

# **REPORT ON THE CERTIFICATION OF LOCAL AGRICULTURAL LAND PRESERVATION PROGRAMS FY 2023**

State Finance and Procurement Article, Section 5-408(k)

Maryland Agricultural Land Preservation Foundation  
Department of Planning

December 13, 2023

## **FY 2023 Report on the Certification of Local Agricultural Land Preservation Programs**

Maryland's Certification of Local Agricultural Preservation Programs, known as the Certification Program, was created in 1990. The goals of the program are to:

- Preserve the important role agriculture plays in maintaining the state's high environmental quality;
- Encourage development of county agricultural preservation programs, which complement the Maryland Agricultural Land Preservation Foundation's (MALPF) preservation efforts; and
- 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 Certification 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 wooded land.

Participation in the Certification Program by interested counties is voluntary. Certified counties enjoy the benefit of retaining 75% of their locally generated agricultural transfer tax revenue, while non-certified counties retain 33%. All retained revenue must be spent or encumbered for qualifying land preservation expenditures within six 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 FY 2023, Anne Arundel, Baltimore, Carroll, Cecil, Frederick, Kent, Montgomery, Queen Anne's, St Mary's, and Worcester counties were recertified through joint action by the Maryland Department of Planning (MDP) and the MALPF Board. To determine eligibility for recertification, MDP reviews each county request against the Certification Program's regulatory requirements, and then makes a recommendation to the Secretary of Planning and the MALPF Board.

As of June 30, 2023, 17 of the 23 counties are now certified. Recertification reports were due on October 1, 2023 (extensions are available) for Charles County, whose certification periods end on June 30, 2024. Interim certification reports are due from Calvert, Caroline, Harford, Prince George's, Talbot, and Washington counties.

A 5-year recertification period is required by law for county farmland preservation programs that MDP and the MALPF Board determine to be consistently effective in achieving preservation goals.