

MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

ANNUAL REPORT

FISCAL YEAR 2012



EXECUTIVE DIRECTOR'S NOTES

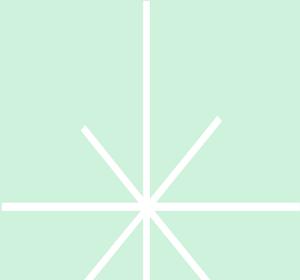


FY 2012 was a busy year for the MALPF staff. In the 2012 legislative session, we made some major renovations to our governing law (Agriculture Article, §2-501 – 2-518 of the Annotated Code of Maryland) mainly to remove all references to the MALPF districts. In addition to the MALPF legislation which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

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

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

Carol S. West
MALPF Executive Director



New Legislation



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

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



MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION
EASEMENT SETTLEMENTS – FY 2012

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





MALPF Easement Inspections

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

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



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

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

County Certification

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

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

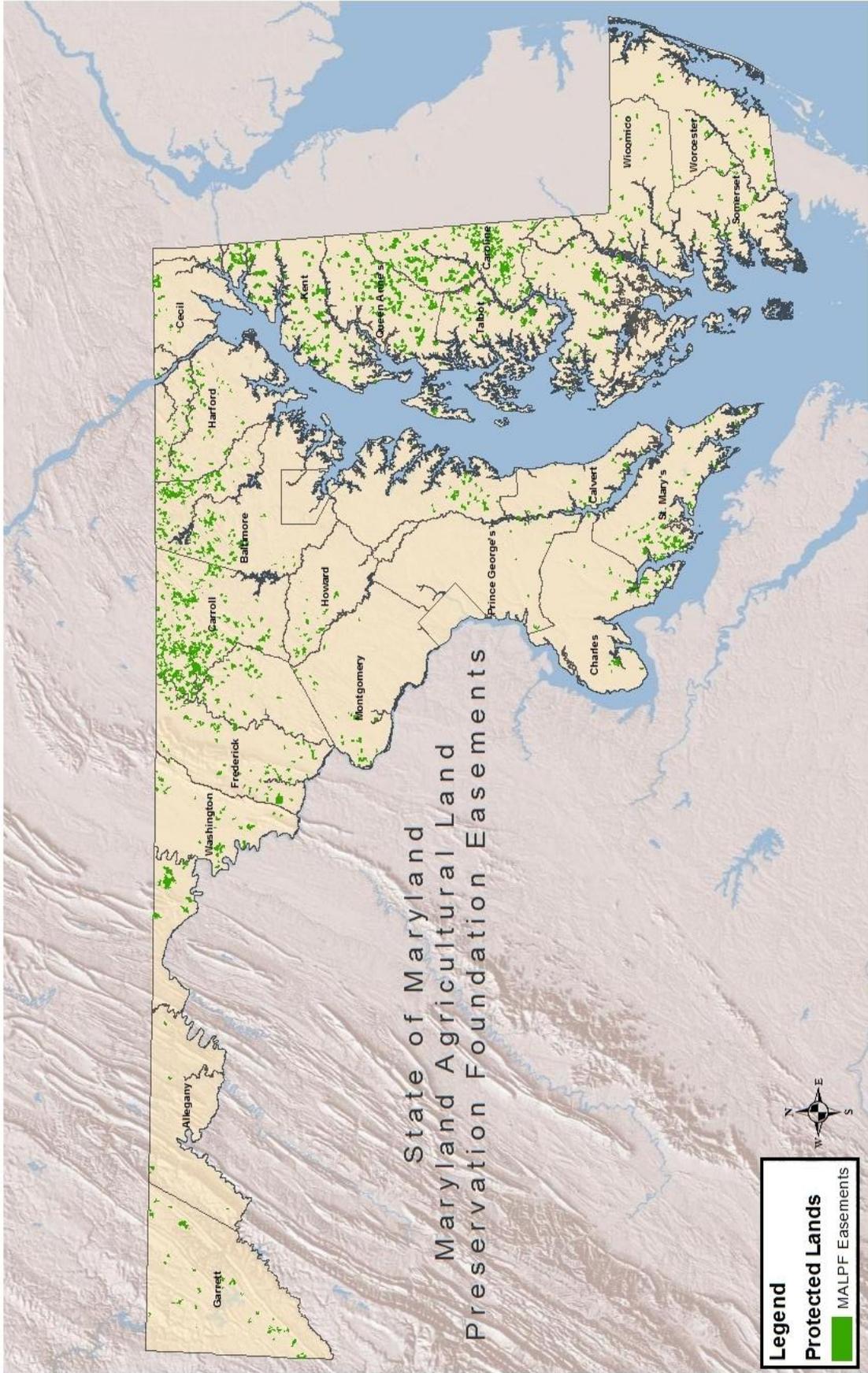




Agricultural Valuation Review

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

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

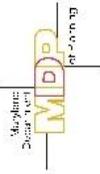


Legend

Protected Lands
MALPF Easements



Maryland Department of Planning
November 2012



Data compiled from MDP Protected Lands 2012
By Ryan Sigworth, ACP

Board of Trustees

MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

Appointed Members

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

Ex-Officio Members

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

Foundation Staff

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

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

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



Maryland
Department of Agriculture

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Governor Martin O'Malley
Lt. Governor Anthony G. Brown
Secretary Earl F. Hance
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