properties



Site Description

The 89-acre Rable property (outlined in red in Figure 1) includes two parcels of RDT zoned land (P606 & P510) with access off Slidell Road. The land is located at the northwest corner of Black Hill Regional Park, is completely forested, and does not contain any man-made structures. The site does have a network of unimproved roads that could be partially incorporated into a multi-use trail network.

The forest on this site comprises mature, good quality mixed oak and hickory on much of the site, with some areas of maturing tulip tree forest with a mixed oak component and other areas with a young tulip tree-red maple forest. The forest on the site displays excellent diversity and age cohort spread (variation of young and old trees throughout the forest), resulting in a highly sustainable forest over time.

The site also contains two streams within the Ten Mile Creek watershed that drain directly to Little Seneca Lake within Black Hill Regional Park. Several observed wetland areas and seeps provide additional habitat diversity on the property and supports the stream quality of the Ten Mile Creek watershed.



Figure 2: Forest Floor and Diverse Tree Sizes



Figure 3: Stream Bed

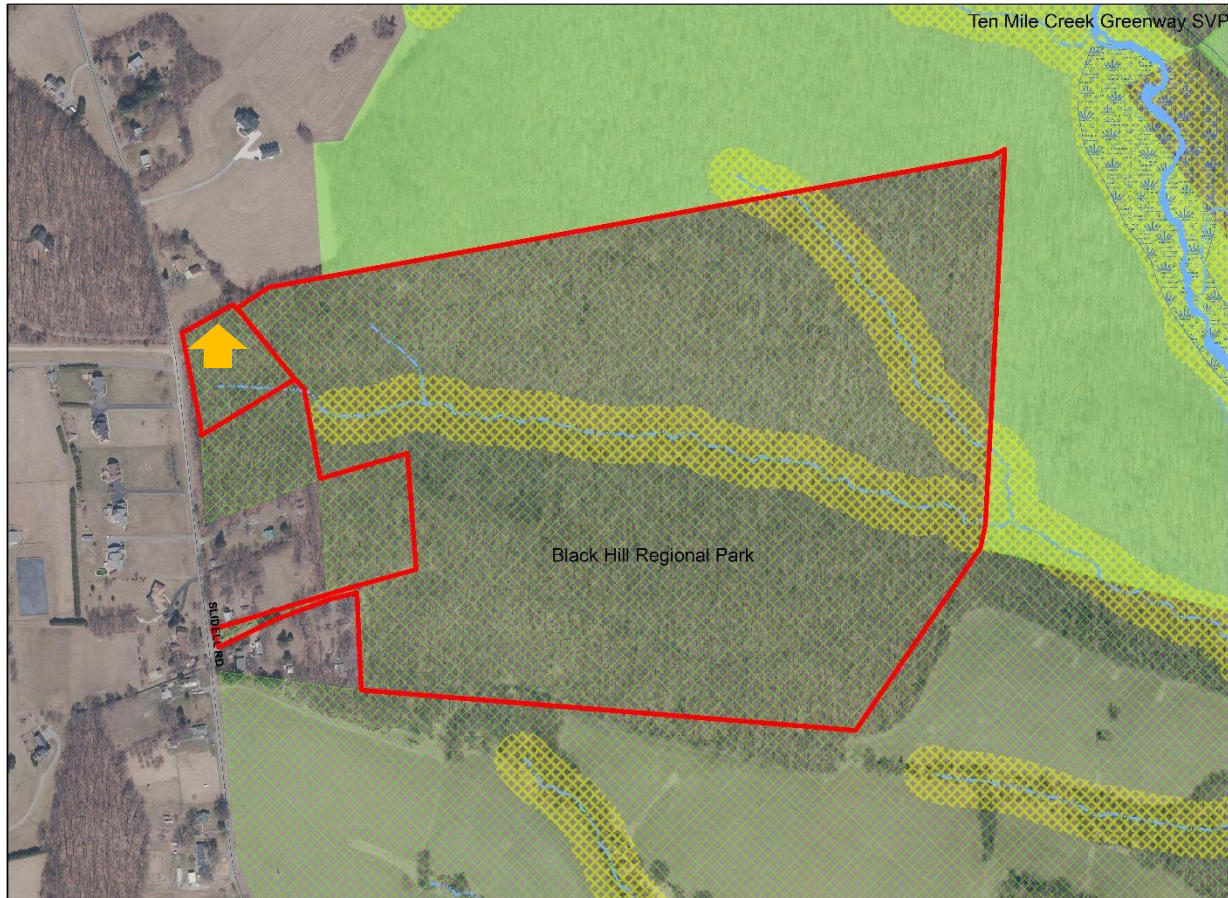


Figure 4: Forest with Existing Trail



Figure 5: Slidell Road Level Access Point

Figure 6: Resource Atlas Data and Proposed Trailhead Parking Location (kiosk symbol)



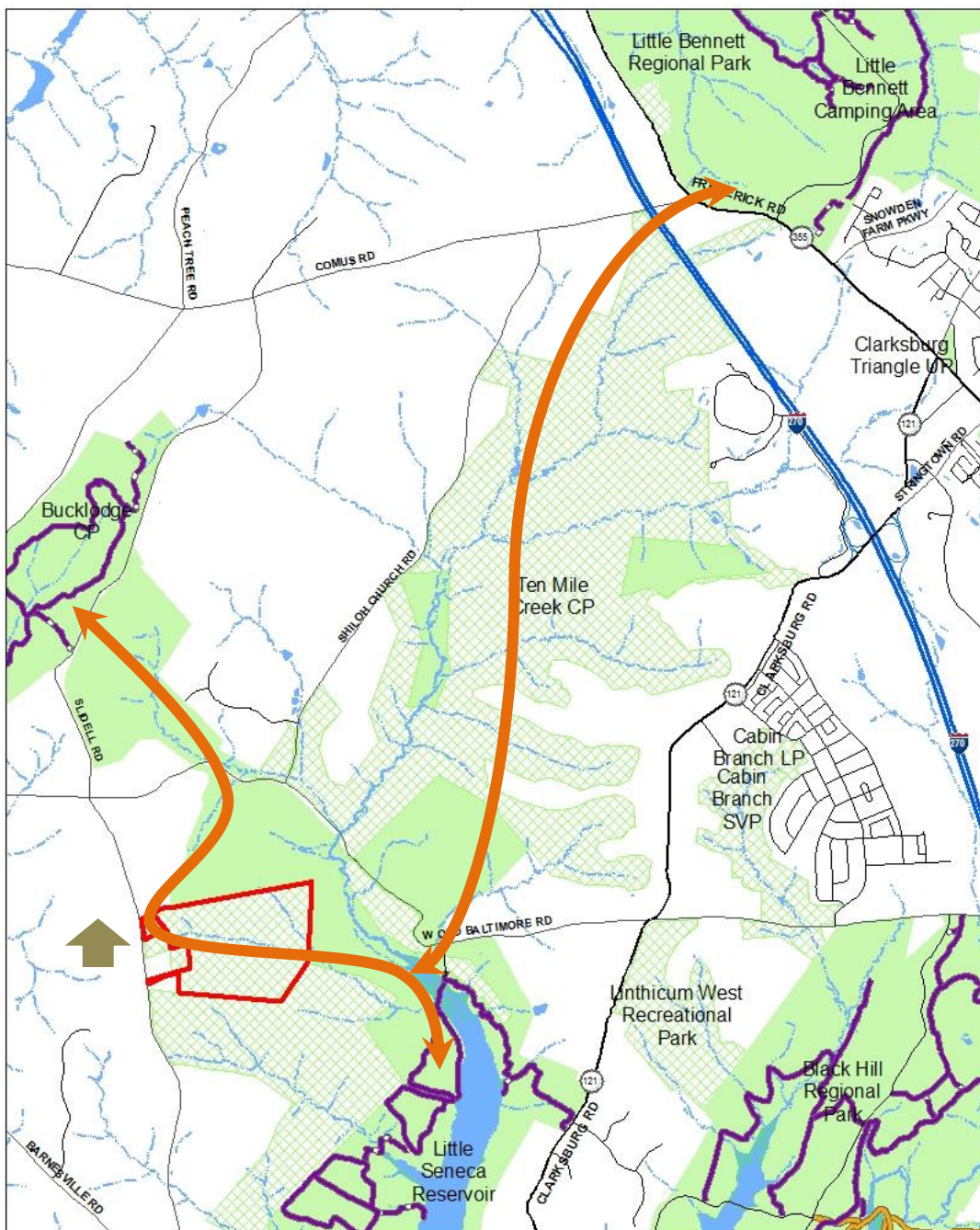
Benefits and Proposed Uses

The benefits and proposed uses of the Rable addition to Black Hill Regional Park derive from almost 90 acres of new parkland that can provide significant resource-based recreation opportunities to the growing Clarksburg community. The Rable property provides the following benefits to the citizens of the County:

- Natural surface trails for hiking, cycling and equestrian use on the property itself
- A trailhead with parking at an important location to support trail use throughout this resource-based recreation hub, including:
 - Existing natural surface trails in Black Hill Regional Park
 - The future regional natural surface trail that will connect Black Hill Regional Park to Little Bennett Regional Park via the future Ten Mile Creek Conservation Park, as proposed in the Countywide Park Trails Plan and in the Ten Mile Creek Amendment to the Clarksburg Master Plan
 - Additional trails that will create a link from Black Hill Regional Park to Bucklodge Conservation Park
- Additional protected land to create the large natural areas necessary for nature appreciation and bird and wildlife viewing
- Protection of existing high quality parkland by buffering and enhancing the Best Natural Area in Black Hill Regional Park.

As mentioned in the staff recommendation, one of the primary benefits of this acquisition to the trail system is the potential to provide a much-needed trailhead with parking in the northwest corner of Black Hill RP. A trailhead parking area is not feasible along West Old Baltimore Road due to steep slopes and floodplains, so providing a trail access point along Slidell Road in a safe and sensitive manner is important to the natural surface trail network. See Figure 7 for a conceptual graphic of the proposed trail connections between all the large parks in this area and the preferred location for a trailhead on the Rable Property.

Figure 7. Trail Connectivity and Proposed Trailhead Between Clarksburg Area Parks



Master Plan Designations: Legacy Open Space and Ten Mile Creek-Clarksburg

The Ten Mile Creek watershed was initially determined to include high quality resources and to be worthy of LOS designation at the time of the original *Legacy Open Space Functional Master Plan* (2001). Ten Mile Creek was included in the LOS Plan appendix, a list of sites which were to be evaluated for addition to the Plan over time.

The Ten Mile Creek watershed was studied extensively during the development of the *Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan* (TMC MP, July 2014) and was confirmed to be a high quality watershed with significant forest and wetland resources. The TMC MP concludes that this watershed is a significant aquatic resource that deserves extraordinary measures to protect (page 14):

Ten Mile Creek is in good to excellent condition based on stream biology.... This condition is primarily due to a combination of agricultural and low-density residential development balanced by a very high proportion of dense forests and a wealth of springs and wetlands....

Ten Mile Creek is a reference stream in Montgomery County, serving as a high quality benchmark against which other streams are compared. Long-term monitoring indicates overall biological conditions to be healthy and diverse. Sensitive indicator organisms that occur in few other areas within the County are found here. Ten Mile Creek is part of a small group of high quality watersheds still remaining within the County (e.g., many Patuxent River tributaries, Bennett Creek, and Little Bennett Creek). As a result of its unique characteristics, Ten Mile Creek warrants extraordinary protection.

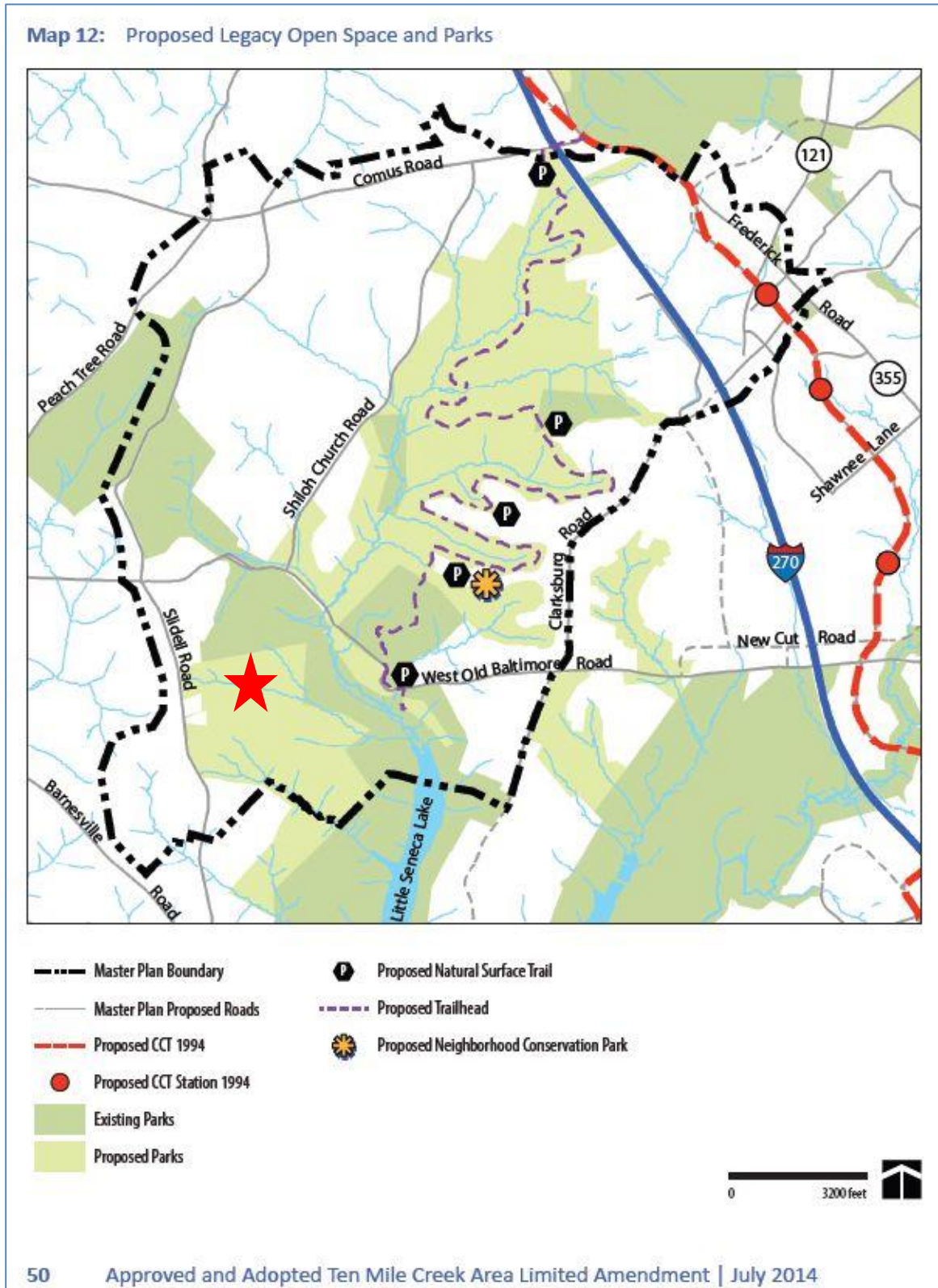
The watershed also was determined to meet several key LOS criteria as a significant Natural Resource (page 48, emphasis added to criteria most applicable to Rable property):

Evaluation of the Ten Mile Creek Watershed concluded that the 600 acres of forested headwaters met six of the eight criteria for inclusion in the Legacy Open Space program. The forest conforms to the following statements from the program:

- “has particular countywide, regional or national significance” for its potential ability to support rare, threatened or endangered species, aquatic communities, and its varied habitats;
- “is critical to the successful implementation of public policy such as protection of the Agricultural Reserve and public water supply;”
- “**is part of a ‘critical mass’ of like resources** that perform an important environmental or heritage function;”
- “**provides human or ecological connectivity** between significant park, natural or historic areas and/or corridors;”
- “**helps to buffer and thereby protect other significant resources;**”
- “**represents an opportunity for broadening interpretation and public understanding** of natural and heritage resources.”

As a result of these determinations, the 2014 approved and adopted TMC MP designated the **Ten Mile Creek Watershed** as a Legacy Open Space Natural Resource site by action of Planning Board and County Council (see Figure 8). The Rable Property is included in the TMC MP as part of the designated LOS site and as proposed parkland.

Figure 8. Ten Mile Creek Area Limited Amendment, Clarksburg Master Plan (2014): Legacy Open Space and Proposed Park Designation (Rable marked with star)



Additional support for the addition of this land to Black Hill RP and the connected network of parkland in this area can be found in the earlier 1994 *Clarksburg Master Plan* and in the *Ten Mile Creek Limited Amendment* (2014):

- Recognizes the Countywide significance of the Ten Mile Creek Watershed.
- Recommends public acquisition of stream valleys that in turn can support a Greenway Network (Policy 3).
- A large, new conservation park and a nature-oriented neighborhood park will create a focus for a new green neighborhood, connecting Clarksburg residents to this important natural resource and providing recreation opportunities in natural settings, including hiking, nature appreciation, picnicking, nature play, and community gardening.

Other Policy Support

Countywide Park Trails Plan Amendment, Public Hearing Draft, February 2016

The draft *Countywide Park Trails Plan Amendment* currently under review by the Planning Board establishes a series of “loops and links” to create a network of trails of varying surfaces to serve the residents of Montgomery County. This draft plan recommends a regional natural surface trail to link Black Hill Regional Park and Little Bennett Regional Park via the future Ten Mile Creek Conservation Park, identified as the Ten Mile Creek Greenway Trail. This recommended trail passes through the northwest portion of Black Hill Regional Park, potentially through a portion of the Rable property. The proposed trailhead on Rable will also serve as an important access point to this regional trail.

See Figure 9 for a map from the Countywide Parks Trail Plan indicating the regional natural surface trail between Black Hill and Little Bennett Regional parks.

Figure 9: Countywide Park Trails Plan in Rable Vicinity (Rable marked with star)



Vision 2030 and 2012 PROS

The Vision 2030 strategic plan (2011) and the 2012 PROS Plan update both reflect findings that there is increased demand countywide for *trails and resource-based recreation opportunities* in the County, both needs that can be supported through the Rable acquisition. A statistically-valid survey conducted during Vision 2030 indicated that the most popular recreation activity in the County is the use of hard and natural surface trails, with very strong evidence for high demand and need for more *natural surface trails*. For instance, 80% of respondents said natural surface trails are needed for their household's leisure time activities, higher than any other facility type. Respondents also noted that Natural surface trails are the most important facility to add, expand, or improve (70% saying very important).

The Vision 2030 survey also indicates strong support for *additional natural areas* in the County. Sixty-three percent (63%) of respondents indicate that adding, expanding or improving natural areas is very important, higher than all facilities except natural surface trails, hard surface trails, and playgrounds. Similar strong support for natural surface trails and natural areas is found when looking at the survey results for just the Potomac/Rural Vision Team area that includes Damascus.

In addition to the survey results, anecdotal evidence and park manager reports from the Black Hill region indicate that current natural surface trails in the Black Hill region are seeing increased usage and wear and tear. This increase is not unexpected due to the recent population growth in Clarksburg that is expected to continue. The Planning Department reports that the adjacent corridor town of Clarksburg is expected to have an *additional 22,000 residents* at full build-out.

Agency and Citizen Support

The Legacy Open Space Advisory Group and the Legacy Open Space Internal Implementation Team unanimously support acquisition of the Rable properties to serve the many new residents of northern Montgomery County. This acquisition is further supported by senior management of the Department of Parks and Area 3 Planning Department staff.

Start-Up Costs & Operating Budget Impact (OBI)

Costs for the management of this acquisition in both short and long term is expected to be minimal. Start-up costs to incorporate this land into Black Hill Regional Park will fall into two categories that can be funded through existing level-of-effort CIP funds:

- 1) Park cleanup, security and signage: Removal of any fences or other unwanted debris, placing security gates at access points along public roads, installing MNCPPC property signage, and conducting Non-Native Invasive (NNI) control if necessary.
- 2) Natural surface trails and trail access points: As discussed earlier in this memo, this acquisition is a likely location for a trailhead that would provide access to the extensive natural surface trails in the Regional Park, including a gravel parking lot, kiosk and trail signage.

Adequate Legacy Open Space PDF "One-Time Cost" funds are available most years in the amount of \$250,000 to fund the first of these expenses (estimated at \$5K - \$15K), and the second expense category is funded through the Natural Surface Trails Implementation PDF (estimated at \$30K for one trailhead parking area).

There are no features on this acquisition that are expected to increase operating expenses measurably for Black Hill Regional Park. A rough estimate of Operating Budget Impact (OBI) for this additional acreage, after installation of a parking lot and trailhead, is around \$5,000 per year.

The recently master-planned Rable property adds sizable quality acreage to one of the County's largest hubs for resource-based recreation, thus directly contributing to providing recreation and maintaining the quality of life for our rural and suburban residents in the Clarksburg region. This acquisition is a rare opportunity to add significantly to an existing park and to the valuable legacy of parkland for the future residents of our growing County.

Attachment: Resolution MCPB 16-____

cc: John Nissel
Doug Ludwig
Mike Little
Jayne Hench
Antonio DeVaul
Kip Reynolds
Jim Poore
David Vismara
Megan Chung
Shuchi Vera
Kristi Williams

MCPB
16-032

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission (“Commission”) is authorized by Maryland Code Annotated, Land Use §17-101 (formerly Article 28, Section 5-101 of the Annotated Code of Maryland) to acquire, develop, maintain and operate a public park system within the Maryland-Washington Metropolitan District; and

WHEREAS, Montgomery County, Maryland (the “County”), has appropriated certain funds from the County’s General Obligation Bond proceeds to fund the Commission’s Legacy Open Space Acquisition Program; and

WHEREAS, the Commission identifies properties that are eligible for acquisition with funds from the Legacy Open Space Acquisition Program and recommends that the County acquire such properties with such funds; and

WHEREAS, Philip G. Rable and Richard P. Rable, as Trustees of the Vinnie M. Rable Revocable Trust own certain property identified as Tax Account #02-00028060, containing 2.2586 acres, unimproved, and Tax Account #02-00028071, containing 87.0569 acres, unimproved (collectively, the “Property”), located in Boyds, Maryland, all of which lies within the Ten Mile Creek Watershed of Montgomery County and meets parkland acquisition criteria as an addition to Montgomery County’s existing Black Hill Regional Park; and

WHEREAS, the Ten Mile Creek Watershed, including the Rable property, was designated as a Legacy Open Space Natural Resource site in the Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan of July 2014; and

WHEREAS, the Montgomery County Planning Board on behalf of the Commission recommends that the County acquire the Property from Philip G. Rable and Richard P. Rable, as Trustees of the Vinnie M. Rable Revocable Trust, all as described above; and

WHEREAS, there are sufficient monies available in the Commission’s Legacy Open Space Acquisition Program CIP to pay for the acquisition of the Property.

NOW THEREFORE BE IT RESOLVED that the Montgomery County Planning Board recommends that the County execute the Land Purchase Agreement, on such terms acceptable to Commission, to acquire the Property from Philip G. Rable and Richard P. Rable, as Trustees of the Vinnie M. Rable Revocable Trust for the purchase price of One Million Thirty Thousand Dollars (\$1,030,000) and other valuable consideration; and

* * * * *

This is to certify the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion, at its regular meeting held on Thursday, March 17, 2016 in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board