

*Anne Arundel County – December 2005*

**Summary of Letter dated December 23, 2005, from Maryland Department of Planning  
in response to the Interim Certification Report (not reported)**

Thank you for submitting the interim certification report for Anne Arundel County. The County's certification period runs through June 30, 2007. The next annual report, which serves as the request for certification, is due at the end of October 2006.

The interim report is usually just a formality to update the data on preservation, revenues, and expenditures, but a number of things in the report concerned us. We would like to comment on them so that you can address them in the recertification report.

The elimination of the family conveyance was a major improvement to the County's preservation program. However, the new "agricultural preservation subdivision," in our opinion, has problems of its own. Below is part of our response; please see the enclosed checklist, section III.B, for more information:

*We understand that this provision was created to ease the transition away from family conveyances, but we think it may allow significant fragmentation by itself:*

- 1. Lots that are exempt from the APF ordinance are attractive to developers.*
- 2. Lots conveyed to children can be flipped right away to third parties (the five-year restriction that existed in the family conveyance program has been removed).*
- 3. Lots reserved on a parcel entering the local program do not have to be for children at all.*

We would like an explanation – and some quantification, if possible – of how this tool is an improvement over the family conveyance. Please provide this in the next report, in addition to a summary of the amount of subdivision that is occurring under this provision.

We are also uneasy about the apparent inability to purchase easements in the County, either by MALPF or the County PDR Program. Although over 1,000 acres were acquired fee simple, no acreage was preserved by easement in FY 2005 either through MALPF or local PDR. For FYs 2003 and 2004, the total was 1,006 acres. The amount of acreage subject to agricultural land transfer tax for FYs 2003-2005 totaled 1,826 acres. In short, easement acquisition is not keeping pace with development, which is troubling for a County that already has the lowest preserved-to-developed ratio in the state: .35. (The State average is 1.03.) Furthermore, the County is forfeiting funds allocated by MALPF and perhaps from its agricultural land transfer tax as well. You have indicated, in conversation, that the end of the family conveyance may have temporarily dampened interest in the easement programs, because landowners preferred to take advantage of the conveyances while they could. In your recertification report, we would like some indication of whether or not the easement programs are back on track.