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Legislative Comment

Date: February 17, 2021

BILL NUMBER: House Bill 860

SHORT TITLE: State Planning – Preservation of Agricultural Land – Goal

MDA POSITION: Information

House Bill 860 extends an agricultural land preservation goal date for the State that was originally established in 2002 in Senate Joint Resolution 10. By extending the goal date to 2030 for 1,030,000 acres of agricultural land to be protected, with the inclusion of the Maryland Environmental Trust easements, the impacted programs and agencies are able to continue to work toward achieving this important goal.

The Maryland Agricultural Land Preservation Foundation (MALPF) is one of the State's easement programs that has been working toward accomplishing the goal established in the 2002 Senate Joint Resolution 10 – preserving 1,030,000 acres of agricultural land by 2022. When the goal was established in 2002, it was estimated that the goal could be accomplished if funding levels remained consistent over the subsequent 20 year period. Unfortunately, the State was not able to maintain the funding levels under previous administrations; however, the commitment to protecting agricultural land has never wavered, especially under the Hogan administration.

The protected acres goal was established to protect half of the remaining privately owned farm land available 2002. As the original Joint Resolution stated, which continues to be true today, agricultural land and woodland continue to be converted for residential, commercial, and other non-agricultural uses. Once converted, that land is lost forever for agricultural use. That may also be true for land developed for solar energy projects.

HB 860 will codify the goals of the 2002 Joint Resolution, at the same time extend the goal date to 2030, and include the land protected through the Maryland Environmental Trust. With these changes, State and local easement programs will continue to strive to meet the goals established almost 20 years ago to protect Maryland's vital agricultural lands.

The MALPF program purchases agricultural easements on properties to preserve productive farmland and woodland for the continued production of food and fiber for all of Maryland's citizens. To accomplish this and other statutory and ancillary goals, MALPF easements restrict agricultural land from commercial, industrial and residential development. At the end of 2020, the Program has easements on over to 2,460 properties, covering over 333,000 acres at a public investment of more than \$811 million. This is approximately 40% of total counted toward the land preservation goal, with an additional 200,000 plus acres needed before the goal has been achieved.

Since the initial 2002 goal was established, the Next Generation Farmland Acquisition Program has been established and administered under the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO). First funded under Governor Hogan, the Next Generation Farmland Acquisition Program is available to help qualified young or beginning farmers who have trouble entering the agricultural profession, because of relatively high farmland costs and lack of access to adequate financial capital to purchase farmland. Through this new program, land that may have otherwise been sold into development is able to stay in agricultural use, ultimately entering into either a MALPF or a county easement program.

Land is a finite resource. This bill will extend the goal to achieve a critical mass of agricultural land preservation to enable the agricultural industry to continue to operate in Maryland into the future.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.