



Maryland DEPARTMENT OF PLANNING

December 20, 2021

The Honorable Lawrence J. Hogan, Jr.
Governor
State House
100 State Circle
Annapolis, MD 21401

The Honorable William C. Ferguson
President
Senate of Maryland
State House, H-107
Annapolis, MD 21401

The Honorable Adrienne Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis, MD 21401

RE: Maryland Department of Planning (Planning) Maryland Agricultural Land Preservation Program (MALPF) Section of MDA's FY21 Annual Report – MSAR #6496

Governor Hogan, Senate President Ferguson, and Speaker Jones:

I am enclosing a copy of the Maryland Department of Planning's section of the Maryland Department of Agriculture's (MDA) FY21 Maryland Agricultural Land Preservation Program (MALPF) Annual Report (MSAR #6496). This one-page section is part of a larger report annual MDA will submit prior to the mid-January 2022 deadline.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Robert S. McCord, Esq.
Secretary

CC: Sarah Albert, Department of Legislative Services (5 copies)

Report on the Program for Certification of Local Agricultural Preservation Programs for FY21

Maryland's Certification of Local Agricultural Preservation Programs (CLAPP) program, also known as the Certification Program, was created by the Maryland General Assembly in 1990. The goals of the program are to:

1. Preserve the important role agriculture plays in maintaining the state's high environmental quality;
2. Encourage development of county agricultural preservation programs which complement MALPF's preservation efforts; and
3. Employ agricultural land preservation as a tool to manage growth.

Counties able to demonstrate they have an effective program to preserve productive farmland and forests are eligible to participate in the CLAPP program. Local preservation programs consist of a combination of preservation tools such as low-density agricultural zoning, purchase or transfer of development rights programs, right-to-farm policies, support for agricultural businesses, and the designation of agriculture as the best use of certain lands.

To qualify for and retain certified status, counties are required to designate a Priority Preservation Area (PPA). Counties concentrate their preservation efforts and program funding into their PPAs in order to preserve large contiguous blocks of agricultural and forested land.

Participation in CLAPP by interested counties is voluntary. Certified counties enjoy the benefit of retaining 75 percent of their locally generated agricultural transfer tax revenue, while non-certified counties retain 33 percent. All retained revenue must be spent or encumbered for qualifying land preservation expenditures within three years of collection, otherwise those collected funds revert to MALPF. The increase in participating counties' share of the agricultural land transfer tax helps to support and enhance their preservation programs in ways that best meet local goals and needs.

In FY21, Caroline County was recertified through joint action by Planning and the MALPF Board. To determine eligibility for recertification, Planning reviews each county request against the CLAPP regulatory requirements and then makes a recommendation to the Secretary of Planning and the MALPF Board based on that review. Charles County, whose status as a certified county had lapsed, reapplied to the program and its land preservation program was certified again. Other counties were in the midst of their certification period and did not have to submit a recertification application.

As of June 30, 2021, 17 counties are now certified including Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Frederick, Harford, Kent, Montgomery, Prince George's, Queen Anne's, St. Mary's, Talbot, Washington, and Worcester. Fourteen of the 17 counties have been recertified for the extended period of five years. Planning and the MALPF Board have determined these fourteen county farmland preservation programs have been consistently effective in achieving preservation goals (the three remaining counties will be eligible for the five-year recertification period when they next apply for recertification).