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Flat Creek Waterway

The Kings Branch-Flat Creek Greenway Natural Area is a beautifully conserved little-known natural area in Davidsonville, Maryland. The 56-acre property has been held in conservation easement with the Maryland Environmental Trust and the Scenic Rivers Land Trust since 2006. Mr. Nigel Robinson gifted the property to Anne Arundel County in 1996 with the intent of preserving the property from development and it has been managed by the county's Department of Recreation and Parks ever since.

Over time, the Flat Creek/Gravelly Run waterway that runs through the property became impacted by intense stormwater surges due to surrounding development, subjecting it to frequent blowouts that cut into the banks and washed sediment further downstream. At the urging of members of the adjacent Gravelly Run Community, and grant funding secured by the Arundel Rivers Federation, a restoration project began in 2018 that would reset the banks of the stream, create step pools that slow the flow of water, allowing it more time to infiltrate instead of eroding the land, and establish native trees, plants and grasses that attract wildlife and contribute to nutrient uptake.

It has been about three years since the restoration project was complete and already the stormwater flows have slowed, and native vegetation and wildlife is flourishing. *(story continues on page 3)*



Prior to restoration work, Flat Creek was little more than a trickle due to heavy erosion and sediment filling in the creek bed (2018).



Step pools and planted vegetation in Flat Creek (2021).



Protecting Your Property from Trespass or Encroachment

The first step in protecting your property is to locate property corners and boundaries and mark them well. You and your neighbors may agree on common corners and boundaries, but simple agreement does not sufficiently define a property. It may be advisable to hire a registered surveyor to re-establish the locations of all

corners and boundaries. These professionals may mark property boundaries by blazing/painting selected trees along the boundaries, or by posting signage that indicates ownership of the property and any restrictions on its use (e.g. no hunting or access without authorization by the owner). Solid iron bars driven in at corners are also often used by surveyors to mark a corner. All survey work should be recorded at the county courthouse to ensure that your boundaries are legally defensible. In some instances, especially where property corners are known or are easily found, and you have a good survey or property description, you can locate boundary lines yourself using a hand compass, then you may blaze or post signage.

The act of periodically walking your property and verifying the blazes or signage on its boundaries is an important step in helping to know your land and discovering any potential areas of encroachment. Once your boundaries are well established, potential users are on notice as to your ownership and permitted uses. If unauthorized users cross your boundaries and use your land (e.g. for unpermitted hunting, riding ATVs or motorcycles, etc.) then you have a right to have them cited for trespass. For your safety you should contact your county sheriff or Maryland Natural Resources Police if you observe unauthorized trespassers. You may consider installing sturdy gates at frequently accessed points on the property or posting game cameras to capture images of the trespassers, which may be used in prosecution.

Meeting and knowing your neighbors are also effective means of reducing trespass. Having others to look out for your land can be especially helpful if you don't live on your land or don't often see some parts of your property abutting or near your neighbors. Make sure they know they can contact you if they observe any issues. Robert Frost wrote that good fences make good neighbors, but he more likely meant that clear and agreed upon boundaries reduce disputes. If a neighbor's fence is found to cross your boundary line, or a shed or other structure is located on your property, it is best to address it with your neighbor before time passes. After 20 years of use by others, that portion of your land could be claimed by others through adverse possession without your reasserting your ownership. Thus, regular patrolling, blazing or posting your boundaries, and communication with neighbors can help to protect your land and your enjoyment of it.

See the UMD Extension Bulletin 357 titled *Landowner Liability and Recreational Access* (<https://extension.umd.edu/resource/landowner-liability-and-recreational-access-eb-357>) for more information on signage and blazes, and other means to reduce landowner liability when accessed by authorized and unauthorized users. This article is based on UMD and Penn State extension articles on rural property management and is not meant as legal advice. For legal advice, consult an attorney.



Flat Creek Waterway

(continued from page 1) ...During a recent visit by MET staff, deer, birds, frogs and even a box turtle were spotted in the vicinity of the Creek, further proving how valuable the land is to wildlife and ecosystem health.

The conservation and restoration of Flat Creek is one of many success stories that MET showcases for not only the permanent protection of open land, but for effective partnerships that brought about enhancement of natural features, directly benefitting environmental and public health within the Chesapeake Bay Watershed.

MEET THE STEWARDSHIP TEAM



Jon Chapman
Stewardship Manager

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Josette Markline
Stewardship Planner

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MET's website contains general information, but please feel free to contact Jon and Josette with specific stewardship questions or concerns. They are available to answer questions from landowners, their agents and the public regarding any aspect of conservation easement restrictions and permissible activities.

Questions about volunteer monitors? Contact Shannon or Wendy with specific questions or concerns.



Wendy Foster
Dept. of Natural Resources Liaison

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Shannon Taylor
Volunteer Coordinator

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Stewardship Corner: You Asked, We Answered

Q: Why does MET conduct regular monitoring visits?

A: MET is responsible for upholding the terms of its conservation easements forever. To that end, MET staff, co-holding local land trusts, and trained volunteers regularly visit each conservation easement property to ensure that it is compliant with the easement terms.

Q: What will a monitoring visit be like and with whom will I meet?

A: Monitoring visits are visual inspections of the property for the purpose of comparing its present conditions against the conditions that existed at the time that the easement was granted. MET gives landowners advance written notice of its visits and invites them to be present. Landowners need not be present, but those who do attend often take the opportunity to discuss with MET any changes that they are contemplating making to the property. A MET staff member and/ or a MET-trained volunteer and/or (if the easement is co-held with another land trust) a representative of the co-holder conducts the visit. The monitor completes a report and takes photographs of conservation features protected by the easement (scenic views, agricultural fields, stream buffers, etc.) as well as dwelling units, farm buildings and other improvements on the property. MET staff later compares the report and photographs to previous reports and photographs, including those of the original condition of the property.



Maryland Environmental Trust
100 Community Place, 3rd Floor
Crownsville, MD 21032

You are receiving this newsletter because your property is protected by a conservation easement with Maryland Environmental Trust.



2022 BOARD MEETING DATES:

- February 7
- May 2
- June 6
- September 12
- November 7

2022 BOARD OF TRUSTEE MEETINGS

All matters requiring Board approval are reviewed during the Board Meetings held at 4:00 pm at 100 Community Place, MHT Board Room 3.218, Crownsville, Maryland unless noted otherwise. These are public meetings. Please contact MET if you plan to attend.

The Maryland Environmental Trust is governed by a Board of Trustees responsible for reviewing and voting on matters such as landowner requests that result in a significant change or impact to conservation attributes of an easement property. Activities that might require approval or notification include: constructing any new buildings or structures; renovating or enlarging existing structures; conveying property (provide contact information on new owner); subdividing property; recording any other encumbrances on property; entering wetlands mitigation or restoration programs; changing use of property; making a boundary line adjustment; harvesting timber or construction of a new house.

If you plan to make changes to your property and are unsure whether notification or approval is required, contact MET's stewardship staff to help make that determination. It may take a minimum of 30 days for MET to review and approve the proposed activities. Please contact MET's stewardship program staff, Jon Chapman or Josette Markline, to discuss your plans. All requests should be made in writing at least three weeks prior to the scheduled board meeting. Thank you!