

# AGRICULTURAL PRESERVATION WORK GROUP MEETING MINUTES

**March 21, 2007**

1. **Attendance:** Tom Dernoga, Marilyn Bland, Phil Carr, Boyd Campbell, Daniel Filippelli, Fred Tutman, Debra Naylor, Stephanie DeVille-Eugene, William Moore, Richard Krueger, Torben Agesen

## 2. Meeting Agenda:

### I. Overview of Program Open Space (POS):

Larry Quarrick of the Maryland-National Capital Park and Planning Commission, Parks Department, provided an overview of POS and distributed copies of the POS Grants Manual to all members. The program is administered by the Department of Natural Resources (DNR) and the Maryland Office of Planning (OP). The manual details the acquisition and development process:

- Proposed Capital Improvement Program (CIP) Budget indicates which projects will be funded by POS.
- CIP Budget approved, then submit Annual Program to DNR and OP.
- File application when there is a contract for acquisition or project design.

#### *POS Highlights:*

Department of Natural Resources (DNR) and Office of Planning (OP)

#### 1. Land Preservation, Parks and Recreation Plan (2005)

A minimum of 15 acres of land for local parks and 20 acres of regional, countywide, and special-use for every 1000 residents

#### Acquisition Projects

1. POS Assistance is granted for the acquisition of land that is beneficial or necessary for providing general outdoor recreation or open space opportunities for the public.
2. 100% reimbursable
3. 50% of Total Allocation must be for acquisition.

#### Development Projects

1. POS assistance is provided for recreation improvements and support facilities or for major capital rehabilitation projects.
2. 75% grant reimbursement, 25% local match
3. No more than 50% of our POS allocation can be used for development projects.

#### Funding Mechanism for POS Program

1. % of transfer tax on real estate transactions funds POS.
2. Stateside POS – used by the State to preserve land that is important to the region.

Conservation Easements

1. POS rarely funds conservation easements. Funding from Rural Legacy is reserved for that. Must be related to recreation and have public access or be related to endangered species or special “view corridor”.

Prince George’s County POS Funding Levels:

- A. FY07 - \$20.6 million
- B. Estimated FY08 - \$14.6 million

**Municipalities Taking Part in Program Open Space**

- A. Funding allocation based on municipality’s population as a percentage of total county population.
  1. Bowie (6.3%)
  2. Cheverly (.8%)
  3. College Park (3.1%)
  4. District Heights (.74%)
  5. Greenbelt (2.67%)
  6. Laurel (2.5%)

**Program Open Space Annual Program – 13 Acquisition Projects**

- A. Regional Stream Valley Acquisition
- B. Countywide Local Park Acquisition

*Prince George’s County FY08 Rural Legacy Application –  
Funding requested in the amount of \$2.7 million  
3 properties designated*

It was noted that Soil Conservation District (SCD) staff is now the point of contact for the Rural Legacy program; Maryland- National Capital Park and Planning Commission (M-NCPPC) is no longer the contact agency. To date, there have been no properties in the County preserved through Rural Legacy. SCD staff commented that in the past, M-NCPPC did not actively pursue purchasing easements. Tom Dernoga indicated that the policy makers should have been proactive in this process as well to ensure that the County was actively pursuing Rural Legacy funding. Margaret Addis, County Attorney’s Office, commented that the general preference of M-NCPPC has been fee simple acquisitions as opposed to purchase of easements.

Fred Tutman emphasized the importance of preserving prime, high quality agricultural lands.

Boyd Campbell questioned M-NCPPC’s reasoning for a proposed acquisition of property in Bowie (WB&A trail). Mr. Quarrick noted that after further research on the property, as is done with all properties of interest, the property in question was no longer being considered for acquisition.

## II. National Trends in Agricultural Preservation

Lori Lynch, PhD, University of Maryland, presented information on national trends.

- Maryland has been the trend setter
- All 50 states have some type of preferential tax treatment for agricultural lands
- 1977 Farmland Preservation – first program
- 1.67 million acres have been preserved through various programs
- Northeast states are leaders in agricultural preservation because this is where the greatest development pressure is.

Based on a study of 6 Mid-Atlantic states:

- 43% decrease in farmland conversion once landowners are given an option of preservation programs. Use value directly affects the rate of farmland conversion. Decrease in property taxes is an additional incentive to landowners.
- Voters have been consistent in support of bond measures to support agricultural preservation and open space programs
- 1997-2003: preservation increased, slowdown in 2005
- When land is in a program, it increases the value of adjacent land.
- Concerns that land values are increasing making programs more expensive.
- Land prices of preserved parcels decrease, but not substantially (other characteristics of property are a factor when determining value)
- Most preserved parcels that sold are adjacent to other preserved parcels
- PDR programs are not as successful because these programs are too expensive
- TDRs have not been effective in many areas because it is difficult to get the program right (supply and demand)
- Where cluster development has been provided as an option, it has not been effective
- The more that restrictive development rules are put into place by local governments, the more interest there is in voluntary programs

## III. Overview of Agricultural Preservation Programs in other Maryland Counties - *Postponed to next meeting*

## IV. Questions/Discussion

Stephanie DeVille-Eugene commented on the need for a list of the various programs that are available and the agency contacts to obtain information on each program. She recommended that this information be included in the brochure that Soil Conservation District is in the process of preparing.

Tom Dernoga indicated that there has been a suggestion made by Torben Agesen to discuss TDRs for tree mitigation, and unless there was any objection, this topic would be scheduled for the next meeting.

Margaret Addis informed the members that on behalf of the County, she testified before the General Assembly earlier in the day in support of House Bill 1175 concerning Installment Purchase Agreements being allowed for Charter counties. Of the Charter counties, Baltimore,

Montgomery and Prince George's are the counties that do not currently have the authority to enter into Installment Purchase Agreements.

3. **Next Meeting:** March 28, 2007, at 3:00 p.m.
4. **Adjourn:** The meeting was adjourned at 5:10 p.m.