

TRANSFORMATIVE



Promoting a
Smart, Green,
Growing and
Sustainable
Maryland

2010 Annual Report of the Maryland
Department of Planning





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Smart, Green & Growing

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



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Secretary

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2010 Annual Report of the Maryland Department of Planning

This report was written by staff of the Maryland Department of Planning, with graphic design provided by the Communications Office.

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Message from the Governor



Sustainability is a critical concept for Maryland moving forward. We are the stewards for future generations of the natural, cultural and historic resources with which our state has been richly blessed. Maryland has a long history of foresight in land-use planning, from creating one of the first state planning commissions in the country in 1933 to nationally recognized, cutting-edge Smart Growth policies.

In the past four years, we have restored funding for Program Open Space. We're leaders in farmland preservation, with five of the top 10 counties in the nation for preserved agricultural acres. We created GreenPrint, AgPrint and, soon, GrowthPrint to apply new mapping technology to assess our management of the land. We've created incentives to help propel Transit-Oriented Development and are planning to expand the Red and Purple lines in the Baltimore-Washington corridor to promote mass transit and to reduce greenhouse gas emissions, traffic congestion and sprawl. We've aided local governments with more technical assistance for water and land-use planning, and with professional training for volunteer planning commissions. Meanwhile, the new Sustainable Communities Tax Credit, estimated to create hundreds of jobs in commercial rehabilitation construction, will help strengthen the towns and cities that are the engines of our economic growth. And we're currently developing the first-ever comprehensive strategy for sustainable growth called PlanMaryland. The Department of Planning and other state agencies met with more than 1,000 Marylanders in 2010 and canvassed hundreds more at the web site Plan.Maryland.gov to gain valuable input as the plan takes shape.

Our Smart, Green & Growing initiative has joined multiple state agencies toward the goal of conserving resources and energy use. The American Planning Association wrote of our renewed commitment in its trade journal last spring, "So promising is Maryland's system - infiltrating smart growth throughout every department and virtually every action of state government - that federal smart growth is following the same model."

We are charting a smarter course for a prosperous – and sustainable – Maryland for the 21st century.

A handwritten signature in black ink, which reads "Martin O'Malley". The signature is fluid and cursive, with the first name "Martin" and last name "O'Malley" clearly legible.

Martin O'Malley, Governor

Message from the Secretary



Five-hundred and sixty thousand acres. That is equivalent to 175 Antietam National Battlefields, 14 Assateague Islands or the land mass of Anne Arundel and Prince George's counties combined. It's also the amount of land destined to be developed by 2030 if we continue at recent trends.

The pace of land consumption is a critical issue for Maryland. It doesn't gain a lot of attention as it occurs over a long period of time. But it impacts our quality of life, the air and water around us, traffic congestion and affordable housing. The Department of Planning is striving more than ever to play a transformative role in promoting smart and sustainable growth in Maryland.

In 2010, we worked with the General Assembly to achieve passage of the Sustainable Communities Act. It included transforming the previous Maryland Heritage Structure Rehabilitation Tax Credit into a broader program to help propel Main Street districts, BRAC zones and Transit-Oriented Development. The goal is to strengthen our existing towns and cities and to promote growth in areas where we can make the most efficient use of existing public infrastructure and, in turn, lessen the impact on the environment.

We also worked to achieve the creation of the Maryland Sustainable Growth Commission. The group will expand upon the work done the past two years by the Task Force on the Future for Growth & Development in Maryland with a broader base of representation and a longer timeframe.

Last but not least, in 2010, we made significant progress toward the creation of the first State Growth Plan for Maryland, a half-century after the legislature authorized the creation of such a plan. We spent much of the past year conducting outreach, meeting with more than 1,000 of you to discuss your ideas for such a plan and building a community of more than 1,000 on social media to expand the dialogue. Our timetable is to have a draft plan ready in Spring 2011 and, after additional public meetings, a final draft plan by Fall 2011. The plan's aim will be to bring greater coordination among State agencies and better communication with local governments toward reinforcing Smart Growth in programs and policies. The plan's primary goal would be to bring greater consistency to the many examples of smart, sustainable growth management that are currently working in towns, cities and counties around Maryland.

We often say at MDP that we're trying to see the 30,000-foot view of land-use decisions. But we're also trying to take the 30-year view, or longer. We're compelled to leave a sustainable Maryland to future generations. They deserve to be able to enjoy this state and its natural, cultural and historic riches as much as we all do today.

Sincerely,

A handwritten signature in dark ink that reads "Richard E. Hall". The signature is written in a cursive, flowing style.

Richard Eberhart Hall, AICP

Table of Contents

Section I

Year in Review	1
Census 2010	2
Plan Maryland	5
Sustainable Communities Act of 2010	7
Sustainable Growth Commission	9
WTC Ship Conservation	11

Section II

Departments	13
Planning Services	14
Land Use Planning & Analysis	14
Planning Data Services	17
Land and Water Resource Conservation Unit	18
Property Mapping:	18
Infrastructure Planning: Transportation	22
Infrastructure Planning: Public School	
Construction	24
Appalachian Regional Commission	25
Maryland Historical Trust	27
Office of Preservation Services	28

Office of Research, Survey, and Registration	28
Office of Preservation Planning and Museum Programs	28
Jefferson Patterson Park and Museum	36

The Maryland State Clearinghouse for Intergovernmental Assistance	37
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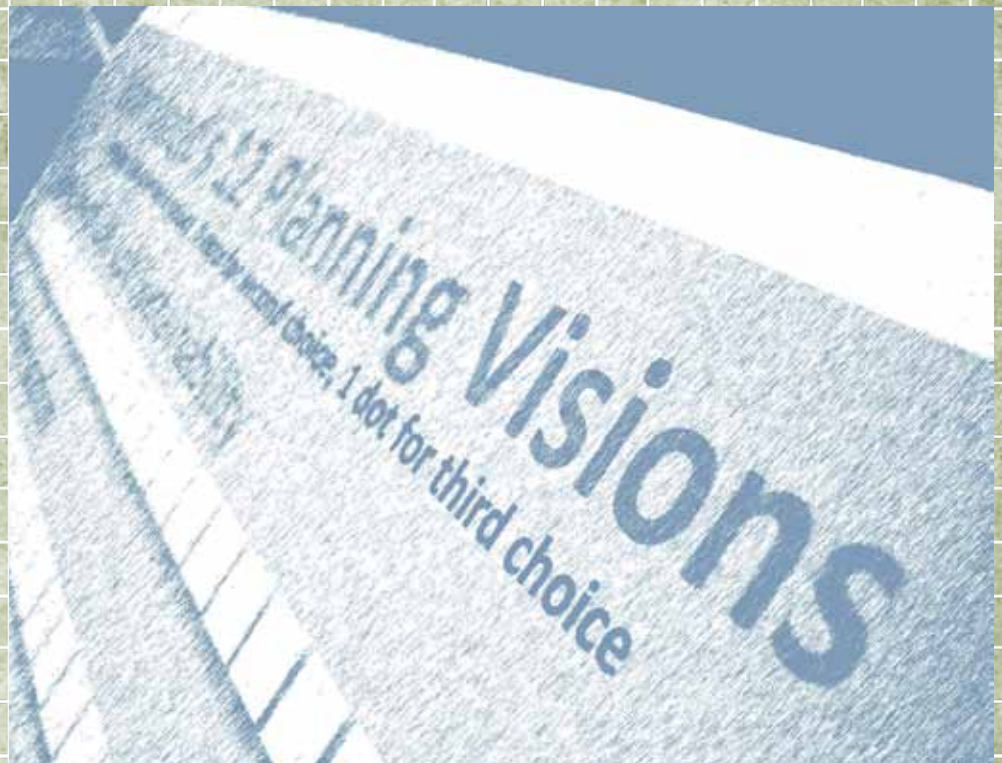
Communications	41
2010 Publications	43
2010 Events	44
2010 Online: Social Media Growth	46

Section III	49
Smart Growth Goals, Measures and Indicators	50

Section IV	55
Smart Growth Subcabinet:	
2010 Annual Report on State Spending in Priority Funding Areas	57

SECTION I

Year in Review



What Others Said

"Baltimore's 66 percent mail-in return rate for census forms exceeds the city's mark in 2000 and represents one of the highest response increases in the nation, according to Census Bureau officials. The Census Bureau will release the final mail-in return number in the fall, but the preliminary figure is 6 percentage points higher than the response from a decade ago, officials said. City officials credit the rise to an aggressive advertising campaign and a coordinated effort among agencies.

'This is a significant achievement; the residents of Baltimore have stepped up to the challenge of participating in this once-a-decade civic event," said Fernando Armstrong, director of the Philadelphia Regional Census Center, which includes Maryland. "We knew the job would be more difficult in 2010 than in 2000, yet residents responded tremendously.'

-- City's higher census return rate among highest in U.S.," The Baltimore Sun, April 30, 2010



Census 2010

Governor O'Malley launched a year-long comprehensive outreach campaign, with the theme "The Success of the Census - It's In Our Hands, Maryland," to capture the grassroots energy of numerous local and statewide organizations and committees. Linda C. Janey, Assistant Secretary for the Maryland Department of Planning, chaired the state campaign and Dr. Benjamin Carson, the renowned John Hopkins neurosurgeon, served as honorary spokesman. Maryland's outreach program coordinated the complete count activities to inform all residents of the importance of the census and to encourage everyone to fill out and return their forms.



Governor O'Malley fills out his 2010 Census form

The Department of Planning was fully engaged in making sure every Maryland resident was counted in the 2010 Census. Key to ensuring a complete count is a correct address list for the U.S. Census Bureau to send census forms to households. After reviewing the Census Bureau's confidential address files for all counties in Maryland, MDP submitted to the Bureau 120,000 addresses that were potentially missing or misallocated.

The Department also engaged in a full-court press to educate Maryland residents about how important a complete count census is to the future well-being of the State. It has been estimated that each person counted represents more than \$1,100 per year in federal funds that comes to the state. In Fiscal Year 2008, Maryland received nearly \$6.4 billion in federal funds for vital programs and services such as medical assistance for children and programs for the elderly which were allocated using census related statistics.

Over the course of this year, the Department, along with other members of the 2010 Census Outreach Team (Secretary of State's Office and the Governor's Office of Community Initiatives), engaged hundreds of community leaders and organizations as well as state and local government partners to make sure residents fill out and return their census forms. MDP also developed a 2010 Census website with an online mapping application to assist our partners in identifying areas considered hard to count.

As the mail back participation rates were released by the Census Bureau, the MDP Census website was updated daily with tables, charts and maps to allow local residents and officials to see how their communities were responding. Maryland's mail participation rate of 76 percent showed that the Census message had been received. More than three-fourths of households returned their forms in the mail, avoiding a visit by a census enumerator. Maryland's mail back rate tied 10 other states for 11th place in the country. And Baltimore's mail participation gain -- to 68 percent in 2010 from 63 percent in 2000 -- was among the largest for major cities in the U.S.



Governor O'Malley at 2010 Census Kickoff event, Randallstown Community Center, October 2009

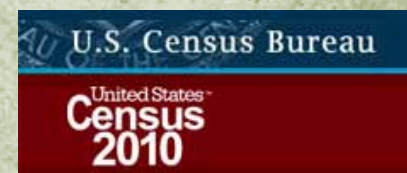
Among the activities that MDP participated in with our partners:

- Local government assistance: Provided technical and outreach support to local governments by sharing informational materials and speaking to community and ethnic groups; held a day-long census workshop with more than 100 attendees for local officials and Complete Count committees.

What Others Said

Baltimore (September 20, 2010) -- The U.S. Census Bureau presented two awards of appreciation to the Maryland Department of Planning (MDP) for "Helping to Paint the New Portrait of America." On behalf of Dr. Robert M. Groves, Director of the U.S. Census Bureau, and Fernando E. Armstrong, Regional Director for the Philadelphia region, Philip M. Lutz, assistant regional census manager, presented the awards to Jane Traynham, Manager of Maryland's State Data Center, and to MDP.

Ms. Traynham, who has been with the State Data Center for 31 years and has been involved in the last 4 decennial censuses, received a personal award of appreciation from the bureau for her valued partnership and support in raising awareness of and inspiring participation in the 2010 Census. . .



What Others Said

. . . Richard E, Hall, AICP, Secretary of MDP, accepted the plaque presented to the department in which Director Groves applauds its 'efforts to help achieve a complete and accurate census count' and making 'a lasting impact on the nation.' 'It is through the enthusiasm and energy of employees like Jane [Traynham] who understand the importance of these counts that the U.S. Census Bureau is able to raise awareness of this 10-year count on the ground,' said Mr. Lutz. 'Jane, her team and the Maryland Department of Planning stepped up to the challenge of getting the complete count message out to the people of Maryland'."

- Outreach to businesses, non-profit and community groups: Governor O'Malley hosted a statewide Complete Count Committee rally, accompanied by the Acting Director of the Census Bureau, and respected business and community leaders (more than 300 attendees)
- Outreach to the faith community: Four interfaith Census summits were held in Baltimore City, Montgomery, Prince George's and Wicomico counties just prior to the census; all faith leaders were asked to encourage their congregations and constituents to participate in the census.
- Engaging students: The Outreach team descended on the University of Maryland-College Park on the day of the Maryland vs. Duke men's basketball game, March 3, 2010, to inform students about the impending census; Secretary Hall gave a halftime radio interview with Terps broadcaster Johnny Holliday that reached an audience of tens of thousands of listeners, while a census music video played on the Jumbotron to a sell-out crowd.



MDP Secretary Richard E. Hall, Phil Lutz of the U.S. Census Bureau, Jane Traynham of MDP and Ben Ramos of the U.S. Census Bureau at award ceremony at Data Center Affiliate Annual Meeting, September 2010

PlanMaryland

The 13 forums that the Maryland Department of Planning held around the state since March had a unique challenge: Turn out hundreds of people for two or three hours to discuss the future of our state 20 or more years from now. The sight of Marylanders huddled in small groups, brainstorming ideas and placing red stickers on large check lists to rank their most important “visions” for a State Growth Plan, conveyed a Town Hall atmosphere -- although in this case the “town” has 5.7 million residents and expects 1 million more by 2030.

The goal of PlanMaryland is to better prepare the state for that growth in the most sustainable way. As much land development occurred during the past 30 years in Maryland as during the previous 300. At current trends, 560,000 more acres would vanish by 2030. Rapid loss of farmland, more pollution, insufficient affordable housing, traffic congestion and walkable communities in short supply has been, and would continue to be, the result. Sprawl consumes 8 times more land per household than Smart Growth and produces almost 5 times more Nitrogen pollution into the bay. A Smart Growth approach could cut land use and the resulting impact significantly.



Plan Maryland Forum, Hood College, Frederick, June 2010

We have met more than 1,600 Marylanders to discuss sustainable growth and PlanMaryland -- at listening sessions in 2008 and last spring, and at meetings of business organizations, ethnic commissions, student groups and local government conferences. One of many issues that reverberated at PlanMaryland public forums in the spring of 2010 is that people

What Others Said

“Rollin Stanley, Montgomery County’s planning director who attended the Rockville meeting, called PlanMaryland ‘something we absolutely have to do.’ He stressed the importance of infrastructure. ‘Once you have transit infrastructure, people will start using it when they see how convenient it is,’ Stanley said. Now, he said, gas prices are relatively low and it is too easy to drive. When gas prices rise again, more people will begin to use transit. Living closer to transit – one of the goals of smart growth – also will encourage more drivers to get off the roads, he said. Another goal of growth should be higher density, Stanley said. ... ‘I’m really pleased with what [Richard Hall] is doing, and he’s doing it at the perfect time,’ Stanley said. ‘Energy costs, transportation costs, the economic crunch and budget problems ... we’re realizing we have to grow differently.’”

-- “Growth by the book,”
Montgomery Gazette, April 23,
2010

Gazette.Net

Visions Rankings

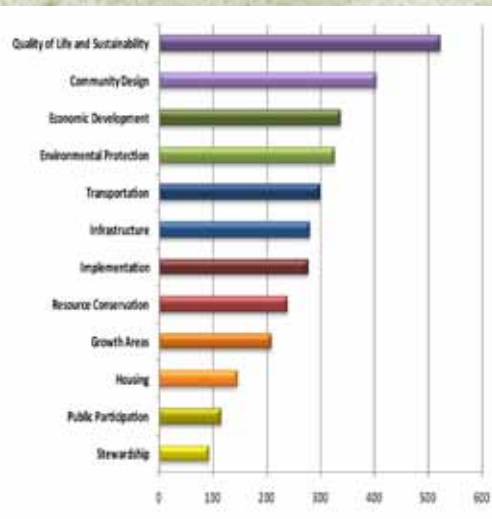


Chart shows how participants at 13 PlanMaryland Forums ranked the State's "planning visions"

are very concerned about long-term economic development and job creation. A plan for sustainable growth enhances the environment for putting workers closer to employment, with a better mix of public transportation and affordable housing options. Better use of existing infrastructure in roads and schools also reduces the financial burden for additional public facilities.

Concerns voiced during the forums varied by region, but overall residents said they want to see governments at all levels working together to get things done. A dozen state agencies, in fact, are part of the PlanMaryland effort and many of them staffed the forums this spring. What we heard will help form the basis for the draft of the State Growth Plan in the coming months. For residents who couldn't make it to the forums, we're collecting further input at Plan.Maryland.gov



MDP Deputy Secretary Matthew J. Power speaking to PlanMaryland Forum at Chesapeake College, Wye Mills, May 2010



Bill signing of Sustainable Communities Act of 2010, Governor's Reception Room, May 2010

Sustainable Communities Act of 2010

When it came to housing, environment, historic preservation and transportation policy, State government spoke with one voice with the passage of the Sustainable Communities Act of 2010. Maryland became one of the first states in the country to integrate the federal goals of sustainable communities with those of the O'Malley Administration's Smart, Green, and Growing initiative by devising an innovating twist on the State's successful historic tax credit program.

In collaboration with our sister agencies of the Smart Growth Subcabinet, especially the Department of Housing and Community Development and the Department of Transportation, we pooled resources to reauthorize and strengthen the historic rehabilitation tax credit; restructure and realign key community revitalization programs, encourage transit-oriented-development and green construction, and unify the decision making of the Governor's Smart Growth Subcabinet in order to promote prosperity in communities across the state.

The General Assembly approved \$10 million for a Sustainable Communities Tax Credit. Its primary objective is to support existing communities as desirable places to live and do business and to reduce outward pressure for sprawl development.

What Others Said

"... At least a half-dozen pieces of new legislation have been filed under the heading of the Sustainable and Livable Communities Act of 2010 for the 90-day general assembly session that opened in January.

Among the administration's proposals, the Governor's Smart Growth Subcabinet would include the secretary of nearly every state agency (even, for example, the Higher Education Commission and Department of General Services), all mandated to help make Maryland communities sustainable and livable. One of the new laws would extend the historic tax credit from properties listed on the National Register of Historic Places to Main Streets and Maple Streets -- the state's designation for targeted commercial and residential areas and areas targeted for transportation-oriented development. . .

-- "Maryland's Second Generation of Smart Growth," American Planning Association "Planning" magazine, March 2010

What Others Said

... 'We're getting back to basics in language as well as planning,' says [Richard E.] Hall, the secretary of planning. 'We've been trying to recognize what's in place, in state or local government policies and programs, and what's the best way forward with what already exists.'"

-- "Maryland's Second Generation of Smart Growth," American Planning Association "Planning" magazine, March 2010



The program builds upon the public-private partnerships created by the former Maryland Heritage Structure Rehabilitation Tax Credit, which enabled rehabilitation of 589 historic commercial buildings and more than 3,000 residences during its 14 years.

The Governor urged continuation of the tax credit, whose \$347 million in state investment during its life leveraged more than \$1.5 billion in rehabilitation spending by property owners and developers. Coupled with wages, both in construction and new jobs, and State and local revenues generated, that equated to more than \$8.50 in economic output for every \$1 invested by State government. The new credit expands the existing program beyond historic building renovations to broader areas of revitalization, including properties in Main Street business districts and zones targeted for growth from Transit-Oriented Development (TOD) and the Base Realignment and Closure Act (BRAC).

The program is also helping stimulate Maryland's "green economy." The Abell Foundation estimated that the tax credit program by promoting rehabilitation has saved enough landfill material to fill the M&T Bank Stadium to a depth of 50 or 60 feet.



The transformation of Miller's Court from vacant factory (left) to apartments and offices with a striking courtyard (right), among other benefits, saved the equivalent energy of 126 semi-tankers of gasoline and 7,000 tons of solid waste than if building had been demolished and rebuilt, said J. Rodney Little, Maryland Historical Trust director, at a ribbon-cutting ceremony in Baltimore's Remington. The project, leveraged with a \$2.7-million state tax credit, was named one of the top 5 Smart Growth projects in the nation by the U.S. Environmental Protection Agency in December 2010. Photo credits: Marks, Thomas Architects; Brigitte Manekin

Maryland Sustainable Growth Commission

Governor O'Malley signed Senate Bill 278 into law in May 2010, transforming the two-year Task Force on the Future for Growth & Development into the Maryland Sustainable Growth Commission. The Governor felt that it was important for the State of Maryland to have a permanent body to continue a valuable discussion about managing growth and fostering sustainability that the prior Task Force had helped initiate.

The Commission's charge refocuses the short-term work of the Task Force to a longer term review of growth and development issues in Maryland. The Commission is composed of 36 members appointed by the governor. Its membership is broader than the Task Force, with a representative each from Western Maryland, Southern Maryland and the Eastern Shore and three each from the Washington Metropolitan Area and the Baltimore Metropolitan Area. It also includes local and state officials and others representing the development and agricultural industries and environmental groups.

It is chaired by Baltimore attorney Jon M. Laria, who had led the Task Force during that group's recent two-year term. Cambridge Mayor Victoria Jackson-Stanley is the commission's vice chairwoman.

Other appointees are:

Dru Schmidt-Perkins, executive director, 1000 Friends of Maryland

Alan P. Girard, senior land use policy manager, Chesapeake Bay Foundation

Frank F. Hertsch, P.E., president, Morris and Ritchie Associates Inc.

Robb L. Merritt, president, Merritt Properties LLC

Patricia A. Langenfelder, owner-operator, Grand View Farm

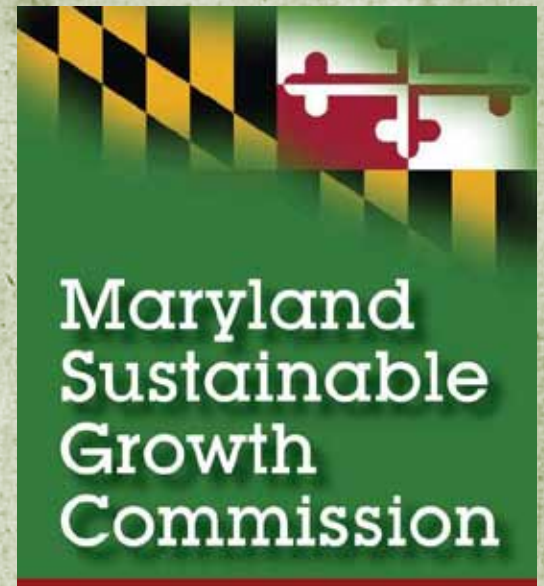
Kelly Cartales, vice president, Enterprise Community Partners Inc.

Cheryl A. Cort, policy director, Coalition for Smarter Growth

Duane Yoder, chief executive officer, Garrett County Community Action Committee Inc.

Gregory Bowen, director, Calvert County Planning and Zoning

Rollin B. Stanley, director, Montgomery County Planning Department



First meeting of Maryland Sustainable Growth Commission, Maryland Historical Society, Baltimore, Oct. 25, 2010



MDP Deputy Secretary Matthew J. Power serves as guide on the Sustainable Growth Commission bus tour, November 2010

Samuel J. Parker, chairman, Maryland-National Capital Park and Planning Commission

Derick P. Berlage, esq., former chairman of the Montgomery County Planning Board, former Montgomery County Councilman

Calvin B. Ball, Ed.D., Howard County Council; faculty member, Morgan State University

Thomas Allan Liebel, principal, Marks, Thomas Architects

Russell B. Brinsfield, Ph.D., Vienna mayor; center director, Wye Research and Education Center

Ex Officio Members:

Maryland Association of Counties: Council Member Mary Ann Lisanti, Harford County; Sandy Coyman, Director of Planning, Talbot County.

Maryland Municipal League: Mayor David Carey, Bel Air; Karl Brendle, Director of Planning, Laurel, Maryland

Secretary of Planning; Secretary of the Environment; Secretary of Transportation; Secretary of Housing and Community Development; Secretary of Natural Resources; Secretary of Business and Economic Development; Secretary of Agriculture; Superintendent of the Maryland State Department of Education; Chair of the Base Realignment and Closure Subcabinet; Executive Director of the Rural Maryland Council; Director of the University of Maryland's National Center for Smart Growth;

Representing the General Assembly: Senator Richard Colburn, Caroline, Dorchester, Talbot and Wicomico Counties; Senator Joan Carter Conway, Baltimore City; Delegate Rudolph Cane, Dorchester and Wicomico Counties; Delegate Virginia Clagett, Anne Arundel County

WTC Ship Conservation

In August 2010, the Maryland Archaeological Conservation Laboratory at Jefferson Patterson Park and Museum (JPPM) received the remains of an 18th-century wooden ship that had been uncovered the previous month at the World Trade Center site in New York City. The remains of the ship measured 32 feet long by 15 feet and make up the rear half of a ship that had sunk in the Hudson River more than 200 years ago. Conservators from the MAC Lab were present at the excavation site in late July to assist with the recovery, lifting and transportation of the timbers to the Lab. Since their arrival in Maryland, the timbers have been cleaned and recorded, using scale drawings as well as 3-D imaging techniques.

Researchers have been analyzing the timbers to determine the species of wood used in the ship's construction and to date them using dendrochronology. They have also examined the remains of wood worms, which are geographically specific, to help reveal where the ship travelled. Based on analysis thus far, they believe the ship plied waters of the western Atlantic as far south as the



Ship timbers being unloaded at the MAC Lab (front to back) Andrew Ratner, Julie Walters, Nicole Kmetz, Gareth McNair-Lewis and Annette Cook.

What Others Said

"St. Leonard, Md. - Outside a nondescript white building on Maryland's western shore, workers armed with toothbrushes and hoses are furiously scrubbing mud-caked wooden planks. Next, the centuries-old timbers are carefully placed inside waist-high tanks, the water preserving their secrets. Every second counts. The stakes are high.

'If wood is allowed to dry out, it will crack, shrink, warp,' said conservator Nichole Doub as she watched about 10 women in T-shirts and lab coats cleansing the wood. 'Cleaning them allows us to see the surface detail. We can see tool marks. We can see the nails. Every piece of information is adding a piece to the puzzle to help us understand this ship.'

Welcome to the Maryland Archaeological Conservation Laboratory, ground zero for unlocking the mystery behind a ship hull unearthed at the World Trade Center site. . .

What Others Said

... It's a race against time to clean and preserve centuries-old buried WTC ship," New York Daily News, August 8, 2010

DAILY NEWS



Caribbean probably in the mid to late 1700s. Remains of cannon balls, a coin and military buttons dating to the American Revolution have also been found among the ship's remains.

Once analysis of the ship timbers is complete, the MAC Lab will discuss conservation options with the client, the Lower Manhattan Development Corp., to determine the future course of treatment.

The discovery and the lab's work received widespread local and national attention, including coverage from the New York Times, National Public Radio and C-SPAN. Nichole Doub, head conservator at the Maryland Archaeological Conservation Laboratory (MAC Lab), was invited to speak in September about the lab's recent work before the New York Academy of Sciences, whose members have included Alexander Graham Bell, Charles Darwin, Thomas Edison, Albert Einstein, Thomas Jefferson and Margaret Mead.



From left, Erin Wingfield, Nichole Doub, Cait Shaffer and Jim House unload ship timbers as they arrive from WTC site. At right side of container is JPPM volunteer Jim Jordan.

SECTION II

Departments



Planning Services

Land Use Planning & Analysis

The Land Use Planning Analysis Group provided support and technical assistance with a variety of projects within MDP and also with other State agencies and local governments. Technical assistance to local governments included:

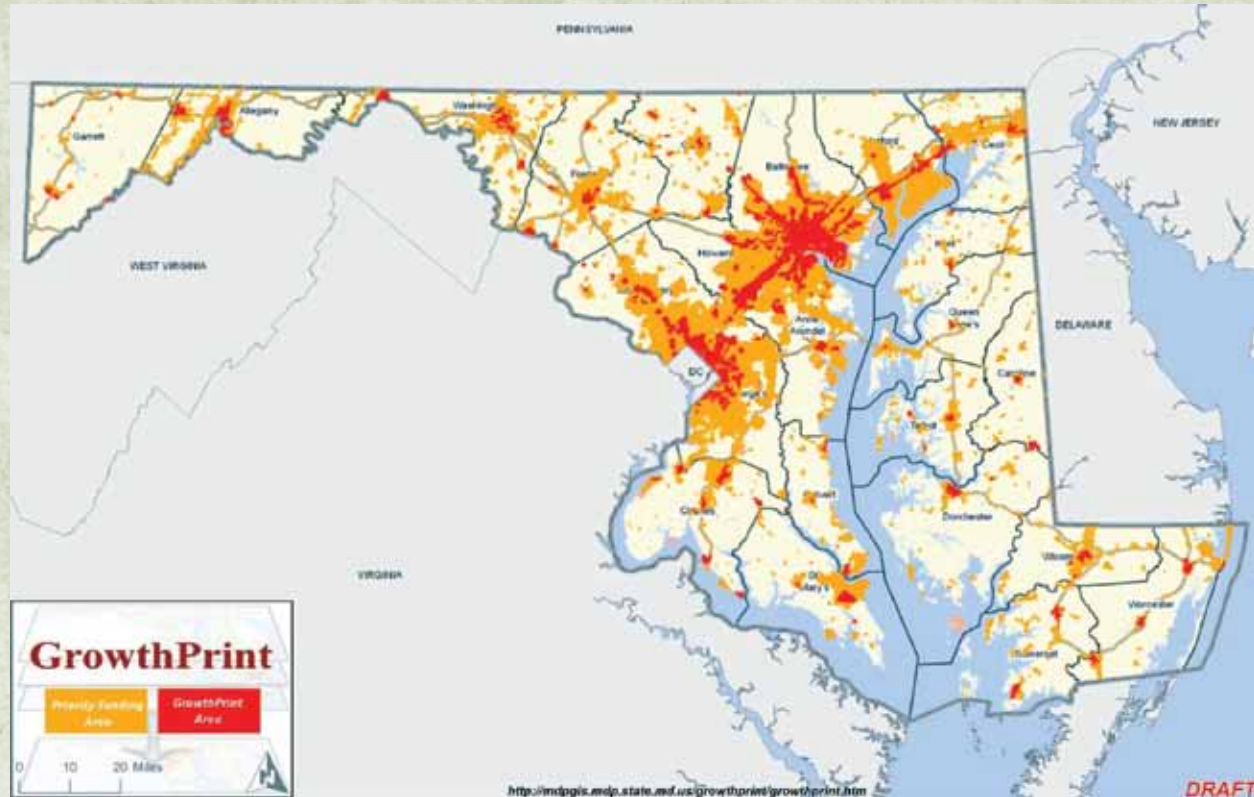
- Development capacity analysis
- Developed land analysis
- Priority Funding Area analysis and review
- Zoning analysis
- Municipal population and household projections

Other 2010 projects that the Land Use Planning Analysis group worked on or provided assistance to:

- MDiMap
- Land Use/Land Cover
- MDOT's TOD interactive mapping website
- BayStat
- PlanMaryland
- AgPrint
- Draft GrowthPrint
- HB773 Task Force
- Maryland Scenarios Project (University of Maryland and MDOT)
- Buildout Advisory Committee
- Bay Restoration Fund analysis
- Septic and sewer analysis
- Food policy workgroup geocoding and analysis
- School construction group geocoding assistance

GrowthPrint

GrowthPrint gives a geographic representation of efforts at the State and local levels to stimulate community revitalization and redevelopment efforts. The GrowthPrint interactive website allows users to view the GIS layer representing the cumulative State programs and some local programs as well as the individual layers that make up the individual programs. Through a GIS overlay process, areas where programmatic geographies overlapped were identified and given a GrowthPrint designation. These designations were then categorized as “high,” “medium” and “low” based on the number of times these programs overlapped. For mapping purposes, the “medium” and “high” categories were grouped together to more clearly illustrate targeted GrowthPrint areas.



The map illustrates the current draft of the GrowthPrint map. MDP is finalizing the GrowthPrint website to work with previously released websites for GreenPrint for natural resource conservation and AgPrint for agriculture land protection.

Local Government Assistance

Regional planners coordinated the review of the final series of plan updates resulting from House Bill 1141 (2006). HB 1141 required that two new elements be included in local comprehensive plans: Municipal Growth Elements and Water Resource Elements. MDP planners provided important technical assistance and guidance to help local governments get these updates done. Western Maryland staff provided assistance for the Maryland portion of the Great Allegheny Passage, a hiker-biker trail linking Pittsburgh to the C&O Canal in Cumberland. This trail has proven to be a boon to the region, bringing tourists and new businesses.

Planning Education

MDP continued to make planning education a priority. The department provided staffing for the Maryland Planning Commissioners Association (MPCA) annual conference in Edgewood. About 60 planning commission members attended to learn more about Smart, Green & Growing initiatives and to hear an update about BRAC implementation in Harford County. MDP also launched its Planning Commission, Planning Board and Board of Appeals Education Course (PCTC) in January 2010. The course, required by the Smart and Sustainable Growth Act of 2009, was developed with input from the Governor's Task Force on the Future for Growth and Development, the Maryland Association of Counties (MACo), the Maryland Municipal League (MML), MPCA and others. In addition to providing an online version of the course, MDP staff also offered live training opportunities at summer conferences held by MACo and MML. Of 1,467 members of Planning Commissions and Boards of Appeal throughout Maryland, 926, or 63 percent, had completed the course by year's end. Approximately 541, or 37 percent, had not completed their education requirement.



MDP Principal Counsel Shelley Wasserman; Director of Local Government Assistance Peter Conrad, and Planner Shawn Kiernan conduct training for members of planning commissions and boards of appeal at the Maryland Municipal League Conference, Ocean City, June 2010

Land and Water Resource Conservation Unit

Agricultural Preservation

Caroline County became the first county in six years to have its farmland preservation program newly certified by MDP and MALPF. Counties that were recertified through June 30, 2012 under the new criteria from SB 2 (2006) were Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Frederick, Kent, Montgomery, Queen Anne's, St. Mary's and Worcester. In late 2010, certification for Charles County lapsed. Wicomico County's program was not recertified.

The Rural Legacy program awarded \$11.8 million in grants to 15 Rural Legacy areas, including a newly created RLA in Allegany County. Rural Legacy areas can now be found in all 23 of Maryland's counties.

Land and Water Resources personnel serving as staff to the TDR/Land Preservation Workgroup of the Maryland Sustainable Growth Commission researched and drafted a TDR report that can serve as a standalone "one-stop shop" resource for local jurisdictions that are interested in creating or improving a local TDR program.

Water Resources

The Water Resources division works to ensure that Smart Growth and land-use planning are a fundamental part of the federal, regional and Maryland responses to the Chesapeake Bay restoration effort. In 2010, MDP led an interagency effort to develop a strategy to account for growth in the Maryland Phase I Watershed Implementation Plan. The strategy promotes local government land-use management authority as a means to achieve water resource restoration goals.

In 2010, the division also continued to provide guidance and review comments on all local government Water Resource Elements -- a new comprehensive plan element that is designed to ensure that local land use plans are informed by water and sewer constraints and water quality limitations. Through its representation of MDP on the Critical Area Commission, Patuxent River Commission, Climate Change Commission and Green Jobs and Industry Task Force, the division promotes the incorporation of land-use planning and Smart Growth into State environmental initiatives. It also provides technical and policy data demonstrating the environmental benefits of Smart Growth.

Water and Sewerage Facilities Planning

MDP is instructed by state law to advise MDE on the consistency of local jurisdictions' water and wastewater plans to those jurisdictions' comprehensive plans for growth. Under that directive, this division works with state

agencies, local governments and private entities to facilitate proper funding compliance, support State permitting decisions and implement the tenets of Smart Growth.

The division is also tasked with advising MDE on County Solid Waste Plans as they relate to land use issues and permitting. Toward that objective, this division:

- Reviewed all local water and sewer plans and their amendments to provide planning advice to MDE and local agencies.
- Verified funding compliance of water and wastewater projects through State Clearing House reviews.
- Participated in development analyses with the MDP Land Use Planning Analysis group.
- Provided assistance to many counties and municipalities for water and sewerage planning policy development.
- Reviewed all local comprehensive plans to ensure that plan elements align with the goals and policies of the county water and sewerage plan.
- Provided technical assistance and policy advice to the Bay Restoration Fund Committee, the Brinkley Bill Workgroup, the Bainbridge Development Committee, the State Growth and Development Task Force and the Smart Growth Coordinating Committee.
- Established monthly meetings with MDE to enhance communications and coordination of water and sewer planning reviews.

Summary of key efforts in 2010 included:

- Review of 130 draft and adopted County Water and Sewerage Plans and amendments.
- 172 State Clearinghouse reviews for water and wastewater funding projects.
- Review of two Solid Waste Plans.
- Assisted local governments to ensure that their comprehensive plans for future growth will be consistent with the County Water and Sewerage Plan.

Planning Data Services

Property Mapping

Annual updates to Maryland's 2,756 tax maps and the spatial linkage of the State's 2.24 million parcel records to their x,y point location on the tax maps are essential to MDP's ongoing geospatial applications for Smart Growth. The tax maps

and parcel datasets support MDP's delivery of web and desktop GIS tools that further State and local government Smart Growth efforts, as well as the needs of the private and non-profit sectors. In 2010, MDP also began updating its parcel mapping activities by moving to a new software environment and by working in partnership with selected counties on parcel mapping.

iMAP Parcel Data Refresh

MDP coordinated the collection and processing of county-based parcel data for loading onto the State's iMAP online mapping and application system. Data was collected for all counties where digital data exists (more than 90 percent of the State). Parcel polygons were also linked to the State Department of Assessments and Taxation real property website to facilitate retrieval of tax account information via the GIS.

9,500 Paper Tax Maps

Some 9,500 paper tax maps were distributed by Planning Data Services in 2010. Most of these maps are distributed to county offices of the State Department of Assessments and Taxation to meet statutory requirements. The remaining maps are distributed to complete tax map orders received from the general public through MDP's online Maryland Tax Map Ordering System (MOS).

MdProperty View

MdProperty View, now in its 15th Edition year, is MDP's most robust desktop parcel-based GIS, intended for use by GIS professionals working with ESRI's ArcGIS 9.x software. The MdProperty View product offers visual access to parcel and sales point datasets spatially linked to the tax maps (detailed street maps in Baltimore City). The product allows those datasets to be viewed, manipulated and analyzed as overlays to other GIS map layers.

The screenshot displays the Maryland Department of Planning website. At the top, the logo for the Maryland Department of Planning is visible, along with navigation links for HOME, OUR MISSION, OUR PRODUCTS, YOUR PART, HISTORICAL TRAILS, and DATA CENTER. Below the navigation, there are four main product categories: MdProperty View DVDs, FINDER DVDs, FINDER Online, and Paper Tax Maps. Each category includes a brief description of the product and a 'More' link. Below these categories, there is a section titled 'Welcome to MDP's Property Map and Data Products' which provides detailed information about the department's annual updates, data sources, and product availability. The text mentions that MDP annually updates more than 2,000 parcel maps for Maryland's 23 counties and Baltimore City, and that the maps are available in various formats including DVD, online, and paper. It also lists the data sources used in the maps, such as parcel data, computer-assisted mass appraisal (CAMA) data, recent base data, and associated layers like aerial imagery and ZIP code boundaries.

MdProperty Map Products Online

The number of accurate, complete street addresses included in MdProperty View statewide improved to more than 2 million with completion of the 15th edition year. This supports the geocoding of subscribers' client and customer datasets and for annual statewide parcel geocoding updates for State agency subscribers. Some 975 copies of MdProperty View 2009 Edition were distributed to 195 subscribers prior to the start of the 2010 edition year in December 2010.

FINDER and FINDER Online

FINDER Online (FOL) provides web access to Maryland's more than 2.2 million spatially referenced parcels and associated tax maps. First released in February 2007, FOL provides online mapping tools to MDP's State agency and local government subscribers, and private sector customers. FINDER Online enabled users to search for parcels and recent sale transfers by factors such as total value, improvement value, transfer date, type of transaction (arms-length or not), land use type and more

To support and expand the subscriber base, Planning Data Services provided four free FINDER training classes in 2010. FINDER continues to be well-received by State agency users, the general public and business-sector subscribers such as real estate agents, brokers, appraisers and developers who are key Smart Growth target customers.

863 FINDER 2008 Edition DVDs were distributed to 235 FINDER Subscribers prior to the start of the FINDER 2010 Edition year in December 2010.

State Data Center

Work on the U.S. Census was a major focus for the State Data Center (SDC) in 2010. Along with promoting participation by all residents, the SDC reviewed potential discrepancies between the Census Bureau's housing unit and group quarters addresses and State address lists to identify potential errors in the Bureau's address file. Recruiting assistance was also provided to the Census Bureau to help with the task of hiring thousands of enumerators. Looking ahead to the release of 2010 Census data, work has commenced on the production of profiles and maps to make the numbers meaningful to Marylanders.

State Data Center Website

The past year also saw the release of one- and three-year estimates from the American Community Survey (ACS). The SDC provided summary products on its web site to help interpret the socioeconomic data. Additional tips on understanding and using the ACS were provided to data users in a training workshop.

Population and household projections for Maryland and its jurisdictions were updated and extended out to 2040 for the first time. Projections were also completed for public school enrollment by grade by jurisdiction for each of the next 10 years.

Analysis of the socioeconomic trends in Maryland continued, including:

- Population trends this decade for the State and its jurisdictions
- The changing racial and ethnic composition of the State's population
- Origin and destination of migrants moving into and out of Maryland
- Residential development trends inside and outside of PFAs from 1940 to 2007
- County-to-county commutation patterns
- Federal fund expenditures and obligations in Maryland for the 1983-2009 period
- Change in jobs and personal income
- Agriculture - including farms and farmland, sales, farmer demographics and sustainability
- Housing prices and changing affordability

Technical assistance was also provided to numerous State and local government agencies and business organizations including:

- Department of Economic Development: Characteristics of the baby boomer population for counties/county groups using micro data from the 2006-2008 American Community Survey
- Department of Juvenile Services: Map of the population and geographic centers of a four jurisdiction area to aid in planning of a future juvenile correctional facility
- Governor's Office of Community Initiatives: Maps of the location of volunteer centers and AmeriCorps sites
- Department of Health and Mental Hygiene: Estimates of state and jurisdiction population by age, race, gender, native and foreign born
- City of Cumberland: 1990 and 2000 neighborhood profiles to be used in updating the Cumberland Comprehensive Plan

- Live Baltimore: Analysis of origin and destination of migrants between Baltimore City and several counties in Pennsylvania and New York

Infrastructure Planning: Transportation

A sustainable multimodal transportation system entails clean, green and convenient transportation that reduces the dependence of cars and oil consumption. MDP works to ensure that multimodal goals, policies, strategies and issues are addressed to support Smart Growth in various planning documents, transportation plans and proposed state legislative bills.

Major efforts in 2010 included:

- Reviewed more than 40 of the proposed transportation legislative bills to provide background information and advice on implications on the State's Smart Growth and Planning Policies.
- Reviewed/commented on the proposed priorities and projects of Maryland Department of Transportation's (MDOT) FY 2010-2015 Consolidated Transportation Program (CTP) and participated in CTP Pre-Tour and Tour meetings. Facilitated better coordination with MDOT in addressing Smart Growth/multimodal issues in early stages of the State transportation capital program development process.
- Provided technical assistance and policy advice to the Task Force on the Future for Growth & Development.
- Participated in more than a dozen major State transportation project studies through the project planning processes managed by the Maryland State Highway Administration, the Maryland Transit Administration and the Maryland Transportation Authority to promote and ensure that multimodal issues (e.g., transit, pedestrian and bicycle) are thoroughly addressed and all applicable modes are accommodated. Following are examples of major projects for which we reviewed and addressed multimodal issues:

MD 4-Thomas Johnson Bridge Project (Calvert and St. Mary's counties)

MD 175 from MD 295 to MD 170 (Anne Arundel County)

MD 197 from Kenhill Dr to MD 450 (Anne Arundel County)

I-270/US 15 Multi-Modal Corridor Study (Frederick and Montgomery counties)

US 301 Governor Nice Memorial Bridge (Charles County)

US 301/MD 197 Project (Prince George's County)

I-795/Dolfield Road Project (Baltimore County)

Purple Line Transit Study (Montgomery and Prince George's counties)

Redline Transit Study (Baltimore City and County)

Southern MD Transit Corridor Preservation Study (Charles and Prince George's counties)

- Continued to represent MDP at various MDOT and other transportation committees, e.g., the Maryland Bicycle and Pedestrian Advisory Committee, the Statewide Trails Plan Advisory Committee, the State Coordinating Committee for Human Services Transportation, and Governor Delivery Unit's (GDU) Transit Stat.
- Provided written comments on more than 60 county and municipal comprehensive plans and amendments, growth elements and other planning elements. We sought every opportunity to promote and advise localities on developing multimodal transportation to increase transportation choices in local communities. We coordinated with localities to address their short- and long-term facility and service improvement needs.
- Coordinated with State, federal and local agencies to ensure that the State's major transportation projects are consistent with Maryland planning policy with the Priority Funding Area law. Following are examples of major projects for which we addressed PFA law compliance:

I-70/Meadow Road Project (Frederick County)

MD 97-Brookeville Bypass Project (Montgomery County)

MD 175 Project (Anne Arundel County)

MD 295 Project (Anne Arundel County)

US 301/Waldorf Area Transportation Project (Charles and Prince George's Counties)

I-270/US 15 Multi-Modal Corridor Study (Frederick and Montgomery Counties)

Purple Line-Transit Study (Montgomery and Prince George's Counties)

Red Line-Transit Study (Baltimore City and County)

- Regularly participated in the Baltimore Metropolitan Planning Organization transportation planning process to assist the Baltimore Regional Transportation Board in strengthening the integration of Smart Growth/land-use with transportation planning and investment in the Baltimore region.
- Supported the Greater Washington Council of Governments' Great Washington 2050 Coalition's effort to develop Region Forward-Comprehensive Guide for Regional Planning and Measuring Progress in the 21st Century. In coordination with the Department of Business and Economic Development, we reviewed and provided a letter of support for the Regional Forward Report.
- In coordination with the Hagerstown/Eastern Panhandle Metropolitan Planning Organization (HEPMPO), the city of Hagerstown, Washington County and MDOT, MDP reviewed HEPMPO's 2010 Draft Long Range Multimodal Transportation Plan Update. We addressed issues about the proposed Hagerstown Bypass and other Smart Growth concerns. HEPMPO eventually removed the bypass study from the transportation plan.
- MDP continued to support Transit-Oriented Development planning as part of the State's major transit way studies, e.g., Baltimore Red Line, Purple Line, Baltimore Region TOD Steering Committee. The major TOD activity in 2010 was the development and completion of the TOD Database Interactive Web Tool. It provides an online TOD database to assist various entities and individuals who are interested in TOD planning and investment.
- Through the participation in the MDOT Climate Action Plan Coordinating Committee, the MDE Climate Change/Sustainability Interagency Working Group and the Governor's Delivery Unit's ClimateStat, transportation planning staff provided technical assistance in research and assessment on using Smart Growth strategies to reduce greenhouse gas emissions.

Infrastructure Planning: Public School Construction

MDP is a member of the Interagency Committee on School Construction (IAC), an independent agency created to administer the State's Public School Construction Program (PSCP). The IAC is composed of the State Superintendent of Schools (chairperson), the Secretary of the Maryland Department of Planning (MDP) and the Secretary of the Department of General Services (DGS). Each agency performs critical functions in the administration of the Public School Construction Program and development of the annual Capital Improvement Program.

MDP's responsibilities include reviews of the Local Education Facilities Master Plans, project sites, the state-rated capacity of each school, enrollment projections and conformity of proposed projects with State and local planning and growth policies. MDP's Planning Data Division also develops the Annual Public School Enrollment Projections. They are used by State and local facility planners to help determine funding of State dollars for school construction and renovations.

State capital funding decisions for public school construction have a direct and long-lasting impact on the location of residential development across Maryland. MDP works with the Public School Construction Program to encourage neighborhood schools as focal points that promote shared community uses, most effectively use public infrastructure, preserve community identity and landmarks, reduce sprawl and promote healthy, walkable communities while reducing traffic demand and air emissions related to motor vehicle usage.

In addition, MDP published models and guidelines introducing the concept of an interrelated set of policies that link school construction and community growth while further enhancing the State's long-standing Smart Growth goals. These policies include: coordination of school facility planning with local comprehensive plans, review of Adequate Public Facility Ordinance (APFO) caps that can restrict growth in needed areas, co-location of public uses at and near school facilities, reduction of school transportation impacts and costs, and prioritization of sustainable school design. The IAC takes these guidelines into consideration when approving new sites, new schools and new capacity.

Because of their influence on urban growth patterns, school location and sites were an important topic of discussion of the Task Force on the Future for Growth and Development. In the summer and fall of 2009, a sub-group within the Task Force examined three issues concerning schools:

- 1) The potential to build compact schools on small sites to reduce housing development outside of Priority Funding Areas (PFAs).
- 2) The benefits of a six-year State Capital Improvement Program for school construction funding
- 3) Whether and how schools should be subject to PFA review in a manner similar to State funding for highways, sewer systems and other types of infrastructure.

Recommendations regarding these three issues will be presented to the Governor.

Appalachian Regional Commission

The Appalachian Regional Commission (ARC) is a partnership between the 13 Appalachian states and the federal government. The ARC Program in Maryland is directed through the Office of the Governor and coordinated and managed by the Secretary of the Maryland Department of Planning (MDP) who serves as the Governor's Alternate to the ARC. In Maryland, the designated Appalachian counties are Allegany, Garrett and Washington. The State of Maryland, via the Maryland Department of Planning, submits projects to the ARC on behalf of Appalachia Maryland's local governments, local development district, non-profits and other regional institutions.

The ARC is a major contributor to the Western Maryland region and the State of Maryland. In partnership with other federal, State, local, public and private sources, it provides and leverages funds for western Maryland's industrial parks, rail, air and highway transportation, water and sewage infrastructure, housing, telecommunications, health care, labor skill development, K-12 and college-level educational projects, local access road, entrepreneurial initiatives and more.

During federal Fiscal Year 2010 (Oct. 1, 2009 to Sept. 30, 2010), more than \$3 million in ARC funds, including Appalachian Development Highway System (ADHS) SAFE-TEA Local Access Road funds, resulted in submission and approval of 32 projects by ARC, with a total project cost of more than \$6 million. Project categories included workforce training, education, infrastructure, sustainable communities and economic development. During the past five federal fiscal years, 2006-2010, more than \$16 million in ARC funding has leveraged nearly \$35 million in support from additional public and private sources totaling roughly \$50 million toward the funding of 151 projects. The program in Maryland will continue to emphasize “self-sustaining economic development and job growth” through its consistency with the ARC Goals and Objectives identified within the Annual Appalachian Maryland Strategy Statement and the Appalachian Maryland Development Plan.



Ribbon-cutting celebration for Garrett County's Mountain Laurel Medical Center, which provides primary, preventative and pediatric care to county residents, including low-income residents and those without medical insurance, April 2010. From left: Roberta Adams, USDA-Rural Development; Jack Tarburton, State Director, USDA-RD; U.S. Rep. Roscoe G. Bartlett; Julianna Albowicz, Office of U.S. Sen. Barbara A. Mikulski; Robin Summerfield, Office of U.S. Sen. Benjamin L. Cardin; Beth Little-Terry, Mountain Laurel Medical Center CEO; George C. Edwards, Maryland State Senator; Wendell R. Beitzel, Maryland Delegate; Peggy Jamison, Mayor of Oakland; Maurice Denis, National Association of Community Health Centers, and Albert L. Feldstein, Maryland Department of Planning, Appalachian Regional Commission Program Manager. The ARC funds helped purchase medical and telecommunication equipment that enable Mountain Laurel to connect with more specialized outside diagnostic service providers to maximize patient care.

Maryland Historical Trust

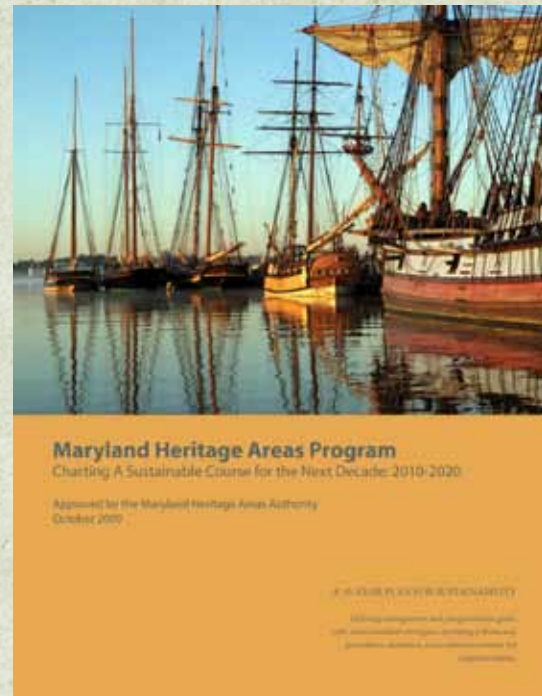
Maryland Heritage Areas Authority

The Maryland Heritage Areas Program was created in 1996 to help communities use heritage tourism to strengthen their economies through the development, protection and promotion of local cultural, historical and natural resources. This system of heritage areas has enjoyed a period of steady growth and enthusiastic private and public support. Accomplishments of the Program have included increased financial investment in heritage resource protection and enhancement activities as well as increased collaboration between stakeholders at both the state and local level.

In 2010, the Maryland Heritage Areas Authority (MHAA) released its Strategic Plan for 2010-2020. The plan received extensive public input over the past two years. It is designed to assist the Maryland Heritage Areas Program to meet the challenge of managing a mature system of state Heritage Areas and sustaining that system over time. Begun in spring 2008, development of the strategic plan was led by the National Trust for Historic Preservation's Heritage Tourism Program and overseen by an interdisciplinary team of state and local tourism, heritage area, scenic byway and natural resource conservation representatives. Funding for the plan was provided in part by a National Park Service Preserve America grant.

Key elements of the plan include:

- **Statement of Three Focus Areas:** The plan cites three categories of Heritage Area activity that will become the principal basis on which success of the Maryland Heritage Areas Program will be evaluated over the next 10 years, including developing Heritage Tourism products, building partnerships and sustaining regional identity.
- **Identification of Strategies:** The plan identifies strategies in the areas of management, stewardship, heritage tourism marketing and product development, communication and a proposed schedule for gradual implementation over a 10-year period.
- **Program Performance Measures:** The plan outlines how the program will evaluate management effectiveness and program outcomes.



Development of the strategic plan involved review and comparison of the Maryland Heritage Areas Program performance history with best practices from other state and federal heritage tourism programs, public outreach to Program partners and stakeholders and market research.

A full version of the plan is available at http://mht.maryland.gov/heritageareas_plan.html.

Office of Preservation Services

Review and Compliance Program

The Trust's Review and Compliance Program is a regulatory program that reviews State and federal undertakings to ensure that Maryland's important historic and archaeological properties will not be adversely affected or destroyed by the actions of federal and State agencies or by entities receiving assistance from those agencies. Through consultation with the involved agencies, project sponsors, local governments, consultants and the interested public, the Trust assists program users in fulfilling their historic preservation responsibilities and ensures the appropriate stewardship of Maryland's heritage resources.

In 2010, Trust staff reviewed more than 5,000 public undertakings pursuant to federal and state historic preservation legislation, including more than 1,200 projects assisted with federal Recovery Act funds. The consultation resulted in the development of more than 46 agreement documents to resolve the adverse effects of projects, or agency programs, on significant cultural resources and afford pertinent mitigation measures. Staff also provided extensive technical assistance to program clients. Staff outreach efforts for 2010 included conducting Section 106 trainings for the Department of Information Technology, entities that lease DNR



Plan with Rehabilitated Eastern Star Lodge

owned historic properties, Maryland Energy Administration EECBG grant recipients, and the Comptroller's annual bond bill recipient grant workshop.

In one notable example, MHT assisted the Mount Rainier Library and Multi-Use community facility project so that it encourages growth and redevelopment within the historic core of Mount Rainier. The City is implementing the project in conjunction with its Town Center Urban Renewal Project and plans to use funding from multiple state sources. When the Trust was contacted about the project in early 2010, the proposed undertaking called for the demolition of the existing library, a contributing element of the Mount Rainier Historic District, and the construction of a four-story building that did not take into account the historic character of the neighborhood. As part of the state Section 106 consultation process, the Trust's Review and Compliance office worked with the City and its architects to minimize adverse effects. This consultation resulted in an agreement among project stakeholders to document the old library prior to demolition and to rehabilitate the adjacent historic Eastern Star Lodge building as part of the project. The expanded project, adjacent to City Hall and a bus transit hub, takes advantage of existing infrastructure. It will be compact, transit-oriented, walkable and encourage further growth and investment in the historic neighborhood.

Rehabilitation Tax Credits

State and Federal rehabilitation tax credits administered by Trust staff are powerful tools for the rehabilitation of privately owned historic properties. Tax credit staff received 190 proposed projects, residential and commercial, federal and state, while continuing to finalize certifications on projects from past years. Staff certified \$34,340,821 worth of rehabilitation expenditures, equal to about \$6,868,164 in credits for the State Rehabilitation Tax Credit. In addition, staff developed procedures for the delivery of the Sustainable Communities Tax Credit Program, created during the 2010 session of the Maryland General Assembly, including regulations, modified applications and instructions for filing.

Capital Historic Preservation Grant and Loan Programs

Capital Grants and Loans assist non-profit organizations, local governments, and private individuals to acquire or rehabilitate historic properties. In fiscal year 2010, the Trust awarded no capital grants as there were no funds requested or allocated for the program due to staff shortages. Loans closing in 2010 were to the Society for the Preservation of Federal Hill and Fells Point for the rehabilitation of the early frame rowhouse known as Leeke Academy, 1627 Aliceanna Street, Baltimore City, and to 202 High Street, LLC, for the stabilization of 202 High Street, Cambridge, Dorchester County, which had been severely damaged by fire.

African American Heritage Preservation Program

The African American Heritage Preservation Grant Program was created during the 2010 session of the Maryland General Assembly. The Program is administered as a joint partnership of the Maryland Commission on African American History and Culture (MCAAHC), a unit of the Governor's Office of Community Initiatives, and the Maryland Historical Trust (MHT), an agency of the Maryland Department of Planning (MDP). The purpose of this Program is to encourage the identification and preservation of buildings, sites, and communities of historical and cultural importance to the African American experience in Maryland.

Eligible applicants for Program funding include non-profit organizations and local jurisdictions. Business entities and individuals could also apply for Program grants when seeking funds for a preservation or development project that serves a high public purpose. Eligible activities included acquisition, construction, and capital improvement of buildings, sites and communities of historical or cultural importance to the African American experience in Maryland as well as pre-development costs directly associated with an acquisition or construction. (Pre-development costs also covered historic structure reports and studies, the preparation of plans and specifications, necessary archeological investigations and reasonable fees for architectural, design, engineering and other special services.)

Grant program regulations and application materials were prepared and distributed during the reporting period. Grant workshops led by MCAAHC and MHT staff were held in Anne Arundel County and Prince George's County in June of 2010. Twenty-seven applications were received by the July 15, 2010 deadline. The total funding request was \$2,052,615. The majority of the funding requested was for rehabilitation, with the remainder for predevelopment costs. Applications represented 12 counties and the City of Baltimore.

MHT staff actively promoted the program at grant workshops in the fall in Williamsport, Salisbury and Havre de Grace.

Historic Preservation Easement Program

The Trust acquired 11 new easements representing 54.8142 acres in 2010, bringing the total number of easements held by MHT to 650 easements on more than 791 properties and 9,054 acres. Most of these legal agreements ensure protection of significant historic or archaeological properties in perpetuity. The Easement Administrator and Easement Inspector positions were largely vacant throughout 2010 and were only filled in late August. Therefore, Trust staff conducted only 3 inspections and reviewed approximately 133 requests from owners/operators for changes to these properties, ranging from full scale construction projects to minor alterations.

Underwater Archaeology

The underwater archeology program was successful in obtaining funding from three sources: the National Park Service's American Battlefield Preservation Program (ABPP) (\$78,000), NOAA's Ocean Exploration Program (\$22,950) and the Transportation Enhancement Program (TEP) (\$2,021,950). The ABPP grant involves survey and investigation of six battlefields relating to the Revolutionary War and War of 1812, including Baltimore, the Elk and Sassafras Rivers, Kedges Strait, St. Leonard Creek, and the waters adjacent to Patuxent River Naval Air Station. The NOAA grant covers use of a sophisticated gradiometer at the Naval Air Station survey area and on the upper Patuxent at the site of the scuttling of the Chesapeake Flotilla. The latter is a multi-year project being undertaken in partnership with the U.S. Navy's Naval History and Heritage Command and the Maryland State Highway Administration's Archeology Division. The aim of the project is to search for the flagship of Commodore Joshua Barney, known as the *Scorpion*. This is planned as a multi-year project, which began in 2010. The TEP funds are directed to this project. Funding for this year's survey was provided by the three partner agencies with additional in-kind contributions from the Maryland-National Capital Park and Planning Commission (MNCPPC) and the Patuxent Mobile Home Park.

In addition to these projects, the program continued to fulfill compliance and educational outreach mandates, continued membership on several Department of Homeland Security emergency response contingency planning committees, participation on several national and regional advisory councils and committees, and presentation of papers at conferences, symposia and workshops.



Susan Langley, Ph.D., State Underwater Archaeologist, Maryland Historical Trust, coming up after two hours of working in a test excavation on the bottom of the Patuxent River during search for the USS Scorpion. Project is part of a multi-year War of 1812 Commemoration effort that MHT/MDP is undertaking with the Naval History and Heritage Command (NHHHC) and the Maryland State Highway Administration.

Office of Research, Survey, and Registration (ORSR)

Research and Survey Program

Research and survey projects document historic and archaeological sites for inclusion in the Maryland Inventory of Historic Properties, a broad-based catalog of historic resources throughout the state. During the federal fiscal year of October 1, 2009 to September 30, 2010 (FFY10), ORSR staff reviewed and administered multiple architectural and archaeological survey and documentation projects which included a study of MHT easement properties, standing structure surveys in Howard and Queen Anne's counties, studies of Hooper's Island Lighthouse and the Patterson House in Jefferson Patterson Park, research and documentation in support of the restoration of the Old Senate Chamber in The Maryland State House, the Hessian Barracks in Frederick (built 1777-1782), and the reconstruction of the 1756 Officers' Quarters at Fort Frederick State Park. Additionally, MHT added 354 standing structures and survey districts and 258 archaeological sites to the Maryland Inventory of Historic Properties. In all, 11,961 acres were surveyed between October 1, 2009 and September 30, 2010.

National Register of Historic Places

The National Register of Historic Places is a federal program, administered by the states, that is designed to recognize properties significant in American history and culture. In Federal Fiscal Year 2010 (October 1, 2009-September 30, 2010), 15 National Register of Historic Places nominations comprising 5,909 contributing resources were forwarded to the National Park Service. These included 3 historic districts, one archaeological site, and 11 individual properties representing 7 counties plus Baltimore City.



Gobbler Hill (1858 Kent County) and Dumbarton (Baltimore County) were among properties listed on the National Register for Historic Places in federal Fiscal Year 2010.

Library and Archives

A significant change in how research is conducted continued to evolve in 2010. Demand for electronic access to the library's resources has greatly increased. The majority of researchers no longer want inventory documentation on paper but instead are downloading files when visiting the library or are asking for files to be sent via e-mail. This, in addition to the Library catalog's availability on the Internet, has enabled the Trust to better meet researcher needs and continue to create awareness of the Trust's mission and services.

Geographic Information System (GIS)

The Trust's GIS consists of computerized maps and databases containing information on historical and archaeological resources, as well as other management districts such as Heritage Areas. This year, the Trust received a \$78,000 Preserve America grant to complete the scanning of all of the Maryland Inventory of Historic Properties documents, including those from Baltimore City, and to increase the amount of information about state inventoried historic sites, archeological sites, National Register properties, easements, and determinations of eligibility available on-line.

Military Monuments and Roadside Markers

ORSR staff provides support and expertise to the Governor's Commission on Military Monuments and administers the Maryland Roadside Historical Marker Program. In Federal Fiscal Year 2010, four new roadside markers were ordered and nine were installed. Also, cyclical conservation maintenance was completed for 13 bronze monuments and tablets for the Military Monuments Commission. A contract was awarded for maintenance of 22 monuments, to be completed in spring and summer of 2011.



The Charles County Commissioners unveil the Courthouse at Moore's Lodge State Historical Marker before a small crowd of guests and onlookers, September 2010.

Office of Preservation Planning and Museum Programs

The Office of Preservation Planning and Museum Programs (OPPMP) provides technical and financial preservation planning assistance to local governments, non-profit organizations and individuals engaged in preservation activities across the state. Trust staff assisted local jurisdictions in creating and enhancing local historic preservation programs. Due to funding cuts, no Non-Capital Grants were awarded in 2010 to assist historic resource research and planning projects. The Trust awarded \$79,074 in Certified Local Government grants to support eight local government historic preservation projects.

In 2010, OPPMP launched PreserveMaryland, the initiative to rewrite the State Historic Preservation Plan. PreserveMaryland is one of the keystone activities of the Maryland Historical Trust's 50th anniversary celebration, but will be applicable and relevant to organizations far beyond the Trust. The planning process will bring together the preservation community as well as other diverse stakeholders who are affected by or affect historic preservation with the goal of developing unified strategies for the identification, protection and enhancement of Maryland's valuable historic resources. The process kicked off on Sept. 30 with an Advisory Committee meeting with representatives from more than 40 agencies and organizations.

Archaeology Assistance Program

The Archaeology Assistance Program ensures stewardship of archaeological resources owned by the State through the issuance of terrestrial archaeology permits and educational outreach efforts. In 2010, Trust staff issued five terrestrial archaeology permits for investigations of sites owned by the State as well as cave/rockshelters sites. Archaeology education efforts led by Program staff and to which the public was invited included the 2010 Archeology Workshop, Spring Symposium, Archaeology Month, the 11-day annual archaeology field session, a weekend training session for avocational archeologists and two archeological mini-field efforts. In addition, the Trust continued to staff the Working Group on Native American Human Remains that is reconsidering the place of appropriate repose for archaeological collections cared for by MHT, including the human remains of approximately 139 prehistoric Native Americans. In 2010, the group worked toward the completion of a Memorandum of Understanding between MHT, MDP and the Maryland Commission on Indian Affairs that would establish an Appropriate Place of Repose that is in the ground at Jefferson Patterson Park and Museum for the 19 geographically unknown sets of Native American human remains in MHT's collection.

Heritage Areas Program

The Heritage Areas Program provided \$2,617,146 in grant funds to 55 preservation and heritage tourism development projects within 11 Certified Heritage Areas during 2010. In addition, five emergency grants totaling \$118,076 were

awarded for projects that help meet unanticipated or emergency needs that arise due to unpredictable or unforeseen situations or that provide a special opportunity to engage in heritage tourism development activities within a narrow time frame. Throughout the year, program staff partnered with other state agencies on complementary programs such as Arts and Entertainment Districts, Scenic Byways and Main Street Maryland. Staff also provided technical assistance to local governments, state agencies and nonprofit organizations on heritage tourism issues. The Program completed a strategic plan in October 2009 and began implementation measures in 2010, including assisting the 11 Certified Heritage Areas to develop Five-Year Action Plans.

Museum Advancement Program

History museums enhance the quality of life, educate our children and our adults, support heritage tourism initiatives, and attract thousands of visitors each year, strengthening the State's economy. The Museum Advancement Program provided \$203,259 in grants to 22 non-state history museum projects this past year. These grants assisted with a variety of projects ranging from strategic planning and collections care to the development of K-12 educational programs and public events.

The Program partnered with Jefferson Patterson Park and Museum and the Archeology Assistance Program to initiate the County Archeology Collections Exhibitions (CACE) project that is intended to bring archeology exhibits to every county in Maryland. Using a Preserve America grant from the National Park Service, the CACE project will launch two pilot exhibits – one at the Washington County Historical Society and one at the St. Mary's County library. In addition, the Museum Advancement Program partnered with the American Association for State and Local History StEPs program (Standards and Excellence Program for History Organizations) to host two pilot training workshops that AASLH hopes to continue in other states.

Jefferson Patterson Park & Museum

In late summer 2009, the JPPM staff teamed up with Calvert County Public Schools to create a cell phone tour for the recreated Indian Village at the park. The impetus for the project was two-fold: JPPM staff recognized a need to provide additional interpretation for the Indian Village both during the off-season when it is accessible but the Museum facilities are not open and when the sole staff person dedicated to the Village is not available to interact with the public due to other duties. Second, JPPM wanted to create a program that would engage high-school students.

Under the guidance of JPPM staff, students from Huntingtown High School's 2009/2010 archaeology classes were involved in the project at every level. The students completed research on the Native Americans of southern Maryland; conducted and transcribed oral history interviews with Native elders, historians



and archaeologists; developed the themes of the tour; wrote and recorded the script; prepared the press release and created a rack card with a map that visitors use to guide them through the tour. This project provided the students with real world experience in a supportive setting, and resulted in the type of resource normally created by museum professionals. Entitled *Walking in their Footsteps: A Patuxent Community*, JPPM's new audio tour was launched at an event on June 23, 2010. The Indian Village audio tour project was funded with donations from an Anonymous Donor, the Garrett Music Academy, the Friends of Jefferson Patterson Park & Museum and Boeing.

Due to the enormous success of the project, CCPS and JPPM will team up again this year to create a new cell phone tour about the War of 1812.



The Archeological Society of Maryland field session members excavate at the Smith's St. Leonard Site at Jefferson Patterson Park & Museum, May 2010. (Richard Smith Jr., a militia captain and Surveyor General for the colony, built a house there in the early 1700s.)

Maryland State Clearinghouse for Intergovernmental Assistance

The Maryland State Clearinghouse for Intergovernmental Assistance helped the State to secure American Recovery and Reinvestment Act (ARRA) funds. In Fiscal Year 2010, the Clearinghouse received 62 projects and programs requesting \$376,416,542 in ARRA funds.

The Clearinghouse, serving as the “Single Point of Contact” (SPOC), provided a cost-effective process so that applicants for ARRA funds and other grants and projects could submit proposals to a single source for intergovernmental review. In addition, the Electronic Maryland Intergovernmental Review and Coordination (E-MIRC) served as a notification tool to inform State, local and regional officials of potential ARRA funds, and other State and federal programs and projects in the State.

In FY 2010, the Clearinghouse coordinated the review of 1,355 projects and plans requesting more than \$5,052,568,104 from federal and State sources; and \$187,869,231 in local funds. Of the 1,355 projects and plans, 1,158 were requests for financial assistance; 134 for direct development and 62 were plans. In addition, the Clearinghouse also coordinated the review of 42 leases for State buildings and parking facilities.

Red Book Online

The Red Book Online is a comprehensive web-based tool that provides information on financial and non-financial assistance programs offered by Maryland State government agencies. Currently, more than 800 programs are listed on Red Book Online.

State-Owned Real Property Listing

MDP leads the effort of 30 custodial State agencies that exchange information through online and e-mail surveys, telephone contacts and electronic messages. A new web site is planned to display State-owned real properties on a map and offer limited search applications.

Smart Growth Support

The Clearinghouse completed reviews that facilitated dozens of projects around Maryland that contribute to smart and sustainable growth. The following projects are some of those that were reviewed in 2010:

Sustainability:

- Baltimore City Water Conservation Project: functional replacement of equipment to conserve water and energy; categorical exclusion (MD20090729-1129);

- State Energy Program: Strengthening Building Retrofit Markets and Stimulating Energy Efficiency Action: help stakeholders overcome barriers; help local governments implement “clean energy” loan program: Charles, Frederick, Montgomery, Prince George’s, Queen Anne’s and Wicomico Counties (MD20100617-0553).

Revitalization of Existing Communities

- Intercity Bus Intermodal Terminal (2nd Earmark): provide for engineering, and design, environmental documents for a new facility to be built on land owned by the City of Baltimore in Gateway South Redevelopment Area (MD20090831-1246);
- 2. Westport Waterfront Tidal Wetlands Creation: cap shoreline; create tidal wetlands: to support private mixed-use development by Inner Harbor West, LLC, in the City of Baltimore. (MD20090925-1305).

Federal Facilities

- Scoping prior to Environmental Assessment: lease consolidation: +/- 935,401 square feet of space for U.S. Department of Health and Human Services. Five sites identified: Montgomery and Prince George’s Counties (MD20100625-0617);
- Master Plan Update for Changes to Building 17: National Naval Medical Center: renovation and a physical fitness and administrative facility plus parking garage to be added to Building 17; proposed demolition of 10 buildings: Montgomery County (MD20091124-1511).

Transportation

- MD-90-X124-01 - FY10 Bus, Metro, Light Rail Train System Preservation: Howard Street Light Rail Revitalization; Baltimore Red Line Corridor design and engineering study; Trunked Radio Site Network Expansion in the City of Baltimore (MD20100622-0584);
- MD-04-0013 Southern Maryland Commuter Bus Initiative: engineering management support for Park and Ride Lots in Charlotte Hall, Dunkirk, Prince Frederick, and Waldorf: in Calvert and Charles Counties (MD20100506-0359).

Transit-Oriented Development (TOD)

Fourteen Maryland transit stations, including seven in the Baltimore area, will be the focus of the State's efforts to encourage more mixed-use development around transit hubs. The new legislation that is designed to facilitate the creation of TOD in Maryland is recorded at Section 7-101(m) of the Transportation Article. These transit stations include:

- Baltimore Area stations: Aberdeen, Owings Mills, Odenton, Reisterstown Plaza, Savage, State Center, Westport
- Washington, D.C. Area Stations: Branch Avenue, Laurel, Naylor Road, New Carrollton, Shady Grove, Twinbrook, Wheaton

Other TOD Projects reviewed by State Clearinghouse

- Change of use/lease: +/- 4.35 acres with improvements: proposed mixed-use development on current surface parking lot at 1st & Main Streets and Route 1 in Laurel, at the Laurel MARC rail station: Prince George's County (MD20090828-1236). The State Clearinghouse recommended to change the use, and lease the improved land to a competitively-selected bidder for use as a mixed-use development designed to increase transit ridership, and pedestrian and bicycle activity.
- Grant application MD-90-X121-00: MARC FY 09 System Improvements: make-ready upgrades to Virginia Rail Express rail cars; purchase remanufactured locomotives; study relocation of Aberdeen MARC rail Station, and upgrade existing MARC stations: Harford County (MD20100122-0038).



State Center TOD rendering

Credit: Stephanie Bower, Mithun

Base Realignment and Closure Activities (BRAC)

- Scoping prior to preparation of Environmental Assessment: projects to improve traffic associated with Base Realignment and Closure Activities: Fort George G. Meade, in Anne Arundel County (MD20090918-1289);
- Invitation to participate: Upgrading an Existing Integrated Natural Resources Management Plan for Fort Detrick, and creating a new Integrated Natural Resources Management Plan for the Forest Glen Annex (MD20100125-0047). Based on BRAC reassignments, Fort Detrick has become the custodian for the Forest Glen Annex located in Montgomery County.

Economic Development

- Draft Environmental Assessment: General Motors LLC Electric Drive Vehicle Battery and Component Manufacturing Initiative: design, construct new building dedicated to technology and equipment to make electric motors: +/- 37,000 square feet; in Baltimore County (MD20100414-0273);
- Completion of Major Comprehensive Plan Update with Emphasis on Opportunities for More Effective Redevelopment & Job Growth in City's Commercial Sites & Corridors, with Emphasis on Main Street/Downtown, University Access and Frontage Corridors, and Key Gateway Development Sites: City of Frostburg, Allegany County (MD20100622-0589).

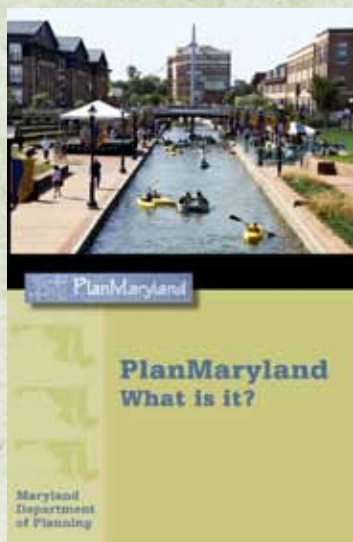
Sensitive Area Protection

- Oyster Recovery and Habitat Creation in Maryland 2010-2011: increase oyster population; monitor, assess and report on oyster population and ecological benefits: City of Baltimore, Dorchester and Queen Anne's Counties (MD20100617-0549);
- Developing Decision Supporting Tools to Assess the Progress of Restoration Efforts on Chesapeake Bay Ecosystem Health: develop forecasting model for resident striped bass; assess effects of nutrient reduction on suitable habitat: Statewide (MD20091005-1331).
- Program Open Space approved funds for the following acquisitions to the South River Greenway in Anne Arundel County: Boehm Property - 62.732 acres (MD20091215-1572); Morrison Property – 6.5669 acres (MD20100114-0025); Duret Property – 5.65 acres (MD20100114-0026); Page Property – 46.136 acres (MD20100309-0153); and the Polanski Property - 2.789 acres (MD10100518-0404). The South River Greenway is Anne Arundel County's largest tract of continuous forest. The area is recognized for its migratory bird population, and physical features, which include steep slopes and floodplain areas along Bacon Ridge Branch, the headwaters of the South River. The purpose of these acquisitions is to help to protect the South River.

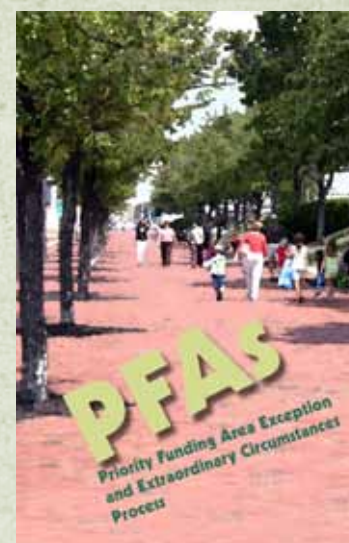
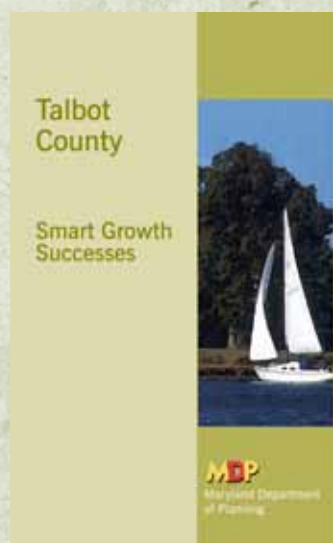
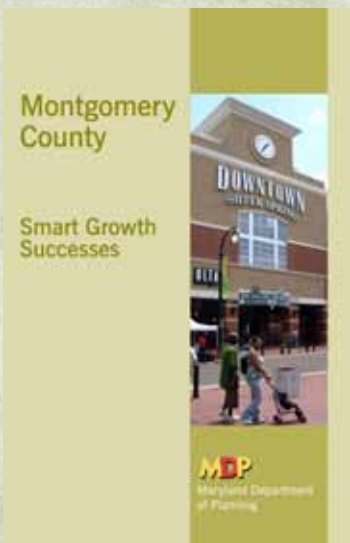
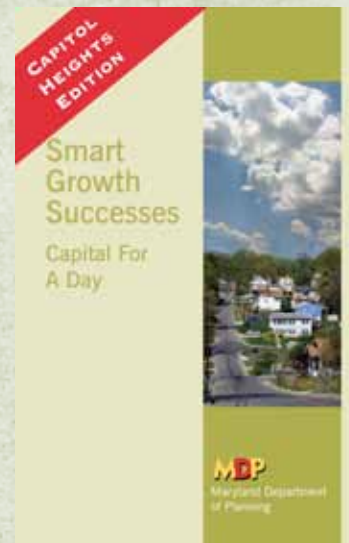
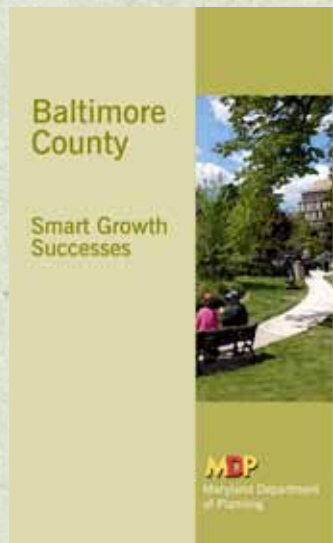
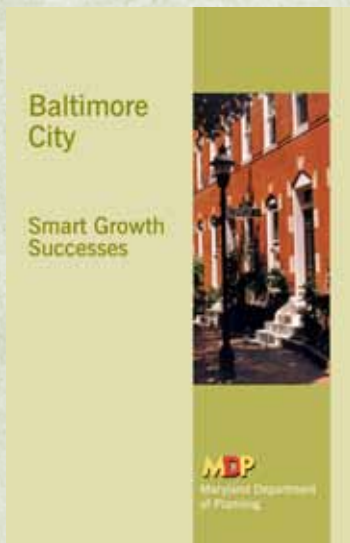
Communications and Intergovernmental Affairs

The Division of Communications and Intergovernmental Affairs planned and executed public and media campaigns throughout the year on numerous projects, including promotion for the 2010 Census, the successful Sustainable Communities legislation and PlanMaryland.

The PlanMaryland outreach effort was one of the department's most extensive outreach efforts ever to broadcast the creation of a State Growth Plan. The campaign reached more than 1,000 people in person, including 600 at 13 public forums held throughout the state from March to June. An additional 600 people attended an earlier round of "Listening Sessions" to launch the effort in 2008. The outreach was broad and varied. It included a trio of MDP-produced publications entitled "PlanMaryland: What is it," "Why Do We Need It" and "What We're Hearing." MDP scripted a video for Governor O'Malley that was used to begin the public forums. We also co-produced a "Future of Maryland" supplement with extensive information about PlanMaryland that Maryland Life magazine published for its 60,000 subscribers across the state. Networks developed by VISTA volunteers helped expand the campaign to be inclusive and diverse.

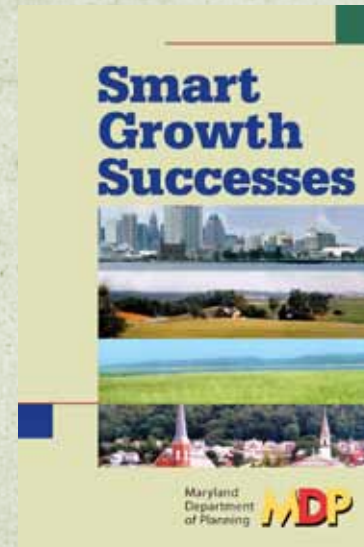
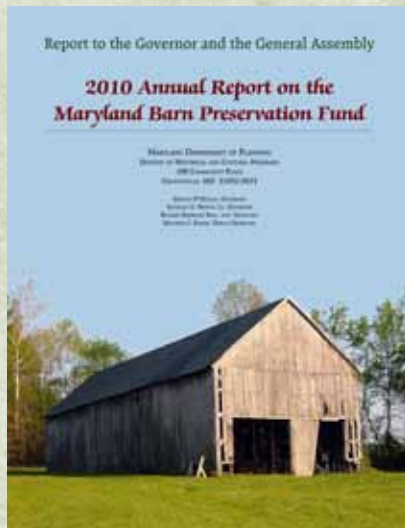


Series of "PlanMaryland" publications



"Smart Growth Successes" booklets for Governor O'Malley's "Capital for a Day" events

PFAS Guideline Manual Updated



The department has produced seven “Smart Growth Successes” booklets, a practice it began for the Governor’s Capital for a Day events in 2009 and continued through 2010 to publicize the best of Smart Growth examples throughout Maryland. The governor mentioned them consistently at all of the “Capital” events.

With robust use of online surveys and email marketing through Constant Contact, the department expanded its online outreach. MDP sent out 210 targeted constituent emails and 500 people joined MDP’s email subscription list, taking the total to 5,845.

The department also drew hundreds of responses to seven online surveys it created and conducted during the year. They included:

1. Ongoing PlanMaryland Website Quality Survey – Ongoing
2. Ongoing MDP Website Quality Survey – Ongoing
3. “Beyond the PlanMaryland Forums” Public Comment Survey – August through September 2010 – 127 completed responses
4. PlanMaryland Public Input Questionnaire – June through July 2010 – 56 completed responses
5. Evaluation Questionnaire for Public Forum attendees – March through June 2010 - 280 completed responses
6. Initial PlanMaryland Opinion Survey – December 2009 – 169 completed responses
7. Food Deserts and Food Access, October-November 2010

Some 33 press releases were developed and sent out during the year (compared to 16 in 2008 and 14 in 2009.)

2010 Events

Twenty-five events were organized and held around the state by the department, including three meetings of the Maryland Planning Directors Roundtable. The events included:

- January Sustainable Communities Advocacy Day in Annapolis
 Planning Directors' Roundtable
 Stormwater Management Forum
- March Census 2010 College Day at University of Maryland College Park
 Maryland Interfaith Summit for Census 2010 for Baltimore Metro
 Maryland Interfaith Summit for Census 2010 for Montgomery County
 Maryland Interfaith Summit for Census 2010 for the Eastern Shore
 Maryland Interfaith Summit for Census 2010 for Prince George's County
- April PlanMaryland Special Forum for attendees of the Towson University's Annual
 Environmental Conference, entitled Sustainability: Your Action, Your Impact
 PlanMaryland Special Forum for members of the Maryland Hispanic
 Commission
 Capital for a Day in Capitol Heights
- May PlanMaryland Special Forum for attendees of the Maryland Environmental Trusts
 2010 Land Conservation Conference
 Maryland Delaware Chapters APA Conference
 Maryland Preservation & Revitalization Conference
 Capital for a Day in Baltimore County

- June PlanMaryland Special Forum for Officials at the Maryland Municipal League Summer Conference
- Education Course for Planning Commissioners and Members of Boards of Appeal at the Maryland Municipal League Summer Conference
- Capital for a Day in Silver Spring
- July Planning Directors' Roundtable
- PlanMaryland Special Forum for members of the Maryland Asian Pacific American Commission
- PlanMaryland booth at the Oliver Street Community Fair
- Capital for a Day in Baltimore City
- August PlanMaryland Special Forum for Officials at the Maryland Association of Counties Summer Conference
- Education Course Live for Planning Commissioners and Board members and Members of Boards of Appeals at the Maryland Association of Counties Summer Conference
- Capital for a Day in Easton
- September Participated in the Harriett Tubman Byway Open Houses in Denton and Cambridge
- New York Academy of Science presentation on Maryland Archaeological Conservation Laboratory work on World Trade Center ship remains

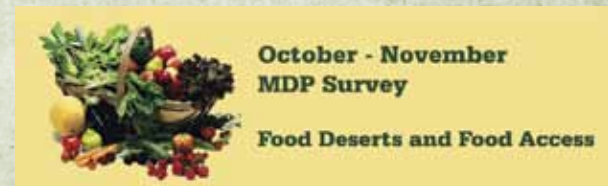
Social Media

The Department of Planning continues to be a leader in state government with one of the most vigorous social network operations. New media is helping the agency promote programs and news about Smart Growth in Maryland with greater speed and frequency.

The department created a Facebook page for PlanMaryland that has attracted more than 1,000 friends. Other Facebook pages were also launched specifically to promote the annual Bernie Fowler Wade-In, which this year moved to Jefferson Patterson Park & Museum. The park and the Maryland Archeological Conservation Laboratory also launched Facebook pages as well.

As of Dec. 1, MDP had 746 “friends” on Facebook. That’s 6th most among the 19 state agencies with Facebook accounts, trailing only Veterans Affairs (4,225), State Parks (3,153), Maryland Public Television (1,732), Maryland National Guard (1,626) and Maryland Jobs (777).

MDP’s 1,056 followers on Twitter (@SmartGrowthMD, @MdStateDataCtr and @MDClearinghouse) was 5th highest among 24 State agencies on Twitter, behind BWI Airport (2,512), MD Travel (2,488), Business and Economic Development (1,699) and Highway Alerts (1,547).



Several of the web banners used to promote events and projects during 2010

The department's blog, "Smart Growth Maryland," put out nearly 40 posts and received mention in the Baltimore Sun.

The department during the year also completed a major redesign of its main agency website, Planning.Maryland.gov. Traffic continued strong with 9,115,028 Hits in the reporting period. With a new web designer, the agency also launched a new website for the PlanMaryland initiative at plan.maryland.gov. Since being launched in March 2010 and then redesigned in August, the site has received 346,494 hits.



MDP website in 2009 . . .



. . . and in 2010

SECTION III

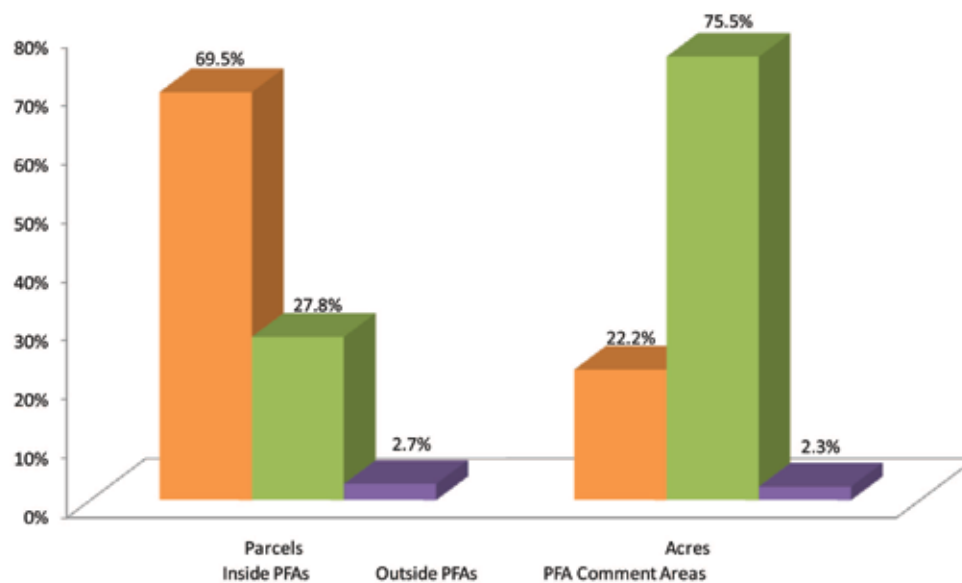
Smart Growth Goals, Measures and Indicators



Smart Growth Goals, Measures and Indicators

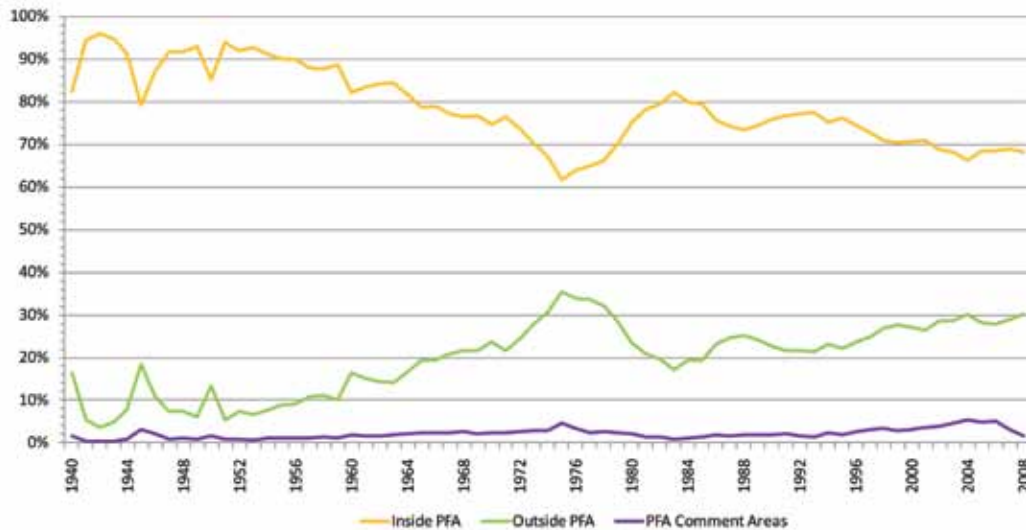
Consistent with the O'Malley administration's Stat approach, Maryland jurisdictions report on a uniform set of indicators in order to provide better information to influence planning policy decisions. The 2009 Smart, Green & Growing Legislation requires the Maryland Department of Planning to report on Smart Growth Goals, Measures and Indicators in an annual report in consultation with the National Center for Smart Growth at the University of Maryland at College Park. The chart shows the percentage of parcels and acres built inside and outside of the Priority Funding Areas since 1997. While about 70 percent of recent parcel growth has happened inside the PFA, 75 percent of new developed acres are happening outside. The Measures and Indicators bill set a statewide goal of increasing the share of growth inside the PFA and decreasing the share outside. It also requires local governments to set a goal and report related indicators by July 1, 2011.

Percent Single-Family Improved Residential
Parcels and Acres by PFA, 1997 - 2008*



*Data for Carroll, Charles, Howard, Prince George's and St. Mary's counties are from 2007.

Percent Single-Family Improved Residential Parcels by PFA 1940 - 2008*



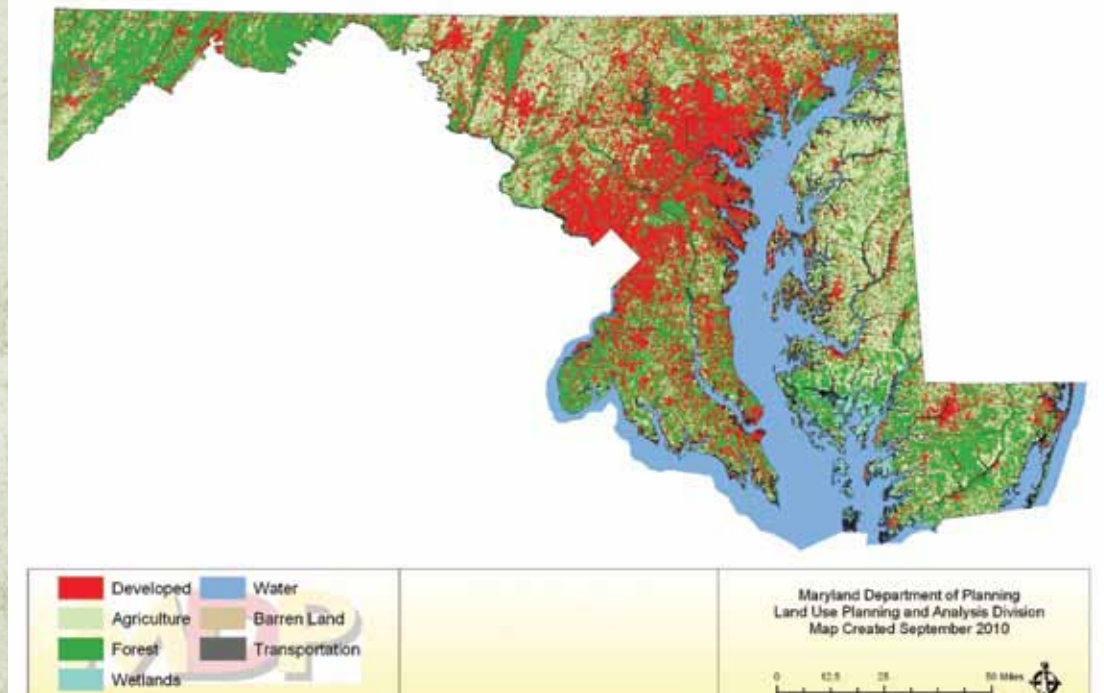
* Data for Carroll, Charles, Howard, Prince George's and St. Mary's counties are from 2007.

Statewide Land Use Map Updated

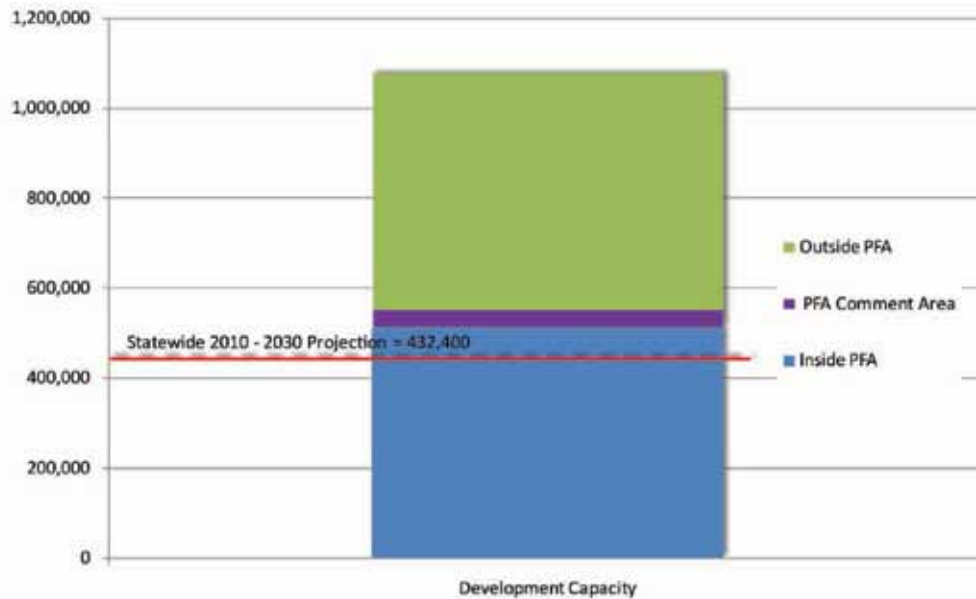
MDP's 2010 land use/land cover data update was completed this year. Over the years, MDP has provided a statewide Land Use/Land Cover GIS map. The MDP data is representative of both statewide and county trends in development and tracks the conversion of resource land to development based on statewide inventory. The land-use data is a complete inventory based on imagery and MD Property View data.

Several important improvements were made in the 2010 dataset, the first update of the land use map since 2002. First, higher resolution imagery was used and parcel data was used more heavily in this update. Second, new land use categories were added to the dataset. The addition of very low density residential illustrates development between 5 and 20 acres in lot size. A transportation category was also added to the 2010 dataset to include major roads (mainly Interstate highways.). The updated Land Use/Land Cover dataset are reviewed by local jurisdictions and comments were incorporated into the final product. Based on this new layer, MDP estimates that the developed area of the state increased by approximately 130,000 acres since 2002. About half of the new developed acres were in the form of low and very low density residential development.

State of Maryland 2010 Land Use/Land Cover



Development Capacity vs. Protected Growth



Residential Development Capacity (Land Supply)

MDP maintains an analysis of statewide residential development capacity, or land supply, inside and outside the PFAs. Under current programs (zoning, water and sewer plans, etc.), it is estimated that all of the state's projected growth from 2010 to 2030 could fit within existing PFAs. While it is not realistic to assume that 100 percent of new growth will go inside PFAs, the PFAs could be used more efficiently to accommodate a larger share of future growth.

SECTION IV

Smart Growth Sub-Cabinet 2010 Annual Report on the Implementation of the Smart Growth Areas Act





Governor's Smart Growth Sub-Cabinet

Secretary Richard Hall, Department of Planning (Chair)

Secretary Earl F (Buddy) Hance, Department of Agriculture

Secretary T. Eloise Foster, Department of Budget and Management

Secretary Christian S. Johansson, Department of Business and Economic Development

Secretary Shari Wilson, Department of the Environment

Secretary Alvin Collins, Department of General Services

Secretary Raymond Skinner, Department of Housing and Community Development

Secretary John Griffin, Department of Natural Resources

Secretary Beverley Swaim-Staley, Department of Transportation

Secretary James Lyons, Higher Education Commission

David Lever, Director, Inter-Agency Committee for Public School Construction

Gerrit Knapp, Director, National Center for Smart Growth (Ex Officio)

The Maryland Smart Growth Sub-Cabinet

2010 Annual Report on the Implementation of the Smart Growth Areas Act

Introduction

The State of Maryland, through the Smart Growth Subcabinet, is committed to making more efficient and effective investments of taxpayer dollars for costly infrastructure while preserving the State's rural landscape from being subjected to urban sprawl. Our coordinated actions have reduced development pressures on critical farmland and natural areas and increased the availability of more dollars to spend on roads, schools, and infrastructure to transform Maryland's towns and cities into population magnets and state economic engines

In Fiscal Year 2010, the statutory framework set out by the General Assembly in the Smart Growth Areas Act (Annotated Code of Maryland, State Government Article §§ 9-1406) was met by the Smart Growth Subcabinet agencies and has served both the State and local governments well. The four exceptions to the law that were made followed the procedures prescribed in the law and did not violate the intent of smart growth.

State "Growth Related" Programs

The law defines as "growth related" certain programs in five state agencies: Business and Economic Development (DBED), General Services (DGS), Housing and Community Development (DHCD), Environment (MDE), and Transportation (MDOT).¹ In addition, several agencies chose to voluntarily limit programs to the PFAs. The Smart Growth Areas Act required the agencies whose programs are subject to PFA restrictions to report yearly to the Department of Planning to implement the act.

The 1998 Executive Order: Smart Growth and Neighborhood Conservation Policy (Executive Order No. 01.01.1998.04, January 23, 1998) which established the Smart Growth Sub-Cabinet -- and the 2001 law which codified it -- further defined the requirements of these reports and made them the responsibility of the Sub-Cabinet.² The Smart Growth Areas Act also allows for these agencies to seek exceptions for individual projects through one of two avenues: the Board of Public Works³ or the Smart Growth Coordinating Committee.⁴ The Smart Growth Sub-Cabinet is required to

1. Maryland Annotated Code, State Finance and Procurement, § 5-7B-01

2. Maryland Annotated Code, State Government, § 9-1406 (H) (3)

3. Maryland Annotated Code, State Finance and Procurement, § 5-7B-05

4. The law calls for a process to be "established jointly by the applicable State agency and the Department of Planning". Maryland Annotated Code, State Finance and Procurement Article, §5-7B-06. (See MDP publication No. 2010-009, "Priority Funding Area Exception and Extraordinary Circumstances Process" for more)

report annually on these exemptions. Four exemptions approved in FY 2010 are included in Appendix A at the end of this report. There were no exemptions approved by the Board of Public Works in FY 2010.

Priority Funding Areas

Recognizing that State investments are the most important tool the State has to influence growth and development, the 1997 Priority Funding Areas Act (the Smart Growth Act) law establishes Priority Funding Areas (PFAs) as the State mechanism to direct the use of state funding for roads, water and sewer plants, economic development and other growth-related needs. PFAs are geographic growth areas that are designated by local jurisdictions to provide a map for targeting State investment in infrastructure. The criteria for PFAs are defined in the Annotated Code of Maryland, State Finance and Procurement Article (SF&P), §5-7B-02 and §5-7B-03. The law also directs the Maryland Department of Planning (MDP) to coordinate the process of updating PFAs by providing technical assistance, review and comment of PFAs and the opportunity for public review (see MDP publication No. 2009-004, "Priority Funding Areas, How to Revise and Update").

3 Key Goals of PFAs

Priority Funding Areas were established to meet three key goals: (1) To preserve existing communities; (2) To make the most efficient and effective use of taxpayer dollars for infrastructure by targeting State resources to build on past investments; and (3) To reduce development pressure on critical farmland and natural resource areas by encouraging projects in already developed areas.

PFA Boundaries Are Locally Designated and Subject to Local Revision

Under the Smart Growth Act, counties and municipalities are authorized to designate areas appropriate for growth as PFAs and since October 1, 2006, municipalities must follow the same criteria as counties.⁵ All locally designated PFAs are evaluated by MDP against criteria in §5-7B-02 and §5-7B-03. The law also authorizes local jurisdictions to revise their Priority Funding Area map. Several types of revisions are possible:

- Expanding PFA boundaries;
- Contracting PFA boundaries; or
- Expanding some areas while contracting others.

5. Maryland Annotated Code, State Finance and Procurement §5-7B-02 and §5-7B-03

Reasons for revising a PFA boundary might include a change in zoning, a change in a jurisdiction's water and sewer plan, or a revised supply/demand analysis. If a jurisdiction is interested in contracting its boundaries, the process for updating the maps will likely be more streamlined. All revisions and updates must be communicated to MDP in writing in a letter addressed to the Department explaining the changes to the PFA. This process leads to the verification and certification of PFAs by the Maryland Department of Planning.

FY 2010 Budgetary Commitments

The Maryland Smart Growth Subcabinet's FY 2010 Annual Report on the Implementation of the Smart Growth Areas Act is submitted in accordance with the following requirements: SG § 9-1406(h)(3), SB 204/Ch. 566, 2001, SG § 9-1405(b)(10), SB 204/Ch. 566, 2001, SG § 9-1406(h)(1)(v), HB 475/Ch. 487, 2010.

This report summarizes the FY 2010 budgetary commitments of the relevant agencies in partial fulfillment of the requirements of The Smart Growth Areas Act. There is no statutory requirement that funding of the Maryland Historical Trust and the Public School Construction program be located within Priority Funding Areas (PFAs). This information is included for informational purposes only.

Based on the data provided to the Department of Planning, the state agencies reported FY 2010 expenditures totaling \$2,062,139,043. Of this, \$736,604,308 (36%) was devoted to projects and programs within PFAs, \$524,054,000 (25%) was devoted to MDOT projects that were not place specific, and \$786,062,344 (38%) was associated with state projects that were exempt from the PFA requirements or met the legal criteria set out for granting exceptions to the law. The remaining \$15,418,390 (1%) difference was not captured in Public School Construction's Inside and Outside of the PFA spending analysis because expenditures for limited renovation and open space enclosures projects add little to no additional capacity. It should be noted that the percentage of the overall state agencies' spending inside PFAs is affected by MDOT spending on projects that are not place specific and that are outside PFAs.

The Department of Housing and Community Development (DHCD)

The Department of Housing and Community Development (DHCD) programs defined as “Growth Related” and thus limited to PFAs are:

The “construction or purchase of newly constructed single family homes” by the Community Development Administration’s (CDA) **Maryland Mortgage Program (MMP)**; which provides low interest mortgages to qualified first time homebuyers;

The “acquisition or construction of **newly constructed multifamily rental housing**” (NMRH) by CDA; and

“State funded neighborhood revitalization projects,” which include funding from **Community Legacy (CL)**, **Community Investment Tax Credit (CITC)**, **Maryland Capital Access Program (MCAP)** and **Neighborhood Business Works (NBW)**.

It should also be noted that, although it is not required by the law, DHCD also requires that Community Development Block Grants be limited to PFAs. The program is not covered by the law because it consists solely of federal funds and the law covers only state-funded projects.⁶

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects outside PFA	Funding Outside PFA
FY 2010						
MMP	13	\$2,513,379	13	\$2,513,379	0	\$0
NMRH	9	\$12,028,682	9	\$12,028,682	0	\$0
CL	17	\$2,100,000	17	\$2,100,000	0	\$0
CITC	35	\$1,000,000	35	\$1,000,000	0	\$0
MCAP	1	\$2,250	1	\$2,250	0	\$0
NBW	9	\$2,217,209	9	\$2,217,209	0	\$0
Total	84	\$19,861,520	84	\$19,861,520	0	\$0

6. For “Projects outside PFA,” This analysis was done using a statewide PFA boundary file received from MDP on 05/18/2010. These numbers could differ depending on the version of the PFA boundary.

The Department of General Services (DGS)

While it has no capital budget itself, the Department of General Services is responsible for acquiring, leasing, and maintaining most of the State's facilities. Thus it is responsible for ensuring that the state's "growth related funding" is limited to PFAs for the Leases of Property by the State; and Land acquisition. However, the law explicitly exempts projects for "maintenance, repair, additions, or renovations to existing facilities, acquisition of land for telecommunications towers, parks, conservation and open space, and acquisition of agricultural, conservation, and historic easements."

It should also be noted that DGS sends every lease and project to the Maryland Department of Planning's State Clearinghouse for Intergovernmental Assistance to ensure that it complies with the Smart Growth Areas Act.

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects outside PFA	Funding Outside PFA
FY 2010						
Leases of Property	62	\$14,558,674	61	\$14,494,674	1	\$64,000
Land Acquisition	1	\$2,814,648	1	\$2,814,648	0	\$0
Total	63	\$17,373,322	62	\$17,309,322	1	\$64,000

The Department of Business and Economic Development (DBED)

The DBED programs defined by the Smart Growth Areas Act as “growth related” have all subsequently been renamed and/or consolidated. Currently the programs subject to the law’s restrictions are:

The **Maryland Small Business Development Financing Authority (MSBDFA)**, which provides financing for small businesses that are not able to qualify for financing from private lending institutions or owned by socially and economically disadvantaged persons;

The **Maryland Economic Development Assistance Authority And Fund (MEDAAF)**, which provides both loans and grants to businesses and local jurisdictions;

The **Economic Development Opportunities Fund (Sunny Day Fund)**, which promotes Maryland’s participation in extraordinary economic development opportunities that provide significant returns to the state through creating and retaining employment as well as the creation of significant capital investments in Priority Funding Areas; and

The **Maryland Economic Adjustment Fund (MEAF)**, which assists business entities in the state with modernization of manufacturing operations, the development of commercial applications for technology, and exploring and entering new markets.

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects outside PFA	Funding Outside PFA
FY 2010						
MSBDFA	20	\$8,767,638	20	\$8,767,638	0	\$0
MEDAAF	24	\$9,096,736	24	\$9,096,736	0	\$0
SDF	1	\$600,000	1	\$600,000	0	\$0
MEAF	6	\$689,384	6	\$689,384	0	\$0
Total	51	\$19,153,758	51	\$19,153,758	0	\$0

The Maryland Department of the Environment (MDE)

The following MDE Programs are subject to PFA restrictions:

The **Maryland Water Quality Revolving Loan Fund (MWQRLF)**, which provides financial assistance to public entities and local governments for wastewater treatment plant upgrades and other water quality and public health improvement projects, and to public or private entities for nonpoint source pollution prevention projects.;

The **Drinking Water Supply Financial Assistance Program (DWSFAP)**, which provides financial assistance to local government entities for the acquisition, construction, rehabilitation, and improvement of publicly owned water supply facilities throughout the State;

The **Supplemental Assistance Program (SAP)**, which provides grants to local governments for planning, design, and construction of needed wastewater facilities; and

The **Maryland Drinking Water Revolving Loan Fund (MDWRLF)** which provides financial assistance to publicly and privately owned community water systems and non-profit, non-community water system for projects that address public health, public safety, environmental or regulatory issues.

Compared with FY 2009, MDE's funding activity for projects outside of the PFA boundaries increased significantly during FY 2010 due to funds distributed to the agency through the American Recovery and Reinvestment Act (ARRA). ARRA infused significant amounts of money into MDE's Water Quality and Drinking Water Revolving Funds, while specifying that a significant percentage of that money be distributed to nonpoint source and green projects, most of which were not subject to the PFA law.

MDE funded 2.7 times as many projects in 2010 as in 2009 (132 vs. 49) with 3.8 times the overall spending (\$235,650,327 vs. \$62,302,202). Overall, the 2010 percentage of projects that required a PFA exception (12.2% in 2009 vs. 13% in 2010) and the amount of funding for projects that required a PFA exception (6.9% in 2009 vs. 7.2% in 2010) were similar to those of 2009.

Table for MDE on following page.

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects outside PFA	Funding Outside PFA
FY 2010						
MWQLF	83	\$181,810,641	77	\$170,212,394	6	\$11,598,247
DWSFAP	11	\$2,527,496	9	\$2,127,496	2	\$400,00
SAP	14	\$5,277,655	9	\$4,027,625	5	\$1,250,000
MDWRLF	24	\$46,034,533	19	\$42,425,570	5	\$3,608,983
Total	132	\$235,650,325	114	\$218,793,085	18	\$16,857,230

The Maryland Department of Transportation (MDOT)

For the Maryland Department of Transportation, “growth-related” projects include all major capital projects, defined as “any new, expanded, or significantly improved facility or service that involves planning, environmental studies, design, right-of-way, construction, or purchase of essential equipment related to the facility or service.”⁷ MDOT lists such projects in its Consolidated Transportation Program (CTP) as “Major Projects” and details the PFA status of each project as part of that report. The modal administrations of MDOT for which major capital projects are subject to PFA Restrictions include:

The State Highway Administration (SHA); The Maryland Transit Administration (MTA); The Maryland Aviation Administration (MAA); The Maryland Port Administration (MPA); The Motor Vehicle Administration (MVA); The Secretary’s Office (TSO); and payments to the Washington Metro Area Transit Authority (WMATA).

Transportation projects that are explicitly excluded from the Smart Growth Areas Act are: existing **Maryland Transportation Authority (MdTA)** facilities projects, project planning, initial project planning, and “Minor Capital Projects”, projects for the preservation and rehabilitation of existing facilities or services that do not increase capacity.⁸ It should also be noted that a number of MDOT’s capital projects are not location-specific, meaning that they involve system-wide improvements, such as local transit assistance programs and transit vehicle acquisition by MTA, and facility management system improvements by MVA.

Of the 150 major capital projects funded in FY 2010 in the Maryland Department of Transportation’s Consolidated Transportation Program for FY 2010 – 2015, 29 were located outside Priority Funding Areas (PFA). Of these, 12 were grandfathered under the provisions of the Smart Growth Areas Act. Of the remaining 17 projects, one project is pending a Smart Growth Act compliance determination and 16 had previously been granted an exception under the Smart Growth Area Act. Included in the “major projects” category are several projects (36) that are considered “not place specific.” This category accounts for approximately 33% of the relevant 2010 budget and include mostly system-wide transit facility improvements and vehicle upgrades, some dredging related projects in the Maryland Port Administration, as well as system technology improvements in the Maryland Vehicle Administration.

Although the Smart Growth Areas Act applies to only state-funding, project totals include all funding budgeted (including federal and local funds where applicable). In FY 2010 there were no projects that were granted an exception by the Board of Public Works. The projects that obtained an exception in previous years include the Inter-County Connector (ICC) which comprised roughly 92% of the total amount of funding outside the PFA, 3 breakout projects from the MD 32 Corridor Study in Howard County, and the replacement or rehabilitation of bridges that will not add significant highway capacity.

7. Maryland Annotated Code, Transportation, §§ 2-103.1 (A) (4),

8. Maryland Annotated Code, State Finance and Procurement, §§ 5-7B-01 (D) (1) (I)

MDOT Major Transportation Projects^{9,10}

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects Outside PFA	Funding Outside PFA	Not Place Specific Projects	Not Place Specific Funding
FY 2010								
SHA	80	\$237,407,000	52	\$165,900,000	26	\$50,607,000	2	\$20,900,000
MdTA/SHA	1	\$698,777,000	0	\$0	1	\$689,777,000	0	\$0
MTA	38	\$321,274,000	15	\$73,393,000	1	\$2,536,000	22	\$245,345,000
MAA	12	\$61,015,000	12	\$61,015,000	0	\$0	0	\$0
MPA	9	\$53,672,000	6	\$4,147,000	1	\$3,890,000	2	\$45,635,000
MVA	4	\$2,638,000	0	\$0	0	\$0	4	\$2,638,000
TSO	1	\$4,989,000	0	\$0	0	\$0	1	\$4,989,000
WMATA	5	\$204,547,000	0	\$0	0	\$0	5	\$204,547,000
Total	150	\$1,584,319,000	85	\$304,455,000	29	\$755,810,000	36	\$524,054,000

9. Reported figures reflect committed funding as set out in MDOT's Consolidated Transportation Programs. Actual expenditures on given projects may vary.

10. Project funding totals include state, federal, and local sources.

The Maryland Historical Trust (MHT) Programs Voluntarily Restricted to PFAs

While they are not required to do so by the Smart Growth Areas Act or any other law, the Maryland Historical Trust, a division of the Maryland Department of Planning, voluntarily limits certain of its programs to the Priority Funding Areas to further the aims of Smart Growth.

MHT requires that recipients of **Capital Historic Preservation (HP)** grants be located inside PFAs, and has a formal exemption process for applicants that do not. The program assists nonprofit organizations, local governments, businesses and individuals in the acquisition, rehabilitation or restoration of historic property in Maryland.

MHT gives preference to applicants for the **Sustainable Communities Tax Credit (SCTC)**, formerly known as the Maryland Heritage Structure Tax Credit, that is located within the PFAs. The program provides Maryland income tax credits equal to 20% of the qualified capital costs expended in the rehabilitation of a “certified heritage structure.” Beginning in FY2011, projects involving “certified historic structures” that are high-performance commercial buildings will receive a 25% credit.

MHT Projects^{11, 12}

Program	Total Projects	Total Funding	Projects in PFA	PFA Funding	Projects Outside PFA	Funding Outside PFA
Capital HP Grants	0	\$0	0	\$0	0	\$0
SCTC Residential	144	\$1,779,638	134	\$1,654,748	10	\$124,890
SCTC Commercial	3	\$3,820,000	3	\$3,820,000	0	\$0
Total	147	\$5,599,638	137	\$5,474,748	10	\$124,890

11. For “Capital HP Grants”: These figures represent FY2011 Capital Historic Preservation Grant awards.

12. For “SCTC Residential”: Commercial and residential SCTC figures represent Part 2 approvals for FY2010.

The Public School Construction Program

While Maryland public schools are not required by statute to be located within Priority Funding Areas (PFAs), it is informative to know what level of funding secondary school construction is occurring inside and outside of PFAs. Established in 1971 as an independent agency, the Public School Construction Program (PSCP) provides assistance to local boards of education to maintain facilities by achieving design and performance standards that support an environment conducive of achieving academic excellence. Public School Construction funds are administered statewide for building replacements, renovations, additions, new construction, systemic renovations, and other improvements. While the cost to design and equip public schools is a local responsibility, the State and local governments continue to share public school construction cost.

In the last three fiscal years, the BPW has approved the School construction dollars that are focused on additions and renovations to existing schools, rather than new school facilities outside of PFAs. However existing schools outside PFAs must be supported as well. For instance for FY 2011, 76% of the funds spent outside PFAs were spent for renovations or replacements of existing schools

A few of the factors considered during the evaluation of PSCP Capital Improvement Projects are whether the projects align with local board of educational programs, State construction procedures and procurement practices and State and local planning growth policies. Additionally, school site approval is a prerequisite for planning approval and is valid for five years. Planning approval is required prior to funding approval for most major projects.

Information on expenditures for public school construction for major construction projects for FY 2009 through FY 2011 is shown on the following chart. Generally, the amount of major construction expenditures in PFAs is far greater than outside PFAs. From FY2009 to FY2011, 78 percent of the total funds for major construction projects were spent within PFAs. It should be noted that funding in one year often is a result of decisions in prior years.

PSC FY2009 - FY2011 Projects¹³

Projects			
Total Major Construction Funding	Project Types	PFA Funding	Funding Outside PFA
FY2009			
\$275,446,880	New	\$32,027,097	\$21,497,846
	Replacement/Renovations with new classroom capacity	\$82,484,139	\$17,629,742
	Other Renovation/Replacements	\$76,078,184	\$10,878,000
Total		\$190,589,420	\$50,005,588
FY2010			
\$180,181,479	New	\$18,761,282	\$4,800,224
	Replacement/Renovations with new classroom capacity	\$79,546,237	\$2,406,000
	Other Renovation/Replacements	\$53,249,356	\$6,000,000
Total		\$151,556,875	\$13,206,224
FY2011			
\$201,513,432	New	\$13,732,208	\$3,443,172
	Replacement/Renovations with new classroom capacity	\$108,570,235	\$5,950,482
	Other Renovation/Replacements	\$47,715,057	\$4,767,061
Total		\$170,017,500	\$14,160,715

13. For "PFA Funding" and "Funding Outside PFA": The figures above exclude funding for limited renovation, science, open space enclosures, Kindergarten/Pre addition projects.

APPENDIX A

Exceptions to the PFA Law Approved by the Smart Growth Coordinating Committee in FY 2010

The Smart Growth Act allows for growth related projects located outside the Priority Funding Areas to receive state funding if: “it is required to protect public health or safety”; the project involves federal funds and “compliance with [the Smart Growth Areas Act] would conflict or be inconsistent with federal law”; or it is a “growth related project related to a commercial or industrial activity, which, due to its operational or physical characteristics, shall be located away from other development.”¹⁴ The Smart Growth Coordinating Committee, the staff level working group of the Smart Growth Sub-Cabinet, is tasked with approving exceptions based on these criteria.

In FY 2010, the Coordinating Committee approved 4 PFA Exceptions, two (2) of which were requested by the Maryland Department of the Environment (MDE) and two (2) that were requested by the Maryland Department of Business and Economic Development (DBED). PFA exception approval alone, however, does not assure that projects will be funded.

September 2009 – North Dorchester Railroad, Inc. Feasibility Study (Dorchester County)

1. The project request was to study the feasibility of a tourist train using approximately 6 miles of existing track between the Towns of Hurlock and Preston.

Agency Submitting Request: DBED

Grounds for exception: Growth related project related to a commercial or industrial activity, which must be located away from other development

Funding: Conditional Grant, \$15,000

14. Maryland Annotated Code, State Finance and Procurement, § 5-7B-06 (A)

December 2009 – Carpenter’s Point Wastewater Collection, Phase III (Cecil County)

2. The project will provide sewer service to 33 existing residences with failing septic systems and 4 lots in the vicinity of Carpenter’s Point Road in Cecil County. The four lots are within the PFA. Five of the existing residences are located outside the designated PFA. The failed on-site sewage disposal systems are located near the banks of the Northeast River which feeds directly into the Chesapeake Bay.

Agency Submitting Request: MDE

Grounds for exception: Public health and safety

Funding: MDE Water Quality Revolving Loan Fund, \$1,725,010

March 2010 – Chesapeake Renewable Energy Project (Somerset County)

3. The project request is for the issuance bonds related to securing a 252-acre parcel and to provide any necessary insurance needed for such bonds. The Committee acknowledged that securing a parcel of the requested size in a PFA would be difficult given the lack of transit rail accessibility, land availability, the proposed facility use as well as lack of water and sewer capabilities.

Agency Submitting Request: DBED

Grounds for exception: Growth-related project related to a commercial or industrial activity, which must be located away from other development

Funding: MIDFA Bond Issue

May 2010 – Chesterville Forest Wastewater Collection Project (Kent County)

4. The project is for the installation of a collection system and a denied access force main. Almost all of the denied access line lies outside of the PFA. This project will provide sewer service to thirty-three (33) properties, most of which have failing septic systems, in Chesterville Forest, which qualifies as a PFA. In addition, the line will provide sewer service to four (4) properties outside the PFA with failing septic systems. Providing the sewer service will eliminate the public health threat associated with the failing septic systems.

Conditions of Approval: Subject to the Denied Access Service Area Policy. That policy allows connections to a denied access line only for lots with failed systems or unimproved lots that can pass on-site well and septic requirements. These must have been lots of record at the time the County adopted the denied access line and must be contiguous to the right-of-way containing the service main. Except where there are multiple authorized uses existing on the lot as of the date of the installation of the line, there shall be only one allocation granted per lot.

Agency Submitting Request: MDE

Grounds for exception: Public health and safety

Funding: MDE Supplemental Assistance Program, \$500,000 with additional funding in the amount of \$1,385,405 provided by the United States Department of Agriculture, Rural Development; and the Department of Housing and Community Development, Community Development Block Grant.

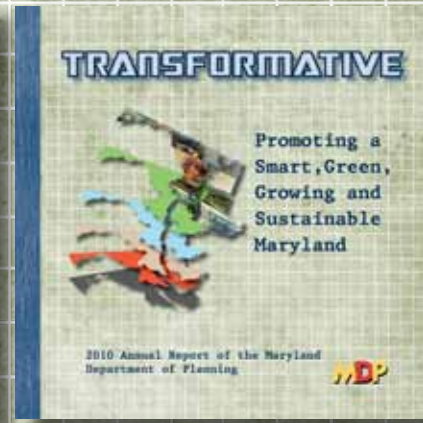
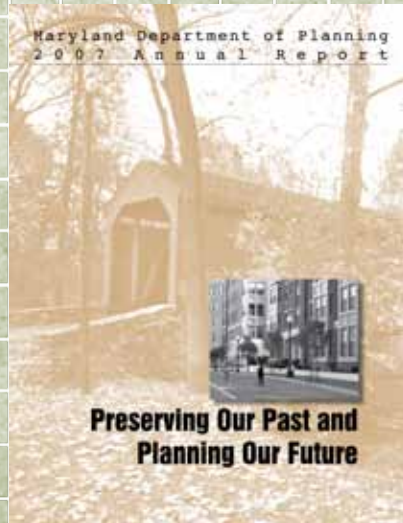
APPENDIX B

Exceptions to the PFA Law Approved by the Board of Public Works in FY 2010

The Board of Public Works may grant an exemption if it determines that: “extraordinary circumstance” exist, i.e., “the failure to fund the project in question creates an extreme inequity, hardship, or disadvantage that clearly outweighs the benefits from locating a project in a priority funding area”; or it is a transportation project that either maintains the existing system, serves to connect two PFAs, has as its sole purpose of providing control of access on existing highway, or “due to its operational or physical characteristics, must be located away from other development.”¹⁵

In FY 2010, the Board of Public Works did not approve any exceptions to the Smart Growth Areas Act.

15. Maryland Annotated Code, State Finance and Procurement, § 5-7B-06 (A)



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