

# MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

## ANNUAL REPORT

FISCAL YEAR 2012



# EXECUTIVE DIRECTOR'S NOTES

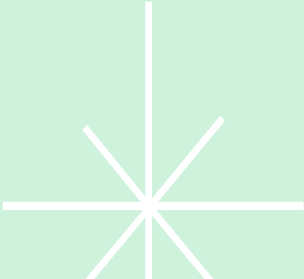


FY 2012 was a busy year for the MALPF staff. In the 2012 legislative session, we made some major renovations to our governing law (Agriculture Article, §2-501 – 2-518 of the Annotated Code of Maryland) mainly to remove all references to the MALPF districts. In addition to the MALPF legislation which will be discussed later, the passage of SB 236, The Sustainable Growth and Agricultural Preservation Act of 2012 (best known as “The Septics Bill”) was passed. This bill signaled a change in the way development within the State will progress into the future. We will be able to purchase easements only in Tier 3 (areas not planned for sewerage service and containing but not dominated by agricultural or forest land) and Tier 4 (areas not planned for sewerage service that are planned or zoned for agricultural resource protection, preservation, or conservation, and is dominated by agricultural land, forest land, or other natural areas, Rural Legacy areas, and PPAs).

For the FY 2011 and FY 2012 easement acquisition cycles, we combined our funding to conduct one easement acquisition offer cycle and maximize the number of acres to be purchased. We had nearly \$30.4 million available for this cycle. Of this, almost \$8.7 million was county funding used to match state funds at a ratio of 60 percent state to 40 percent county dollars. This funding secured acceptances on 59 offers which represent almost 6,800 acres. At the end of FY 2012, we had purchased easements on a cumulative total of 2,078 properties, permanently preserving about 282,957 acres, at a total state investment of more than \$609 million.

We are looking forward to FY 2013 being equally, if not more, productive and exciting than 2012.

Carol S. West  
MALPF Executive Director



## **New Legislation**



The following bills were approved by the General Assembly in the 2012 legislative session:

- SB 129 - Elimination of Districts - The bill eliminated all reference to districts and district agreements since most districts were set to be terminated by July 1<sup>st</sup>, 2012 per previous legislation. It also authorized the assignment of un-terminated districts (those that have property tax credits attached to them) to the counties.
- SB 148 - Clarification of the Terms of Family Lots - This bill set 18 as the minimum age to receive a lot. It also set 3 years as the expiration of a preliminary release and allows the Foundation to grant an extension to the expiration. The bill authorized the Foundation to ask for evidence of occupancy and also provided that if the lot is not used for the owner or child for whom it was approved, then the Foundation may require it to be conveyed back to the easement.
- SB 112 - Termination – This legislation increased the requirement from 1 appraisal to 2 appraisals for use if an easement is being terminated (if a request for a 25-year out was granted). Two appraisals are standard for acquiring easements and for the disposition of property.



**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION  
EASEMENT SETTLEMENTS – FY 2012**

| COUNTY          | NUMBER OF<br>EASEMENTS | TOTAL<br>NUMBER OF<br>ACRES | ACQUISITION COST    |                     | AVERAGE<br>FARM SIZE<br>IN ACRES |
|-----------------|------------------------|-----------------------------|---------------------|---------------------|----------------------------------|
|                 |                        |                             | AVERAGE PER<br>ACRE | TOTAL               |                                  |
| Anne Arundel    | 1                      | 175                         | \$11,378            | \$1,991,198         | 175                              |
| Baltimore       | 5                      | 417                         | \$6,538             | \$2,726,178         | 83                               |
| Caroline        | 1                      | 232                         | \$2,355             | \$546,587           | 232                              |
| Carroll         | 3                      | 348                         | \$5,622             | \$1,956,007         | 116                              |
| Cecil           | 1                      | 61                          | \$2,418             | \$146,698           | 61                               |
| Charles         | 3                      | 354                         | \$3,878             | \$1,372,690         | 118                              |
| Dorchester      | 1                      | 71                          | \$3,194             | \$228,168           | 71                               |
| Frederick       | 3                      | 398                         | \$6,128             | \$2,439,792         | 133                              |
| Garrett         | 2                      | 125                         | \$2,580             | \$321,816           | 62                               |
| Harford         | 1                      | 62                          | \$5,917             | \$364,000           | 62                               |
| Kent            | 1                      | 240                         | \$1,974             | \$473,762           | 240                              |
| Montgomery      | 2                      | 244                         | \$7,880             | \$1,926,256         | 122                              |
| Prince George's | 2                      | 170                         | \$7,933             | \$1,349,269         | 85                               |
| Queen Anne's    | 4                      | 781                         | \$2,175             | \$1,698,496         | 195                              |
| Somerset        | 2                      | 214                         | \$2,287             | \$488,427           | 107                              |
| St. Mary's      | 3                      | 194                         | \$4,406             | \$853,912           | 65                               |
| Talbot          | 2                      | 180                         | \$4,704             | \$846,474           | 90                               |
| Washington      | 1                      | 115                         | \$4,170             | \$480,702           | 115                              |
| Wicomico        | 1                      | 123                         | \$3,724             | \$458,778           | 123                              |
| Worcester       | 2                      | 188                         | \$2,914             | \$548,365           | 94                               |
| <b>TOTALS</b>   | <b>41</b>              | <b>4,692</b>                | <b>\$4,522</b>      | <b>\$21,217,570</b> | <b>114</b>                       |







## **MALPF Easement Inspections**

Inspections are conducted to ensure compliance with the Deed of Easement. Occasionally, the inspections uncover problems or violations. Many violations are considered minor, such as outdated soil and water quality plans or forest management plans, and these are easily corrected once the landowner is notified. For more serious violations, MALPF staff attempts to work with landowners to resolve the problem.

One common problem is illegal agricultural subdivisions. Even if land placed under easement was comprised of separately deeded parcels, once under easement, these multiple parcels are joined as a whole and must stay together under common ownership. One individual parcel cannot be conveyed to someone else unless certain criteria are met and the conveyance is approved by the MALPF Board of Trustees. Each case gets examined by MALPF staff and in some situations, such as when size is a limiting factor, other solutions can come into play, such as combining the small parcel with an adjacent, eased parcel of land, or donating land to the easement to get the small parcel up to qualifying size. MALPF staff can get very creative in our attempts to assist landowners!



**MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION  
EASEMENTS ACQUIRED  
(As of June 30, 2012)**

| COUNTY                 | TOTAL EASEMENTS ACQUIRED |                | PERCENT OF TOTAL |
|------------------------|--------------------------|----------------|------------------|
|                        | Number                   | Acreage        |                  |
| <b>Allegany</b>        | <b>3</b>                 | <b>535</b>     | <b>0.19%</b>     |
| <b>Anne Arundel</b>    | <b>36</b>                | <b>4,569</b>   | <b>1.61%</b>     |
| <b>Baltimore</b>       | <b>215</b>               | <b>22,122</b>  | <b>7.82%</b>     |
| <b>Calvert</b>         | <b>35</b>                | <b>4,715</b>   | <b>1.67%</b>     |
| <b>Caroline</b>        | <b>220</b>               | <b>31,756</b>  | <b>11.22%</b>    |
| <b>Carroll</b>         | <b>357</b>               | <b>42,176</b>  | <b>14.91%</b>    |
| <b>Cecil</b>           | <b>93</b>                | <b>14,041</b>  | <b>4.96%</b>     |
| <b>Charles</b>         | <b>38</b>                | <b>6,033</b>   | <b>2.13%</b>     |
| <b>Dorchester</b>      | <b>82</b>                | <b>13,510</b>  | <b>4.77%</b>     |
| <b>Frederick</b>       | <b>123</b>               | <b>19,124</b>  | <b>6.76%</b>     |
| <b>Garrett</b>         | <b>48</b>                | <b>5,878</b>   | <b>2.08%</b>     |
| <b>Harford</b>         | <b>124</b>               | <b>13,269</b>  | <b>4.69%</b>     |
| <b>Howard</b>          | <b>30</b>                | <b>3,866</b>   | <b>1.37%</b>     |
| <b>Kent</b>            | <b>89</b>                | <b>16,823</b>  | <b>5.95%</b>     |
| <b>Montgomery</b>      | <b>30</b>                | <b>4,683</b>   | <b>1.66%</b>     |
| <b>Prince George's</b> | <b>15</b>                | <b>1,381</b>   | <b>0.49%</b>     |
| <b>Queen Anne's</b>    | <b>158</b>               | <b>26,306</b>  | <b>9.30%</b>     |
| <b>St. Mary's</b>      | <b>102</b>               | <b>10,684</b>  | <b>3.78%</b>     |
| <b>Somerset</b>        | <b>40</b>                | <b>4,901</b>   | <b>1.73%</b>     |
| <b>Talbot</b>          | <b>70</b>                | <b>10,979</b>  | <b>3.88%</b>     |
| <b>Washington</b>      | <b>76</b>                | <b>12,548</b>  | <b>4.43%</b>     |
| <b>Wicomico</b>        | <b>53</b>                | <b>6,649</b>   | <b>2.35%</b>     |
| <b>Worcester</b>       | <b>41</b>                | <b>6,408</b>   | <b>2.26%</b>     |
| <b>TOTALS</b>          | <b>2,078</b>             | <b>282,957</b> | <b>100.00%</b>   |

## **County Certification**

Certification of Local Agricultural Land Preservation Programs (the “Certification Program”) was created by the Maryland General Assembly in 1990 and is jointly administered by MALPF and the Maryland Department of Planning. Program participation by interested counties is voluntary. As of July 1, 2012, fourteen Maryland counties are certified under this program: Anne Arundel, Baltimore, Caroline, Carroll, Cecil, Frederick, Harford, Kent, Montgomery, Queen Anne's, St. Mary's, Talbot, Washington, and Worcester.

The Certification Program allows counties to 1) create a preservation program that best meets local goals and needs, 2) retain greater portions of the Agricultural Transfer Tax (75% if certified, 33% if not certified) if they are able to demonstrate that they have an effective program to preserve agriculturally viable farmland, and 3) designate a Priority Preservation Area into which efforts and funds can be concentrated in order to preserve large contiguous blocks. The increase in a county's share of Agricultural Transfer Tax helps support its agricultural land preservation program by defining areas targeted for preservation and establishing acreage goals. All retained funds must be spent or encumbered for land preservation purposes within three years or the funds revert to MALPF.



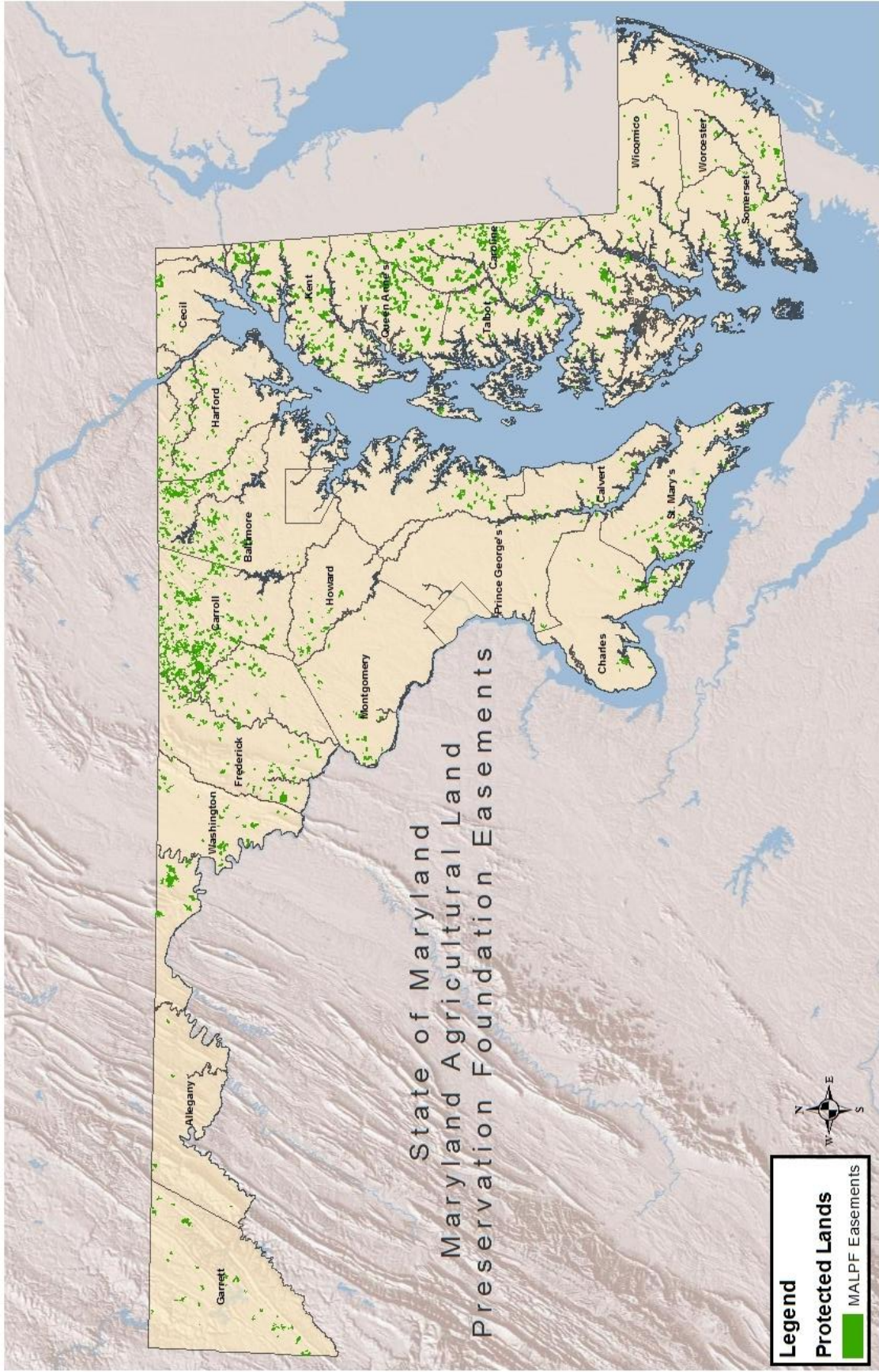


## Agricultural Valuation Review

When a MALPF easement is purchased, the easement value is determined by subtracting the agricultural value (as determined by the Agricultural Value Formula) from the appraised fair market value. The MALPF Board of Trustees is always concerned that easement values are fair and equitable across the State. In order to ensure an even playing field, in April, 2011 the Board appointed an Easement Valuation Committee to consider whether the current agricultural land valuation method accurately reflects market value and consider how it compares and contrasts with other valuation systems in use by surrounding states.

The Committee has studied several potential alternative valuation methods but has not yet reached a decision of what, if any, changes may be necessary.





# Board of Trustees

## MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

### *Appointed Members*

|                                                                                                                                                                 |                                                                                                                                       |                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| <b>Robert F. Stahl, Jr., Chair</b><br>Jameson Manor Farm<br>7061 Oliver's Shop Road<br>Hughesville, MD 20637-2112<br>At-large representative<br>Appointed: 2004 | <b>Vera Mae E. Schultz, Vice-Chair</b><br>18312 Metz Drive<br>Germantown, MD 20874-2410<br>At-large representative<br>Appointed: 2004 | <b>Young Farmers' Advisory Board representative</b><br><b>Currently Vacant</b>                                                   |
| <b>Eugene B. Roberts, Jr.</b><br>4700 Old Crain Highway<br>Upper Marlboro, MD 20772<br>Agriculture Commission representative<br>Appointed: 2011                 | <b>John W. Draper, Jr.</b><br>1531 Ruthsburg Road<br>Centreville, MD 21617<br>Farm Bureau representative<br>Appointed: 2007           | <b>Bernard L. Jones, Sr.</b><br>D1043 Western Chapel Road<br>Westminster, MD 21157<br>At-large representative<br>Appointed: 2009 |
| <b>Donald T. Moore</b><br>2677 Telegraph Road<br>North East, MD 21901<br>Maryland Grange representative<br>Appointed: 2009                                      | <b>James B. Norris, Jr.</b><br>23678 Hurry Road<br>Chaptico, MD 20621<br>At-large representative<br>Appointed: 2008                   | <b>Jonathan Quinn</b><br>445 Church Road<br>Warwick, MD 21912<br>At-large representative<br>Appointed: 2008                      |

### *Ex-Officio Members*

|                                                                                                                                                                                       |                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Honorable Nancy K. Kopp</b><br>State Treasurer<br>Goldstein Treasury Building<br>80 Calvert Street, Room 109<br>Annapolis, MD 21404-1907<br><i>Represented by Susanne Brogan</i>   | <b>Honorable Earl F. Hance</b><br>Secretary<br>Maryland Department of Agriculture<br>50 Harry S. Truman Parkway<br>Annapolis, MD 21401-8960<br><i>Represented by Mary Ellen Setting</i> |
| <b>Honorable Peter Franchot</b><br>State Comptroller<br>Louis L. Goldstein Building<br>Room 121<br>P.O. Box 466<br>Annapolis, MD 21404-0466<br><i>Represented by Jerome Klasmeier</i> | <b>Honorable Richard E. Hall</b><br>Secretary<br>Maryland Department of Planning<br>301 W. Preston Street, Room 1101<br>Baltimore, MD 21201-2365<br><i>Represented by Dan Rosen</i>     |

## Foundation Staff

Carol S. West, Executive Director  
Diane Chasse, Administrator  
Deb Vaughan, Administrator  
Michelle Cable, Administrator  
Kim Hoxter, Administrative Officer  
Rama Dilip, Administrative Specialist  
Angela Gaither, Foundation Secretary

**County Programs**  
**(Chair of County Agricultural Advisory Boards listed in *italics*)**

|                                                                                                                                                                                                                                        |                                                                                                                                                                                                                     |                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>(01) ALLEGANY</b><br>Dave Dorsey<br>Allegany County Government<br>701 Kelly Road, Suite 115<br>Cumberland, MD 21502<br>(301) 777-2199<br><i>Chair: Georgene McLaughlin</i>                                                          | <b>(09) DORCHESTER</b><br>Rodney Banks<br>Planning & Zoning<br>Post Office Box 107<br>Cambridge, MD 21613<br>(410) 228-3234<br><i>Chair: Trent Jackson</i>                                                          | <b>(17) QUEEN ANNE'S</b><br>Donna Landis-Smith<br>Dept. of Planning & Zoning<br>160 Coursevall Drive<br>Centreville, MD 21617<br>(410) 758-1255<br><i>Chair: David Denny</i>                                            |
| <b>(02) ANNE ARUNDEL</b><br>Barbara Polito<br>Dept. of Recreation & Parks<br>1 Harry S. Truman Pkwy, MS3225<br>Annapolis, MD 21401<br>(410) 222-7317 x-3553<br><i>Chair: Henry Schmidt</i>                                             | <b>(10) FREDERICK</b><br>Anne Bradley<br>Community Development<br>30 North Market Street<br>Frederick, MD 21701<br>(301) 600-1474<br><i>Chair: Richard Grossnickle</i>                                              | <b>(18) ST. MARY'S</b><br>Donna Sasscer<br>Dept. of Econ. & Com. Dev.<br>Post Office Box 653<br>Leonardtown, MD 20650-0653<br>(301) 475-4200 x-1405<br><i>Chair: George Baroniak</i>                                    |
| <b>(03) BALTIMORE</b><br>Wally Lippincott, Jr.<br>Dept. of Enviro. Protection<br>105 West Chesapeake Ave, Suite #400<br>Towson, MD 21204<br>(410) 887-3854<br><i>Chair: Gail Ensor</i>                                                 | <b>(11) GARRETT</b><br>John Nelson, Director<br>Dept Planning & Land Development<br>203 South 4 <sup>th</sup> Street, Room 210<br>Oakland, MD 21550<br>(301) 334-1920<br><i>Chair: George Bishoff</i>               | <b>(19) SOMERSET</b><br>Tom Lawton<br>Planning & Zoning<br>Somerset County Office Complex<br>11916 Somerset Avenue<br>Princess Anne, MD 21853<br>(410) 651-1424<br><i>Chair: William Michael Dryden</i>                 |
| <b>(04) CALVERT</b><br>Veronica Cristo<br>Dept. of Comm. Planning & Building<br>150 Main Street, Suite 304<br>Prince Frederick, MD 20678<br>(410) 535-1600 x-2489<br><i>Chair: Hagner Mister</i>                                       | <b>(12) HARFORD</b><br>William Amoss<br>Planning & Zoning<br>220 South Main Street<br>Bel Air, MD 21014<br>(410) 638-3235<br><i>Chair: Dr. Kimberly Holloway, DVM</i>                                               | <b>(20) TALBOT</b><br>Martin Sokolich<br>Dept. of Planning & Permits<br>215 Bay Street, Suite 2<br>Easton, MD 21601<br>(410) 770-8032<br><i>Chair: Robert Saathoff</i>                                                  |
| <b>(05) CAROLINE</b><br>Debbie Herr Cornwell<br>Planning & Codes Administration<br>Health & Public Services Bldg.<br>403 South 7 <sup>th</sup> Street, Suite 210<br>Denton, MD 21629<br>(410) 479-8104<br><i>Chair: Kelly Callahan</i> | <b>(13) HOWARD</b><br>Joy Levy<br>Planning & Zoning<br>3430 Courthouse Drive<br>Ellicott City, MD 21043<br>(410) 313-4382<br><i>Chair: Sean Hough</i>                                                               | <b>(21) WASHINGTON</b><br>Eric Seifarth<br>Washington Co. Planning Dept.<br>County Administrative Annex<br>80 West Baltimore Street<br>Hagerstown, MD 21740-4727<br>(240) 313-2445<br><i>Chair: Steve Ernst</i>         |
| <b>(06) CARROLL</b><br>Ralph Robertson<br>County Office Building<br>225 North Center Street<br>Westminster, MD 21157<br>(410) 386-2214<br><i>Chair: Noah Schaeffer</i>                                                                 | <b>(14) KENT</b><br>Carla Martin Gerber<br>Planning, Housing and Zoning<br>400 High Street<br>Chestertown, MD 21620<br>(410) 778-7474<br><i>Chair: William Cooper</i>                                               | <b>(22) WICOMICO</b><br>Gloria Smith<br>Government Office Bldg., Rm. 203<br>Post Office Box 870<br>Salisbury, MD 21803-0870<br>(410) 548-4860<br><i>Chair: Rebecca A. Calloway</i>                                      |
| <b>(07) CECIL</b><br>Eric Shertz<br>Planning & Zoning<br>200 Chesapeake Blvd., Suite 2300<br>Elkton, MD 21921<br>(410) 996-5220<br><i>Chair: Robert W. Miller</i>                                                                      | <b>(15) MONTGOMERY</b><br>John Zawitoski<br>18410 Muncaster Road<br>Derwood, MD 20850<br>(301) 590-2831<br><i>Chair: David O. Scott</i>                                                                             | <b>(23) WORCESTER</b><br>Katherine Munson<br>Natural Resources Division<br>Worcester County DRP<br>One West Market Street, Rm. 1201<br>Snow Hill, MD 21863-1070<br>(410) 632-1200 X1302<br><i>Chair: Sandra Frazier</i> |
| <b>(08) CHARLES</b><br>Charles Rice<br>Department of Planning & Growth Management<br>Post Office Box 2150<br>La Plata, MD 20646<br>(301) 645-0651<br><i>Chair: Samuel F. Swann, III</i>                                                | <b>(16) PRINCE GEORGE'S</b><br>Yates Clagett<br>Soil Conservation District<br>Field Service Center<br>5301 Marlboro Race Track Road<br>Upper Marlboro, MD 20772<br>(301) 574-5162 X3<br><i>Chair: Sidney Tucker</i> |                                                                                                                                                                                                                         |



Maryland  
Department of Agriculture

Wayne A. Cawley Building  
50 Harry S Truman Parkway  
Annapolis, MD 21401  
[www.mda.maryland.gov](http://www.mda.maryland.gov)



Governor Martin O'Malley  
Lt. Governor Anthony G. Brown  
Secretary Earl F. Hance  
Dep. Secretary Mary Ellen Setting

Maryland Agricultural Land Preservation Foundation  
410.841.5860 phone ▪ [www.malpf.info](http://www.malpf.info) ▪ 410.841.5730 fax