

Charles County – February 2007

Certification of County Agricultural Land Preservation Programs
Re-Certification Request – Charles County
(Report Summary dated February 27, 2007)

COUNTY AGRICULTURAL PRESERVATION GOALS

- Charles County's goal is to preserve 64,000 acres. In addition, the County Commissioners are interested in protecting 50 percent of the County's land area (approximately 147,000 acres) including recreation land and preserved agricultural and natural resource lands.
- During the reporting period, 13,215 acres were preserved through MALPF (14 easements totaling 2,379 acres), Rural Legacy, TDR, MET/Conservancy for Charles County, The Nature Conservancy Fund, and DNR.
- As of June 2005, Charles County had 25 MALPF easements, covering 4,363 acres.
- During the reporting period 68 new MALPF districts were established, totaling 6,881 acres. As of June 2005, the total number of acres in MALPF districts was 17,932.
- 302 acres of MALPF district land are covered by Rural Legacy easements that are administered by the MALPF program.
- 539 TDRs were transferred during the reporting period, protecting 1,939 acres that are also MALPF district properties. The total acreage preserved through Charles County's TDR program to date is 3,011 acres.

ATTRIBUTES OF LOCAL PROGRAM

- The County participates in MALPF's Matching Funds Program.
- As part of the 2005 Land Preservation Parks and Recreation Plan adopted June 2006, the County Commissioners established a proposed target area for agricultural land preservation.
- The County consistently supplements the MALPF program by augmenting funding available to the County. Charles County committed \$942,000 as matching funds for the FY 2006 easement acquisition cycle.

QUALIFYING EXPENDITURES AND USE OF CERTIFICATION FUNDS

- The County meets/exceeds the certification requirements for qualifying expenditures and use of certification funds and has provided a record of revenues and expenditures.
- Agricultural transfer tax revenues over the reporting period have been used for the purchase of easements.
- For FY 2002, the County committed \$490,000 in MALPF matching funds.
- For FY 2003, the County committed \$300,000 in MALPF matching funds.
- For FY 2005, the County committed \$550,000 in MALPF matching funds.
- For FY 2006, the County committed \$942,000 in MALPF matching funds.

PROGRAM ACCOMPLISHMENTS DURING THE REPORTING PERIOD

- MALPF settled 14 easements, totaling 2,379 acres.
- MALPF established 68 new districts, totaling 6,881 acres.

Other highlights

- 1) During the reporting period, approximately 6,000 more acres were preserved than converted to non-agricultural use.
- 2) Charles County continues to offer 100% tax credits on all land and agricultural structures on properties designated as MALPF districts or easements.
- 3) The County continues to have a Right-to-Farm Ordinance that was enacted in August 2000.

EVALUATION OF COUNTY'S ANNUAL REPORT

- During the reporting period, FYs 2001-2006, the County permanently preserved 2,379 acres of agricultural land and woodlands through MALPF.
- In FYs 2001-2006, there were 5,947 lots approved in the development district, while only 1,241

- lots were approved in the rural area.
- The rate of land converted to non-agricultural purposes has been declining. During the period 2001-2006, 7,226 acres per year of land were converted, while 13,215 acres were preserved.
- Charles County has established a proposed target area for agricultural land preservation.

PROGRAM DEVELOPMENT STRATEGY

A. Evaluation

Strengths:

- Ongoing strong financial commitment to easement purchases through the matching funds program.
- Continued significant enrollment in the MALPF district program (many of the county's new district properties sell TDRs through the County program rather than pursuing permanent MALPF easements).
- An increase in the per-acre amount paid for TDRs has resulted in an increase in TDR acres preserved.
- The County offers a 100% tax credit on land and agricultural structures on properties in MALPF districts or easements (\$90,320 in credits in 2006).
- The County continues to have strong participation in the Rural Legacy (\$6.4 million to date).
- The County has a Right-to-Farm Ordinance.

Weaknesses:

- The County does not have protective rural zoning, and there is a lack of community and political support for down-zoning in the rural area.
- There is a need for consistent dedicated local funding for agricultural land preservation.
- It will take approximately 70 years for the County to reach its preservation goal of 64,000 acres.

B. Description of Updated Program Development Strategy

Achieving objectives depends on the following:

- Improving the agricultural land preservation tool kit;
- Increasing program funding and support at the County and State level;
- Developing supportive agricultural zoning to protect prime agricultural areas from encroachments; and
- Increasing landowner participation in preservation programs.

COUNTY'S FOCUS ON PRESERVING AGRICULTURAL LAND

- Some County Commissioners have expressed an interest in developing a County Purchase of Development Rights (PDR) Program.
- The County Commissioners are evaluating mandatory cluster options and are relying on more incentive based approaches to preserve land.
- During the coming year, the County will be evaluating recommendations to improve the TDR program.
- The County will continue to work with the Southern Maryland Agriculture Development Commission to enhance the agricultural transition from tobacco production.

FOUNDATION STAFF RECOMMENDATION

- The County program continues to appear to be likely to succeed in supporting viable agricultural operations and preserving agricultural land in perpetuity. Foundation staff recommends approval of recertification for another two-year period.