

## Policy 302 Easements

### Grantee Easement Agreements:

1. The Park Authority shall encourage the voluntary donation of conservation easements to the Authority to achieve its mission objectives where it is desirable to protect sensitive and significant environmental, historic and/or archaeological resources but where public access is not required, including but not limited to:
  - a. Identified segments of greenways designated as "private open space,"
  - b. Private properties adjoining greenways, natural resource parks and historic site/archaeological parks where additional buffering would provide an added measure of protection for significant resources, or
  - c. Where adequate Park Authority resources are not available to ensure stabilization/restoration and planning for appropriate site use and preservation objectives can best be accomplished by the private sector.
2. Where fee simple acquisition is not feasible, the Park Authority shall seek public access trail easements to ensure continuity of access within designated Greenways and other park sites identified on the Countywide Trails Plan. It is also desirable to secure donation of a surrounding conservation easement.
3. The Park Authority shall develop and implement an effective program for monitoring easements to ensure compliance with terms of the easements and for informing citizens of the benefits of donating conservation easements to the Park Authority.

### Grantor Easement Agreements:

1. In accordance with The Fairfax County Comprehensive Plan, Policy Plan, Parks and Recreation Countywide Planning Objective, the Park Authority shall consider requests for easements by outside parties for non-recreational uses of park lands only under the following conditions:
  - Where the Park Authority has determined that the proposed facility is compatible with other planned or existing park uses at the subject site, or
  - When it has been determined that there is no feasible or prudent alternative to the use of parklands for the specified purpose, and
  - All possible planning to minimize harm is included in the proposed project.
2. The Park Authority shall require adequate compensation for use of parklands for other than park purposes based on the extent of impact, the sensitivity of impacted areas and length of time park activities may be disrupted. Additionally, the Park Authority shall require monetary assurances (e.g., bonding, escrow, or cash deposit in advance) of the

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requesting agency, corporation and/or individual to ensure compliance with easement requirements including restoration of impacted areas.

3. The Park Authority shall establish, and periodically review, effective procedures for granting and monitoring of easement construction activities.

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*Revised and Adopted March 26, 2008*