

\$8.00



Priority Preservation Area Functional Master Plan

Adopted and Approved



July 2012



**Prince George's County Planning Department
The Maryland-National Capital Park and Planning Commission
www.pgplanning.org**

ABSTRACT

TITLE:	Adopted and Approved Priority Preservation Area Functional Master Plan
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ABSTRACT:	<p>The Adopted and Approved Priority Preservation Area Functional Master Plan comprises text, maps, illustrations, and pictures. The plan amends portions of the 2002 Prince George's County Approved General Plan, as amended, the 2009 Approved Subregion 5 Master Plan; the 2009 Approved Subregion 6 Master Plan, 2010 Approved Subregion 1 Master Plan; 2006 Approved Master Plan for Bowie and Vicinity, and the 1989 Approved Langley Park-College Park-Greenbelt and Vicinity Master Plan. Developed with broad public participation, this document presents background information, and outlines goals, strategies, and action pertaining to the priority preservation area.</p> <p>References in this document to Subregion 5 refer to the Subregion 5 Plan adopted by the District Council on September 9, 2009 (CR-61-2009). References to Subregion 6 refer to the Subregion 6 Plan adopted by the District Council on September 15, 2009 (CR-62-2009). On Oct. 26, 2012, the Circuit Court for Prince George's County declared void the adoptions of CR-61-2009 and CR-62-2009 for failure to meet the affidavit requirement pursuant to Maryland Annotated Code, State Government, Section 15-821 (2009 and Supp. 2001). AMP Creeks Community Council v. District Council for Prince George's County, CAL09-31402, CAL09-32017. In effect, the Circuit Court of Prince George's County remanded both plans to the District Council and Planning Board for further reviews as directed in the Court's opinion. As of the date of publication of this Priority Preservation Plan, it is not known what changes, if any, the District Council may make to the originally adopted Subregion 5 and Subregion 6 Plans.</p>



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The Maryland-National Capital Park and Planning Commission

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The Maryland-National Capital Park and Planning Commission is a bicounty agency, created by the General Assembly of Maryland in 1927. The Commission's geographic authority extends to the great majority of Montgomery and Prince George's Counties: the Maryland-Washington Regional District (M-NCPCC planning jurisdiction) comprises 1,001 square miles, while the Metropolitan District (parks) comprises 919 square miles, in the two counties.

The Commission has three major functions:

- The preparation, adoption, and, from time to time, amendment or extension of the General Plan for the physical development of the Maryland-Washington Regional District;
- The acquisition, development, operation, and maintenance of a public park system; and
- In Prince George's County only, the operation of the entire county public recreation program.

The Commission operates in each county through a Planning Board appointed by and responsible to the county government. All local plans, recommendations on zoning amendments, administration of subdivision regulations, and general administration of parks are responsibilities of the Planning Boards.

The Prince George's County Department of Planning (M-NCPCC):

- Our mission is to help preserve, protect and manage the county's resources by providing the highest quality planning services and growth management guidance and by facilitating effective intergovernmental and citizen involvement through education and technical assistance.
- Our vision is to be a model planning department of responsive and respected staff who provide superior planning and technical services and work cooperatively with decision-makers, citizens and other agencies to continuously improve development quality and the environment and act as a catalyst for positive change.

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The County Council has three main responsibilities in the planning process: (1) setting policy, (2) plan approval, and (3) plan implementation. Applicable policies are incorporated into area plans, functional plans, and the general plan. The Council, after holding a hearing on the plan adopted by the Planning Board, may approve the plan as adopted, approve the plan with amendments based on the public record, or disapprove the plan and return it to the Planning Board for revision. Implementation is primarily through adoption of the annual Capital Improvement Program, the annual Budget, the water and sewer plan, and adoption of zoning map amendments.

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Foreword

The Prince George's County Planning Board is pleased to make available the Approved Priority Preservation Area Master Plan for Prince George's County. The plan is also available on the document web site: www.pgplanning.org/prioritypreservation.htm.

The *Priority Preservation Area Functional Master Plan* fulfills the requirements of the priority preservation area element, which is one of several state planning requirements signed into law in Maryland on May 2, 2006. Mandated in The Agricultural Stewardship Act of 2006 (HB 2), Section 1.04 (c) of Article 66B of the Annotated Code of Maryland, all Maryland counties may include in its comprehensive plan a priority preservation area that is capable of supporting profitable agricultural and forestry enterprises; be governed by local policies that stabilize the land base so that development does not convert or compromise agricultural or forest resources; and be large enough to support the kinds of agricultural operations that the county seeks to preserve. The element also must include an evaluation of a county's progress toward meeting the goals of the Maryland Agricultural Land Preservation Foundation before they are undermined by development, and identify actions to correct any deficiencies.

The plan contains recommendations for agricultural land preservation; seeking funds for agricultural preservation; minimization of development and barriers to farming in the priority preservation area; valuation of farm and forest land for environmental and economic value; and reclaiming land for agricultural enterprises and agricultural support services. This plan recommends an approach to sustaining farm and forest operations that clarifies the county's intent to prioritize agricultural land preservation, and provides a framework in the implementation table for accomplishing the policies and strategies outlined, partnering with the appropriate federal, state, local, and nonprofit agencies. This effort has policy guidance from the 2002 *Prince George's County Approved General Plan* in terms of guiding principles, objectives, policies and strategies for preserving rural character and vistas, and protecting large amounts of woodlands and farmland for agricultural pursuits.

On September 13, 2011, the Prince George's County Planning Board and the District Council held a joint public hearing on the preliminary functional master plan. A second joint public hearing was held on January 24, 2012. The Planning Board adopted the plan in April 2012 with modifications. The District Council approved the plan in July 2012 with additional modifications, which are reflected in this final plan. Following the publication of this plan, the county will pursue certification of the agricultural preservation program through the Maryland Department of Planning and the Maryland Agricultural Land Preservation Foundation. If certified, the county's agricultural preservation program is effective for three years from the date the Department notifies the county that the county application has been approved, or from the date the county notifies the Department, and the Department confirms to the county in writing, that all conditions for approval have been met. The plan will be updated on a three-year cycle in conjunction with recertification.

The Planning Board and District Council appreciate the contributions of the community members and stakeholders throughout the plan development phase and at the joint public hearings. We look forward to this plan providing the foundation for a certified agricultural preservation program, and for the implementation of the goal, objective, policies, and strategies outlined in this plan that will benefit current and future generations of Prince George's County residents.

Sincerely,



Betty M. Hewlett

Chair

Prince George's County Planning Board

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Priority Preservation Area (PPA) Functional Master Plan

The goals, policies, and strategies necessary to plan for a continued vibrant and viable agricultural community in the Rural Tier are provided for in this plan. The PPA Plan addresses agricultural preservation in the Rural Tier of the county, where many of the agricultural preservation programs are focused. This plan includes a summary of the programs that are utilized to preserve land in Prince George's County and to meet the new state planning requirement for a Priority Preservation Plan. Map 1 is the Easements and Countywide Approved Priority Preservation Area. The PPA Plan contains policies and strategies which will require specific studies or action for its implementation and to reach the county goal of placing 24,769 acres under protective easement by the year 2027.

VISION

This plan reaffirms the 2002 General Plan Vision for the Rural Tier which is “protection of large amounts of land for woodland, wildlife habitat, recreation and agriculture pursuits, and preservation of the rural character and vistas that now exist.”

GOAL

The goal is to preserve 80 percent of the remaining undeveloped land within the priority preservation area while maintaining and enhancing agricultural and forestry production on already protected farm and forest lands.

OBJECTIVE

This plan reaffirms the 2002 General Plan objective to “protect a countywide average of 1,500 acres per year of agricultural, strategic forest, or other sensitive lands through the use of Rural Legacy Program, county-funded acquisitions, and other conservation programs.”

POLICIES AND STRATEGIES

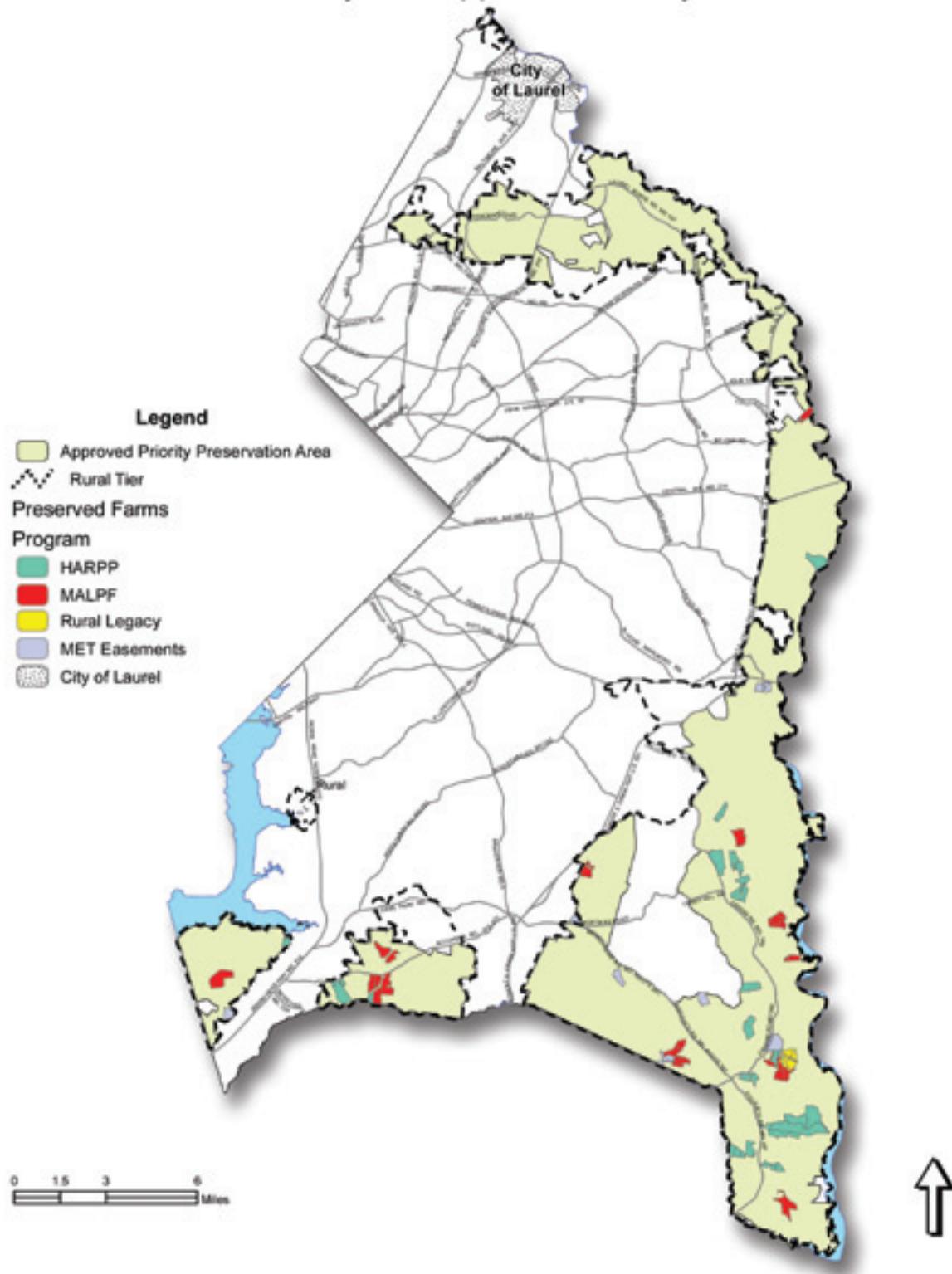
Policy 1

Seek opportunities to increase the value of farm and forest land used for agricultural production, agritourism, and agricultural support services.

Strategies

- a. The Maryland-National Capital Park and Planning Commission should strive to clarify the application processes for land preservation programs, and how or whether multiple programs can be utilized on a single property.
- b. Forest certification programs, landowner cooperatives, tree planting, and other innovative practices should be promoted to increase worth and minimize forest loss.
- c. Remove restrictions and broaden guidelines that define acceptable farm and forest enterprises.
- d. Promote woodland conservation banking as a way to preserve valuable forest infrastructure, supporting the private market including fee-in-lieu requirements which comparatively make banking a less expensive alternative.
- e. Consider a tax credit as a tax incentive for the landowner who volunteers land for a conservation easement, but is allowed to remain on the land.

Easements and Countywide Approved Priority Preservation Area



Map 1. Easements and Countywide Approved Priority Preservation Area

Policy 2

Seek available federal, state, local, and other sources of funding to achieve preservation of 80 percent of eligible lands.

Strategies

- a. The Soil Conservation District should continue to pursue state certification of the agricultural land preservation program, signifying the importance to the county of preserving high-value farm and forest land and the agriculture industry.
- b. Work with the local land trusts and nonprofit organizations to increase their role in preserving land in the PPA and disseminating information about conservation tax credits and other tax incentives.
- c. An installment purchase agreement option should be established for farm and forest landowners to obtain easement funds as a sustained income stream over time while deferring tax payment.
- d. Increase the use of funding in a variety of programs to preserve agricultural land and retain healthy forests in private ownership in the PPA, adjacent to parcels that have already been preserved or that are eligible for preservation funds based on soil characteristics and other qualities.
- e. Strengthen the county HARPP easement process by evaluating the feasibility of a dedicated source of general funds for agricultural preservation and expediting the application process.
- f. Research and prepare an analysis of methods to pursue dedicated funding sources, or other sources of funds, for the purpose of preserving farmland countywide.
- g. Pursue options for establishing a transfer of development rights (TDR) program that can maintain property owners' development rights.



Policy 3

Minimize development in areas of prime farm and forest acreage to preserve critical masses of the agricultural land base.

Strategies

- a. Continue to implement, strengthen, and enforce the Right-to-Farm provisions to encourage agricultural preservation.
- b. The conservation subdivision regulations for the O-S and R-A Zones should be evaluated to determine if it is feasible to increase the amount of area required for preservation or conservation without changing density.
- c. Adopt the Right-to-Farm legislation's definition of a "farm/agricultural operation" for the PPA.
- d. Identify all agricultural (farm and forest) land in the Developed and Developing Tiers that is worthy of preservation, with the intention of conceptualizing a separate plan and preservation program that speaks to the need to protect, preserve, and enhance agricultural land in the Developed and Developing Tiers.
- e. Conduct a detailed analysis of the non-PPA portion of the Rural Tier to determine where there are large parcels that should be included in the PPA.

- f. Review the zoning categories to identify ways to stabilize and maximize preservation of agricultural land through zoning, such as making improvements to the Conservation Subdivision Ordinance.
- g. Encourage and promote exploration of agricultural preservation options in a timely manner.
- h. The county should, in accordance with the provisions of HB 2 (2006), continue to update the Plan every three years to allow regular opportunities for examination or reevaluation of potentially affected properties and to ensure appropriate inclusion or exclusion as a result of tier boundary changes or other land use decisions.

Policy 4

Preserve farm and forest land as important natural resources for their environmental and economic value.

Strategies

- a. Continue to utilize various county and other programs and policies such as the woodland conservation ordinance, to encourage protection of the PPA, obtain carbon credits, and maximize carbon sequestration.
- b. Maintain, strengthen, and expand markets for renewable energy production, such as bio-energy and bio-based forest products such as fuelwood, timber, or pulpwood, and explore the viability of innovative markets for other sustainable, woody biomass forest products.

Policy 5

Identify valuable mineral resources, seek methods to protect and manage access, and reclaim these areas where possible for future farm or forest enterprises, or agricultural support services.



Strategies

- a. For sand and gravel mines in the PPA, reclamation plan requirements should be enforced to allow for preservation of land for appropriate farm and forest enterprises, and other community uses and environmental needs.
- b. Reclamation plan regulations should be reviewed to include standards that retain topsoil for future agricultural use.
- c. For unextracted mineral resources, perform surveys to determine where mineral resources exist in the PPA.

Policy 6

Support profitable agricultural operations by encouraging new farm and forest enterprises that complement the existing agricultural industry.

Strategies

- a. The county should consider including the economic viability of farm and forest enterprises as a vital part of its overall economic development strategy.
- b. The Soil Conservation District should continue to coordinate the federal and state activities with respect to best management practices, support services, and preservation activities with the various governmental entities and non-profits.
- c. Designated PPA should be prioritized for renewable energy production, i.e., wind, biomass, and solar energy production using available farmland.
- d. Institutionalize the agricultural marketing specialist position by securing permanent funding, and providing on-going support for University of Maryland Extension to obtain grant funding and providing assistance to farmers and producers for bringing their products to urban and regional direct and wholesale markets.
- e. Complete efforts to create and launch a “one-stop shop” where farmers and producers can access services from the Soil Conservation District, Farm Service Agency, University of Maryland Extension, and other local and federal agencies that provide technical assistance to them or regulate their activities.
- f. Explore tools to support urban agriculture as a way to increase locally grown produce and provide new market opportunities for farmers in the PPA.
- g. Develop a work plan to provide complete information about preservation benefits, and to increase the participation of farm and forest landowners, among small (50 acres or less) and minority-owned farms constituting 33 percent of the total acreage goal of 24,823 acres preserved by the year 2027.



STATE PLANNING MANDATES AND VISION

This chapter also addresses the State of Maryland mandate for completion of a Priority Preservation Area Plan as required in HB 2 (2006), Section 3.05(a)(6)(ii)(8) of Article 66B of the Maryland Annotated Code, and in accordance with Section 2-518 of the Agriculture Article of the Annotated Code of Maryland.

This plan also supports the following state vision adopted as part of the Senate Bill 273 2009:

- Ensure quality of life and sustainability
- Concentrate growth in existing population and business centers
- Improve environmental protection
- Improve resource conservation

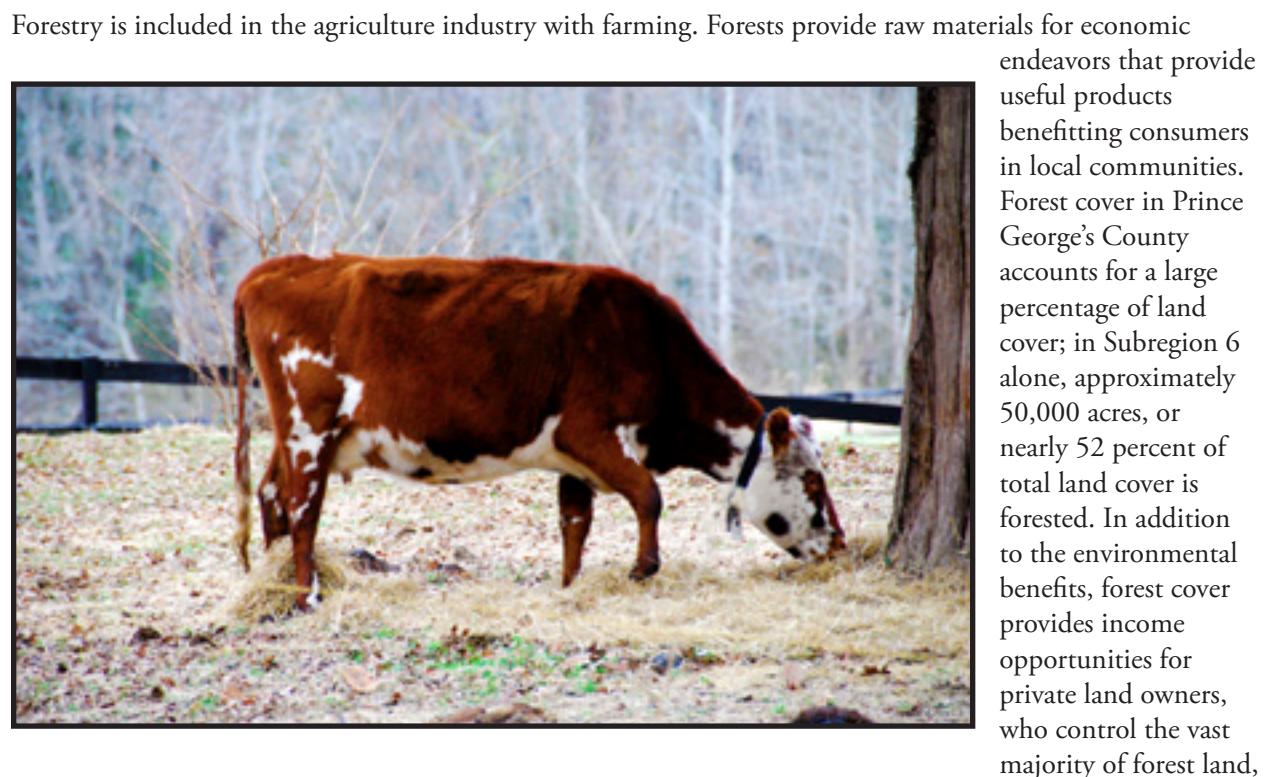
This PPA Master Plan is one step toward achieving certification of the agricultural preservation program, and is intended to update and satisfy the goals, policies, and guidelines relating to the Rural Tier from the 2002 General Plan. Joint certification of the agricultural preservation program by the Maryland Agricultural Land Preservation Foundation (MALPF) and the Maryland Department of Planning (MDP) enables the county to

retain 75 percent of agricultural land transfer tax funds, which can be used for farm and forest preservation in Prince George's County. Without certification, the county retains only 33.3 percent of the agricultural land transfer and agricultural excise taxes on all new development, while the remainder is given to the rest of the state to support other counties' farm and forest preservation. The Technical Bulletin provides background on preservation programs and agency partners, background on the PPA in the Bowie area, and legislation relevant to the PPA. In addition to the Agricultural Stewardship Act of 2006 (HB 2) and Smart, Green, and Growing: Local Government Planning (SB 273), a number of relevant federal, state, and local laws; regulations, resolutions, and bills that have been passed are outlined in the Technical Bulletin.

AGRICULTURAL ECONOMY

Agriculture is one of the most important industries in Maryland, with approximately one-third of the land base in farms and forests, making it the single largest land use in the State of Maryland. It is an industry that is critical to sustaining over time the strength of the economy, the environmental health of the Chesapeake Bay region, the natural beauty of the landscape, and high quality of life in Maryland. However, for Prince George's County, agricultural trends over the period from 1987 to 2007 indicate the greatest percentage decline in number of farms and in total farm acres of any county in the state. These trends reflect a pattern that is characteristic of a county undergoing urbanization and suburbanization in a region with dynamic population growth.

Prince George's County has over 60,000 acres of farm land, and according to the 2007 Census of Agriculture, the top crops by acreage include corn for grain, hay, soybeans, wheat, and vegetables, and the market value of crops sold amounted to \$17.1 million. The top livestock inventory items were cattle and calves, hens (layers), chickens (for consumption), horses, and goats. As of 2007, there were 375 farms in the county, approximately 37,005 acres in farms, and the average size of a farm was 99 acres. Farms 10 to 49 acres in size constituted the largest percentage group. The average age of farmers in the county was 60 years, and 57 percent of these farmers had a primary occupation other than farming.



endeavors that provide useful products benefitting consumers in local communities. Forest cover in Prince George's County accounts for a large percentage of land cover; in Subregion 6 alone, approximately 50,000 acres, or nearly 52 percent of total land cover is forested. In addition to the environmental benefits, forest cover provides income opportunities for private land owners, who control the vast majority of forest land,

in parcels of ten acres or less. The county can make progress from a more concerted outreach effort to engage local land owners in preserving their forest land and developing forest enterprises.

Agriculture includes equine activities and equine facilities. Equine activities include teaching equestrian or horse-riding skills; participating in equestrian events, exhibitions and other displays of equestrian skills; and caring for, breeding, boarding, dealing, selling, renting, riding, or training horses. The definition of an equine facility includes barns, stables, rings, paddocks, accessory buildings or structures used for equine activities.



Equestrian activities have featured prominently within the cultural history and economy of Prince George's County and of Maryland, which has more horses per square mile than any other state in the U.S., and which has a statewide equine industry with \$5.6 billion worth of assets, according to the 2010 Maryland Equine Census. This census also identifies Prince George's as having the fourth largest equine inventory in the state. Horses in Prince George's County are valued at \$154.8 million and are maintained on 770 equine operations covering 5,700 acres. The equine industry has grown faster than any other in the agricultural sector of the county's economy. It requires almost 20 percent of the agricultural land in the county, and has special needs relating to soil erosion, soil compaction, waste management, and water quality.

URBAN/SUBURBAN AGRICULTURE

There is growing public interest in small-scale community plots to support agricultural activity in urban locations, such as in the Developed Tier. This activity is typically referred to as "urban agriculture." Urban agriculture in Prince George's County has several possible synergies with agriculture in the PPA. Urban agriculture increases public interest in farming and locally grown produce, and may provide new market opportunities for farmers in the PPA.

In addition, a preservation program that facilitates agricultural activities in the Developed and Developing Tiers can help to maintain open space for farms and woodlands, and to meet the countywide objective of protecting agricultural, strategic forest, and other sensitive lands. Farmers in the PPA possess knowledge and expertise that they may be able to share with farmers in other parts of the county. The PPA Plan favors urban and suburban farming, and the county will explore policies and tools to support the activity. Although urban and suburban farming sites would not become part of the PPA itself, this plan recognizes their value to the county and the agricultural sector of the local economy.

STATE AND COUNTY AGRICULTURAL PRESERVATION TOOLS AND PROGRAMS

Maryland Agricultural Land Preservation Foundation

The Maryland Agricultural Land Preservation Foundation (MALPF) is one of the most successful agricultural land preservation foundations in the country. It functions within the Maryland Department of Agriculture (MDA) to purchase permanent agricultural preservation easements on productive farm and forest land that meet a specific set of criteria. Since 1977, the foundation has worked in every county, helping the State of Maryland to preserve in perpetuity over 270,000 acres on more than 2,000 farms, more agricultural land than any other state in the country. Since 2004, Prince George's County has placed 1,200.28 acres under easement through MALPF. The MALPF program preserved in 2009 alone 192.95 acres of the 690 acres preserved that year.



Historic Agricultural Resource Preservation Program/Purchase of Development Rights

The Purchase of Development Rights (PDR) Program and the Historic Agricultural Resource Preservation Program (HARPP) were both established to acquire conservation easements voluntarily offered by landowners, but they utilize different funding sources. According to Council Bill CB-47-2006, adopted by the District Council on July 18, 2006, a Purchase of Development Rights Program would be established in Prince George's County to allow the acquisition of conservation easements

for the purpose of protecting farm and forest lands, ecologically fragile watershed and floodplains, and protect scenic vistas in certain zones. As of March 8, 2011, 1,349 acres have been preserved under this program. From 2008 through March 2011, properties were settled with \$11.1 million in HARPP funding.

Rural Legacy Program

The goals of the Rural Legacy Program are to:

- Establish greenbelts of forests and farms around rural communities in order to preserve their cultural heritage and sense of place
- Preserve critical habitat for native plant and wildlife species
- Support natural resource economies such as farming, forestry, tourism, and outdoor recreation
- Protect riparian forests, wetlands, and greenways to buffer the Chesapeake Bay and its tributaries from pollution run-off

Prince George's County participates in the Rural Legacy Program, which is a state program that provides the focus and funding necessary to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry, and environmental protection through cooperative efforts among state and local governments land trusts and willing property owners. Protection is provided through the acquisition of easements, purchases from willing landowners, the supporting activities

of Rural Legacy Sponsors, and local governments. The Soil Conservation District took over the administration of this program in 2007 and began submitting easement applications. The Patuxent River Rural Legacy Area, which stretches from the southern tip of the county along the eastern boundary to US 50, includes the Patuxent River Park, Patuxent River Natural Resource Management Area, and the Merkle Wildlife Management Area at Jug Bay. Of the 34,984 acres in the Prince George's County Rural Legacy Area, 1,036 acres have been preserved through fee simple acquisition.

Program Open Space Acquisition

Established in 1969 by the Department of Natural Resources (DNR), Program Open Space (POS) is a nationally recognized program with two components, a local grant component for recreation land or open space areas, and a component that funds acquisition and recreation facility development by the State of Maryland. When a person buys a house or land, a percentage of the State Real Estate transfer tax goes into a special fund for Program Open Space. POS protected more than 352,000 acres of land statewide, and has preserved 875 acres



in Prince George's County along the Patuxent River. Regarding parks and open space acquisitions, the county expects to continue its long-term policy of acquiring land for recreation and natural resource protection in the county, especially including Patuxent River Park in Subregion 6. Many of these acquisitions will be within the PPA. Throughout the county, DNR owns and manages 6,728 acres of state parks, state forests, natural resource management areas, and heritage conservation fund sites, and natural environment areas in Prince George's County.

Woodland Conservation Banking and Resource Preservation

Woodland conservation and other forestry preservation programs are critical to the inclusiveness of the PPA in terms of protecting irreplaceable forest lands. Parcels which have been established as woodland conservation banks in the Rural Tier are appropriate for inclusion in the PPA because they direct preservation to these areas. The county's Woodland and Wildlife Habitat Conservation Ordinance enforces the state Forest Conservation Act in Prince George's County. The ordinance requires that woodland conservation be provided as close to the development proposed as possible, to mitigate the impacts of woodland removal for development. On occasion, it is not possible to provide for off-site woodland conservation near the proposed development, resulting in the use of woodland conservation banks in the Rural Tier. As of March 2011, off-site woodland conservation banking sites have been established on 145 unique sites, for a total of 8,455 acres. The total acreage of off-site woodland conservation banking sites protected in the PPA is 4,007 acres or 47 percent. Most of those acres are in the PPA, and approximately 3,316 acres or 83 percent are located in Subregion 6.

Preserving existing woodlands in a woodland conservation bank requires two acres of preserved woodlands for each acre of off-site woodland credits required. Afforestation (planting a new forest) requires one acre of new forest for each acre of off-site woodland credits required. Through a private transaction, property owners are paid for the placement of a conservation easement over the property to protect the woodland acreage.

Maryland Environmental Trust

The Maryland Environmental Trust (MET), Maryland's statewide land trust and one of the oldest and most successful land trusts in the nation, is a not-for-profit corporation established in 1967 and designed to protect land from development. The MET has preserved approximately 755 acres in the county through protective easements and donated lands, and is dedicated to conserving and improving the aesthetic, scenic, health and welfare, and cultural qualities that are found in the natural environment. Through its training, technical assistance, administrative, and project grants, the MET helps groups of interested citizens to form local land trusts. The MET and a local land trust may jointly hold conservation easements.



Accokeek Foundation

The Accokeek Foundation preserves and protects historic sites, plants, wildlife, and agricultural land along the Maryland shore of the Potomac River. One of the nation's first land trusts, it was founded in 1957 to protect the view shed from Mount Vernon across the Potomac River, but now engages in environmental stewardship for 200 acres of Piscataway National Park, and runs the National Colonial Farm. The Foundation has also identified properties on which they can conduct forest mitigation. Their aim is to jointly hold easements, manage them, and facilitate acquisition. Their heritage breed livestock and seed saving programs have saved crops and animals that were near extinction. The Foundation has educated landowners about land preservation, whether it is forested, open, or in agricultural production.

Patuxent Tidewater Land Trust

The Patuxent Tidewater Land Trust is a nonprofit organization that focuses on conservation, preservation, and protection of land and natural resources within the counties adjacent to the tidal Patuxent River. The Trust partners with individuals, academic institutions, government agencies, local community groups, and other land trusts and nonprofits to retain the rural character of areas adjacent to and within the Patuxent River watershed, where small farms have endured over many generations. Five counties, including Prince George's County, benefit from the work of the Trust through purchase or donation of conservation easements and land development rights in order to protect the diversity, natural resources, agricultural economy, and cultural heritage of southern Maryland.

Black Swamp Creek Land Trust

The Black Swamp Creek Land Trust is a local land trust that seeks to preserve farmland, forest, wetland, wildlife habitat, open space, and other natural resources that contribute to the natural, scenic beauty and quality of life in Prince George's County. The Trust seeks to hold or broker easements between landowners and eventual easement holders on the Black Swamp Creek watershed and other valuable natural resources. The Black Swamp Creek watershed has a total of 4,642.21 acres, of which 1,378.21 acres is included in the Subregion 6 proposed PPA. The entire area is 7.43 square miles in size, and 4 miles in length, and 60 percent of the watershed is wooded. This PPA plan proposes to include the remaining 3,262.99 acres of the Black Swamp Creek watershed to the PPA.

Summary

Overall, under the Maryland Agricultural Land Preservation Foundation (MALPF), Historic Agricultural Resource Preservation Program (HARPP), Rural Legacy, Program Open Space, Maryland Environmental Trust, and the Accokeek Foundation land preservation programs, over 4,400 acres have been permanently preserved in Prince George's County. With the addition of federal, state, and local government-preserved land, a total of 32,899 acres is preserved as farm or forest land (See Table 1: Agricultural Acres Preserved in Prince George's County). In 2009 alone, approximately 690 acres of agricultural land was preserved in Prince George's County. Figure 1: Agricultural Acres Preserved in Prince George's County by Program indicates the number of acres preserved by MALPF, HARPP, Rural Legacy, Program Open Space (POS), and Maryland Environmental Trust (MET).

Program/Owner	Permanently Preserved Acres
MALPF	1,200.00
HARPP/PDR	1,349.00
Rural Legacy	1,036.00
Program Open Space	875.00
MET	755.00
Woodland Conservation Banks	8,455.00
M-NCPPC (fee simple)	7,085.00
USDA/BARC*	6,271.00
Patuxent Research Refuge	4,284.00
University of Maryland	1,153.00
Federal	236.00
Foundations	
Accokeek Foundation	200.00
Total	32,899.00

Table 1. Agricultural (Farm and Forest) Acres Preserved in Prince George's County

*Acreage does not include buildings. USDA/BARC land is preserved for agricultural land use, any significant change requiring Congressional approval. In addition, Maryland Annotated Code, Article 28, §8-126 discusses permanent classification of BARC as agricultural open space. (Cross reference: MD.ANN.CODE, Land Use Article, §25-211 (effective October 1, 2012))

Sources of data and date:

Environmental Planning Section

Countywide Planning Division

Prince George's County Planning Department

The Maryland-National Capital Park and Planning Commission, April 2011

Maryland Department of Natural Resources, March 2011

Soil Conservation District, Prince George's County, March 2011

Agricultural Acres Preserved through Easements in Prince George's County by Program

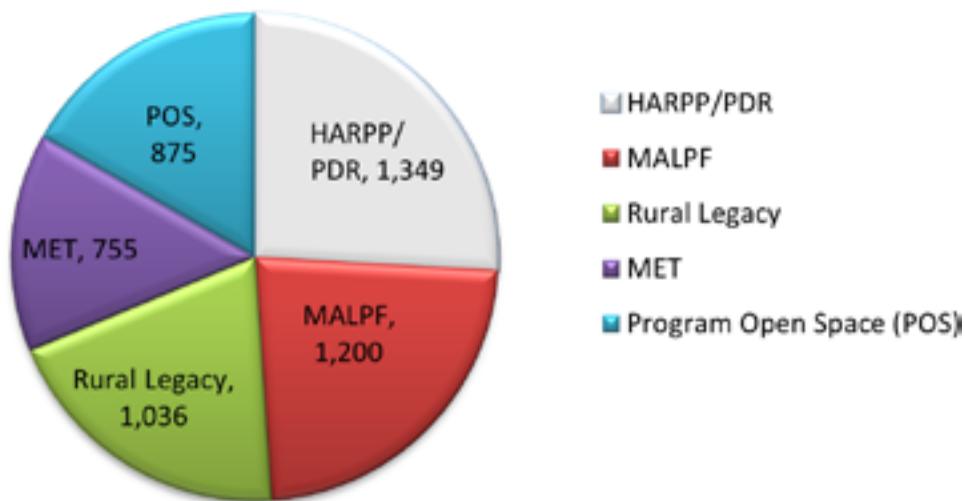


Figure 1 - Data as of March 30, 2011

Zoning Tools Used in the Priority Preservation Area

Zoning regulations have been used and will continue to be used as a tool for preservation of the farm and forest land and to minimize the impact of residential development on prime farmland. Zoning regulations strengthen the effect of the PPA and the right to farm in Prince George's County. The most prevalent practice in Prince George's County has been mixed residential and agricultural zoning, which allows both agricultural and residential uses. This practice maintains the value of the property for the landowner, and gives the option to maintain agricultural land use, or develop residential or other uses. With the recent legislation in Prince George's County to require conservation subdivision for residential development, it is possible to allow residential development and at the same time preserve as much as 60 percent or more of the land for agricultural, forestry, or other natural resource or open space recreational use. The main zoning categories in the Rural Tier and the PPA are:

- R-O-S: Reserved Open Space: Provides for permanent maintenance of publicly-owned land in an undeveloped state; encourages preservation of large areas of trees and open space; designed to protect scenic and environmentally sensitive areas and ensure retention of land for non-intensive active or passive recreational uses; provides for very low-density residential development and a limited range of public, recreational, and agricultural uses. Minimum lot size is 20 acres.
- O-S: Open Space: Provides for areas of low-intensity residential (five-acre) development; promotes the economic use and conservation of land for agriculture, natural resource use, large-lot residential estates, and non-intensive recreational use. Standard lot size is five acres.
- R-A: Residential Agricultural: Provides for large-lot (two-acre) residential uses while encouraging the retention of agriculture as a primary use. Standard lot size is two acres.
- R-E: Residential-Estate: Permits large-lot estate subdivisions containing lots approximately one acre or larger.

- R-R: Rural-Residential: Permits approximately one-half-acre residential lots; subdivision lot sizes depend on date of recordation; allow a number of nonresidential special exception uses.

Nationally, very few jurisdictions have prohibited residential uses, or allowed them only as an accessory use to agricultural land use. However, the use of incentives such as clustering development with the conservation subdivision design allows the sale of development rights, while preserving farm and forest land for future generations, as with conservation subdivisions.

The conservation subdivision design for residential development in the Rural Tier is a tool for preservation of valuable agricultural land and reducing the loss of agricultural land to residential development. The purpose of the conservation subdivision is to protect the character of land by permanently preserving blocks of:

- Productive farmland
- Woodland
- Sensitive natural features
- Scenic and historic landscapes
- Structures
- Vistas
- Unique features of the site in keeping with the 2002 *Prince George's County Approved General Plan* and the 2005 *Approved Countywide Green Infrastructure Plan*.

The value of the conservation subdivision design is evident to the landowner/developer in that it:

- Does not preclude development in areas rich in rural character
- Allows residential use
- Provides a buffer between agricultural and residential land uses
- Gives the homeowner the opportunity to have an agricultural land use
- Allows for the potential to have a source of locally grown food
- Minimizes development costs through clustering by requiring fewer infrastructures such as roads, thus making the unit more affordable to the homeowner.



The value of the conservation subdivision design for farm/forest preservation and environmental stewardship is that it:

- Maintains rural character
- Preserves large swaths of land such as farm and forest land, historic structures, stream valleys and open space that is irreplaceable

- Allows the county to benefit from the environmental benefits that natural resource land provides
- Fosters agritourism and other forms of enjoyment of the landscape

POTENTIAL PRESERVATION TOOLS AND PROGRAMS

Installment Purchase Agreement Program

The Installment Purchase Agreement (IPA) is a strategy that could be adopted in Prince George's County in the future, and is a type of financing plan that spreads out payments to landowners for easements; providing them with semi-annual income in the form of interest payments over



a number of years, with the principal paid at the end of the contract. IPAs are typically bond financed, and allow jurisdictions to use existing and future revenues to purchase land in the present time frame, while it is still relatively affordable. Bond funding can be used in a timely manner, when the real estate market makes publicly-financed purchases more attractive. Furthermore, in this scenario, a below-market purchase price can still be attractive because the landowner can be fully compensated, beyond the actual easement price, over a period of up to 30 years.

Thus, this type of program allows the purchase of easements on more acreage than the current funds will allow. Payment of capital gains taxes is also deferred, thus tax exposure is minimized. The seller or landowner receives interest payments, over a period of up to 30 years on the full sale price, which are exempt from federal and state income taxes. Ultimately, the IPA provides for better estate planning because heirs of the landowner have access to proceeds from the sale of the easement to pay estate taxes. A jurisdiction can preserve land today, possibly in partnership with financial institutions.

The Conservation Fund

The Conservation Fund seeks to balance economic and environmental goals by conserving land, including working lands, wild areas, and heritage communities, as part of its mission. It forms partnerships with representatives from community, government, and the corporate world in order to protect working forests as well as open space for recreation. Their aim is to sustain and empower rural communities to value their resources. They provide investment services, including bridge financing from a revolving fund, finance natural resource-based small businesses, manage nonprofit forests, and operate a leading mitigation bank. The Conservation Fund has preserved land in the Mid-Atlantic region, but not in Prince George's County.

Tax Incentives

In 2010, the U.S. Congress renewed a tax incentive for private landowners who choose to preserve their farm and forest land with conservation agreements. From 2006 until the end of 2009, owners of working farms and ranches were helped by MET and local land trusts to preserve their land, preserving 17,195 acres of farms, forests, as well as scenic and natural open space in Maryland. This tool has been renewed so that along with productive farm and forest land, landowners can continue to protect wildlife habitat, clean drinking water, scenic landscapes, and recreational spaces. There is a significant federal income tax deduction that landowners can apply for and qualify for before December 31, 2011. Public access to the land is not a requirement.

PRIORITY PRESERVATION AREA

In 2006 The Maryland General Assembly passed the Agricultural Stewardship Act, or House Bill 2 (HB 2). A local jurisdiction is required to include a Priority Preservation Area (PPA) element in their comprehensive plan in order to be eligible for certification of its local agricultural preservation program.

Methodology for Determining the PPA

The methodology for determining the PPA took into consideration state law and other criteria noted below. As noted earlier, HB 2, Section 3.05(a)(6)(ii)(8) of Article 66B of the Maryland Annotated Code, and in accordance with Section 2-518 of the Agriculture Article of the Annotated Code of Maryland states that a PPA shall:

- Contain productive agricultural or forest soils; or be capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking
- Be governed by local policies that stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources
- Be large enough to support the kind of agricultural operations that the county seeks to preserve, as represented in its adopted comprehensive plan
- Include the county's acreage goal for land to be preserved through easements, which shall be equal to at least 80 percent of the remaining undeveloped land in the PPA, as calculated at the time of application for state certification.

The PPA may consist of a single parcel, multiple connected parcels, or multiple unconnected parcels of land; and include Rural Legacy areas.

Quality soils are important for determining the PPA, and a high priority is placed on the conservation, protection, and enhancement of soil, water, and other natural resources. In particular, it is critical to retain soil quality for agricultural uses, and not allow it to become depleted or eroded. Productive agricultural or forest soils were defined as being in the following categories based on the USDA soil layer

(Class IV, Forest class soils, was based on the hardwood forest cover):



- Class I: Few limitations that restrict their use for agriculture
- Class II: Moderate limitations for agriculture (reduce choice of plants or require moderate conservation practices)
- Class III: Severe limitations for agriculture (reduce choice of plants and/or require special conservation practices)
- Class IV: Very Severe Limitations for agriculture (reduce choice of plants and/or require very careful management)

The previously-mentioned criteria set forth in HB 2 2006 were used to delineate the PPA, including the portion of the PPA in the Bowie and Greenbelt areas. Other criteria used by the county for determining the appropriateness of land for inclusion in the PPA, similar to the methodology used in Subregions 5 and 6, include:

Primary Criteria:

- Areas of Class I, II, and III agricultural soils.
- Land in the Rural Tier and adjacent to the Rural Tier (See Map 2: Tier Designation, Prince George's County).
- Agriculturally-assessed properties for tax purposes (See Map 3: Rural Legacy and Agriculturally-Assessed Private Parcels).
 - » Areas with agricultural (farm and forest) land uses, equestrian and other related uses
 - » Areas with known interest in agricultural land preservation among the landowners
- Areas in the zoning categories:
 - » R-A (Residential-Agricultural)
 - » R-O-S (Reserved Open Space)
 - » O-S (Open Space)
 - » R-E (Residential-Estate)
 - » R-R (Rural-Residential)
- Properties already permanently protected by MALPF, HARPP, or PDR preservation programs, Rural Legacy, Program Open Space, Maryland Environmental Trust (See Map 1: Easements and Countywide Approved Priority Preservation Area).
- Land adjacent to areas already protected by HARPP, MALPF, and woodland conservation banks.
- Areas with parkland being farmed (See Map 4: M-NCPPC Property and Leased Farmland).
- Areas least compromised by development.
- Areas with forest resource, with special emphasis on existing or future potential hardwood resources.



Supporting Criteria:

- Areas within the green infrastructure network.
- Areas with mineral resources.
- Rational, simple boundaries, following, where possible, natural features and roads, rather than property lines.

Definitions:

The following definitions were used in the delineation of the PPA, distinguishing the categories of land that were considered in deriving the target acreage protection goal.

- Agricultural Assessment: Land actively used for farm or agricultural purposes; “actively used” means land that is actually and primarily used for a continuing farm or agricultural use; in addition, gross revenues derived from the agricultural activity is required to be \$2,500 or more.
- Developed: Any land classified as Commercial, Industrial, Institutional,* Mixed Use Commercial, Mixed Use Residential, Residential, Rural, or Transportation; based on Existing Land Use Layer, M-NCPPC, February 28, 2011. Calculation of this acreage by the Information Management Division is approximate and subject to change pending revisions of the land use layer.
- Undeveloped: Any land classified as Agriculture, Bare exposed rock, Bare ground, Beaches, Extractive, Forest, Parks and Open Space, Water, and Wetlands; based on Existing Land Use Layer, M-NCPPC, February 28, 2011. Calculation of this acreage by the Information Management Division is approximate and subject to change pending revisions of the land use layer.
- Total acreage protection goal: 80 percent of the undeveloped land in the PPA.
- Permanently preserved: Has a perpetual conservation or open space easement, or fee simple ownership, held by a federal, state or local government or nonprofit organization for natural resource, forestry, agriculture, wildlife, recreation, historic, cultural or open space use, or to sustain water quality and living resource values. Woodland conservation banking sites are considered permanently preserved and protected, and if relocated incur a substantial penalty in increased acreage.
- Protected: For the PPA, same as permanently preserved.
- Remaining protection goal: the difference between the 80 percent total acreage protection goal and the protected acres (subtracting protected acres); the remaining undeveloped land that is eligible for protection.



*The exceptions are the Beltsville Agricultural Research Center (BARC) and Patuxent Research Refuge (PRR) which are classified as Institutional, but are counted among the “protected” acreage.

In addition, it was determined that agricultural lands located outside of the designated PPA (for example, elsewhere in the Rural Tier or contiguous to the Rural Tier) that have been preserved through an agricultural easement or other mechanism would be included in the PPA.

Tier Designation- Prince George's County

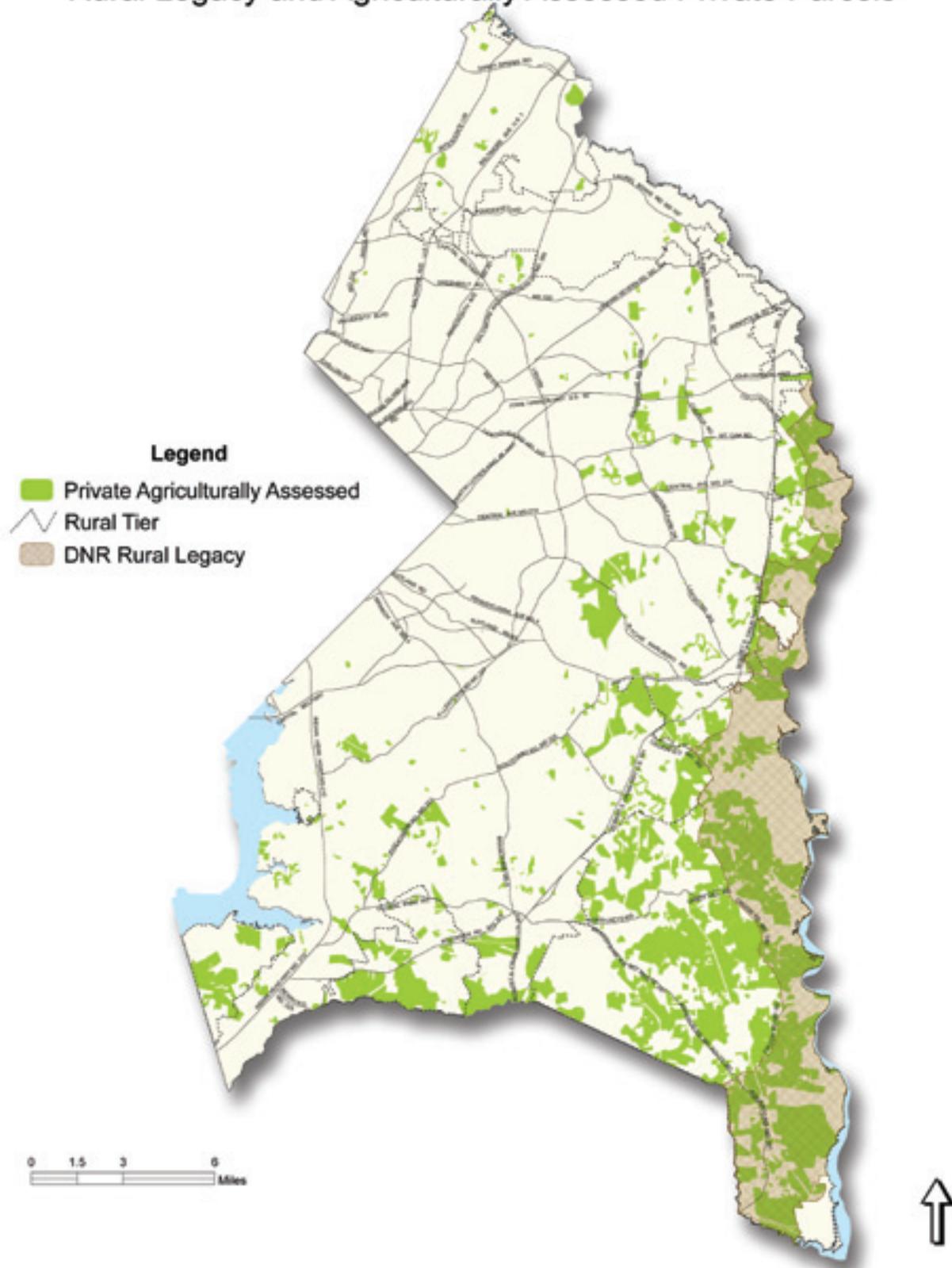
Legend

General Plan Tier
Developed
Developing
Rural

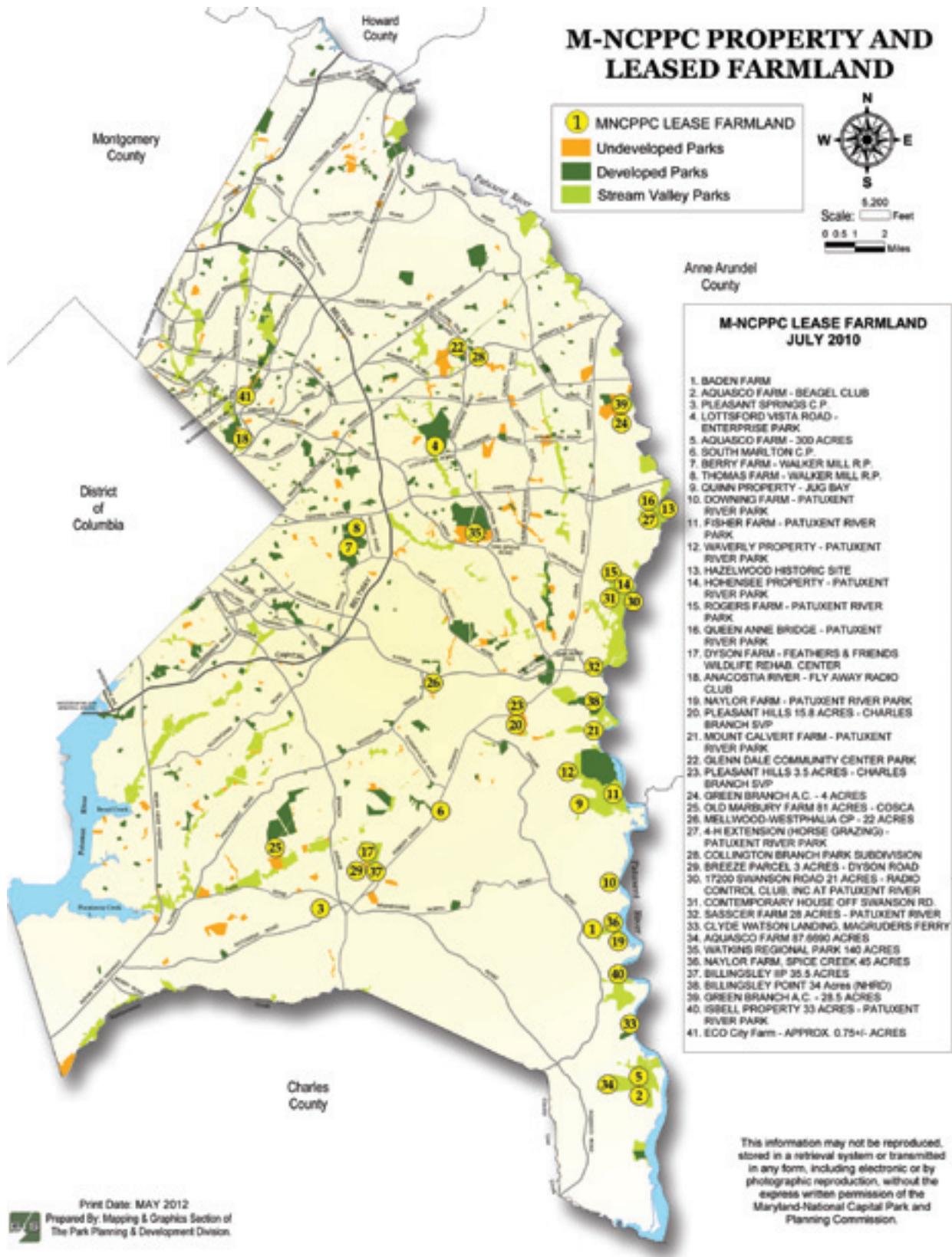


Map 2. Tier Designation—Prince George's County

Rural Legacy and Agriculturally Assessed Private Parcels



Map 3. Rural Legacy and Agriculturally Assessed Private Parcels



Map 4. M-NCPPC Property and Leased Farmland

PRIORITY PRESERVATION AREA BY SUBREGION

Subregion 1 Priority Preservation Area

The 2010 *Approved Subregion 1 Preliminary Master Plan* identified two areas of agricultural significance. The Beltsville Agricultural Research Center (BARC), the world's largest and most diversified agricultural research complex is approximately 6,816 acres, of which 6,271 acres is prime farmland. The Patuxent Research Refuge (PRR) facility is approximately 12,841 acres of protected federal lands in Anne Arundel (8,557 acres) and Prince George's (4,284 acres) counties, which supports wildlife research. It is one of over 540 refuges in the National Wildlife Refuge System. Together, these federal facilities include over 19,000 acres of agricultural and natural resource lands. The Subregion 1 Plan designated both of these areas as PPA, and the PPA plan affirms the BARC and PRR designation for the PPA. These areas were also designated as Special Conservation Areas in the 2005 Green Infrastructure Plan, having been analyzed as significant rural, agricultural, and undeveloped lands.



Langley Park-College Park-Greenbelt Priority Preservation Area

The PPA plan will designate all of the BARC property that is in the Rural Tier as part of the PPA. A portion of BARC is located in the 1989 Langley Park-College Park-Greenbelt Plan area. Again, this designation is intended to highlight the importance of this research facility to the county.

Subregion 5 Priority Preservation Area

The 2009 *Approved Subregion 5 Master Plan** designated 8,950 acres of land in the

Rural Tier for the PPA. This area includes land between Accokeek and Brandywine generally south of Accokeek Road, and areas west of MD 210, Indian Head Highway. The Subregion 5 plan* designated rural densities that are consistent with other parts of the county, and the county as a whole, to conserve large portions of land as woodland, farmland, wildlife habitat, and recreation.

The PPA Plan proposes to modify the PPA designated in the Subregion 5 plan* to (1) include additional acreage, containing the Moyaone Reserve, that is protected by National Park Service scenic easements and includes extensive woodlands and (2) exclude a strip of land that is in the Developing Tier and along the southern border of the county with Charles County. Regarding the latter, this land is important to preserve due to its contiguity to the Mattawoman Creek, a vital and environmentally sensitive water resource, but it is outside of the Rural Tier. Other mechanisms are in place to protect this area in Prince George's County.

Subregion 6 Priority Preservation Area

The 2009 *Approved Subregion 6 Master Plan** designated a portion of the PPA that covers approximately 39,000 acres comprising much of the land between the Charles County line and MD 381, and significant areas between the Patuxent River and MD 382, Croom Road, as well as areas east of Croom Road along the Star Spangled Banner Scenic Byway, which are agriculturally assessed and contain Class I-IV soils. Approximately 10,014 of those acres in Subregion 6* are already protected.

* Please see disclaimer on the Abstract page regarding 2009 *Approved Subregion 5 Master Plan* and 2009 *Approved Subregion 6 Master Plan*.

The PPA Plan proposes to modify the PPA designated in Subregion 6 to include (1) the entire Black Swamp Creek watershed, which is protected by the Black Swamp Creek Land Trust, and of which a portion is already in the designated PPA; (2) land west of Croom Road; (3) areas further north in the Mt. Calvert area, along Chew Road; (4) in the vicinity of St. Thomas Episcopal Parish Historic District; and (5) all properties south of Croom Road in the Aquasco area, except for Cedar Haven and Eagle Harbor.

The land west of Croom Road is proposed to be added specifically because Class I-IV soils are present, or the area is capable of supporting farm or forest enterprises where soils are lacking. This land is located in the Rural Tier, and along with its adjacency to areas that are in the Rural Legacy Program, helps to make up a larger, contiguous area of land capable of being preserved. In addition, property owners have expressed interest in agricultural preservation in this area. It has forested land that is part of the green infrastructure network, including regulated area, evaluated area, and network gaps. Within this area, there are parcels that are already protected by PDR and MET easements, along with land adjacent to those parcels. There are large agricultural parcels, mineral resources, and this area is one of those least compromised by development, with zoning categories R-A, R-O-S, and O-S. In conclusion, land along both sides of Croom and Chew Roads is important to preserve due to the presence of agriculturally-assessed land and agricultural easements, its historic rural character, and its unique value as the scenic viewshed of the state-designated Star Spangled Banner Scenic Byway and/or the Star-Spangled Banner National Historic Trail, managed by the National Park Service. With these proposed modifications, the total acreage for this portion of the PPA is 53,058 acres, and approximately 16,162 acres within the boundaries of the PPA are already protected. The proposed areas described in (3) and (4) above are in the Rural Legacy Area; thus, the modified PPA is more inclusive of the Rural Legacy Area.

The county is currently undertaking a Rural Villages Study for Aquasco, Baden, and Croom in conjunction with a Corridor Management Plan for the Star-Spangled Banner Scenic Byway which traverses several of these communities and the PPA. Provided there is public and private interest, the study may recommend an alternative, “village” development for one or more of these communities. Implementation of such an alternative would result in additional opportunities to preserve adjacent agricultural and forested lands in support of the PPA and other county goals for preservation.

Bowie and Vicinity Priority Preservation Area

The proposed PPA designation in the Bowie area in Subregion 3 includes properties located in the Rural Tier, including those receiving agricultural assessment. The portion of the PPA in the Bowie area includes protected and publicly-owned sensitive environmental areas east of U.S. 301 and along the Patuxent River. It includes a predominance of Class I-III soils for farming, and Class IV soils for forestry. Some parts of the proposed Bowie PPA are in the green infrastructure network, and there are parcels that are being considered for, or have, agricultural preservation easements on them. The area has appropriate zoning predominantly, with zoning categories R-A, R-O-S, and O-S.



Bowie and vicinity was not evaluated for PPA because the 2006 Approved Bowie and Vicinity Master Plan and Sectional Map Amendment (SMA) was approved in the same year that HB 2 was passed in the General Assembly. However, documentation of agricultural land preservation in the Bowie-Collington area began in the early 1970s

after the approval of the 1970 *Adopted and Master Plan for Bowie-Collington and Vicinity*.

Target Acreage Protection Goal

There are approximately 85,588 acres of land in the priority preservation area for the entire county, including the BARC and PRR properties (10,555 acres). However, the calculation of the target acreage protection goal does not include the BARC and Patuxent Research Refuge properties, leaving 75,033 acres for this calculation. According to existing land use, 17,258 acres of that land are developed, leaving 57,775 acres of undeveloped land. The goal for the PPA in Prince George's County is to preserve

80 percent of the remaining undeveloped land, or approximately 46,220 acres. Of this number, approximately 21,451 acres are already protected. (See Table 2: Priority Preservation Area Target Acreage Protection Goal). This identifies the goal of protecting the remaining undeveloped land as 24,769 acres. In keeping with the PPA Plan objective of protecting an average of 1,500 acres per year of agricultural, strategic forest, or other sensitive lands, the remaining protection goal of 24,823 acres can be preserved over a period of 16 years.



		Acres ¹
1	Priority Preservation Area	75,033
2	Developed*	17,258
3	Undeveloped (1 minus 2)**	57,775
4	Target Acreage Protection Goal (80% x 3)	46,220
5	Already Protected***	21,451
6	Remaining Protection Goal (4 minus 5)	24,769

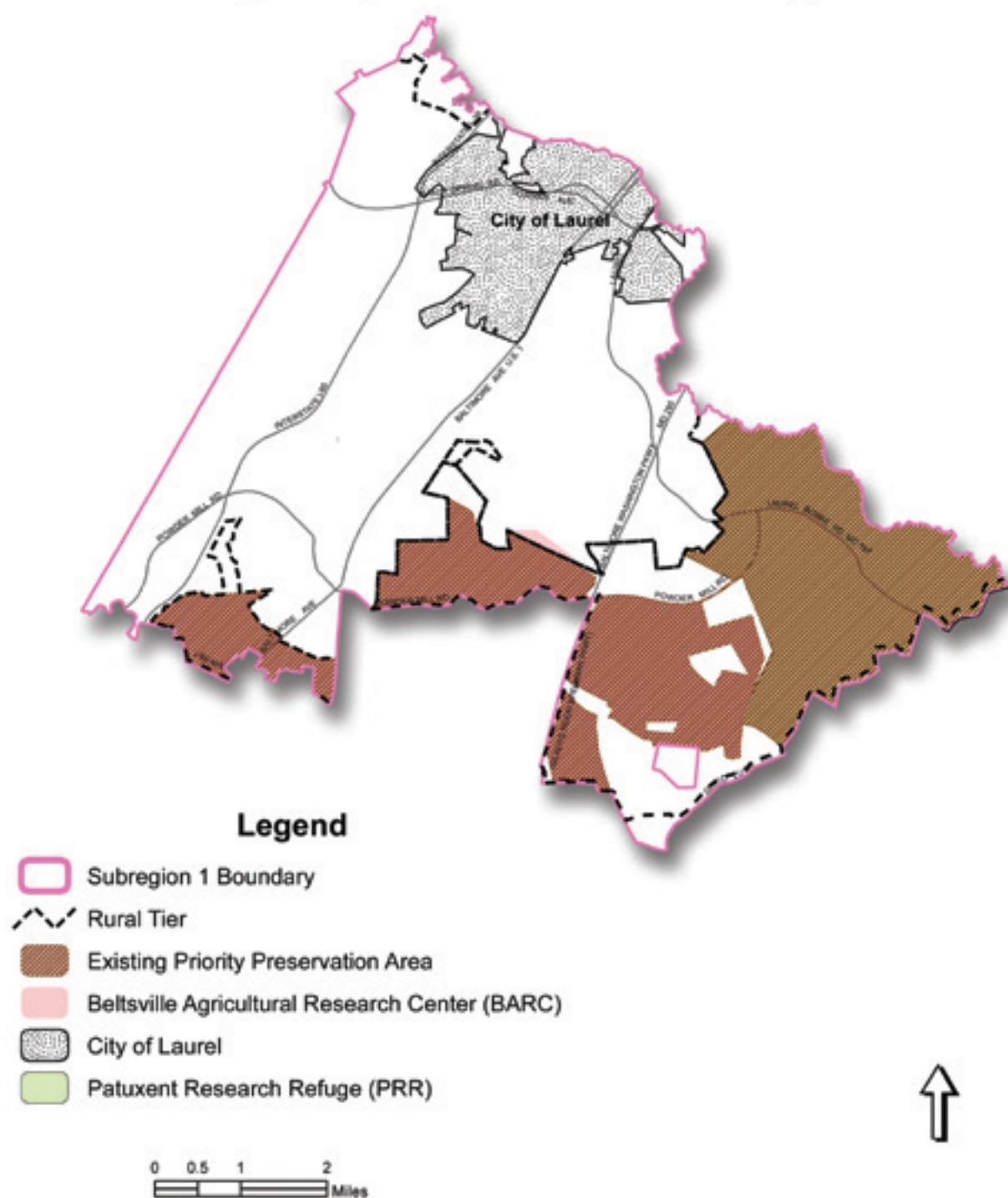
Table 2. Priority Preservation Area Target Acreage Protection Goal

¹This calculation does not include BARC and Patuxent Research Refuge properties. They are classified as institutional although primarily used for agricultural, natural resource, and wildlife habitat research; BARC is preserved for agricultural land use, any significant change requiring Congressional approval. The PPA including BARC and Patuxent Research Refuge properties is 85,588 acres.

*Developed: Any land classified as Commercial, Industrial, Institutional (with the exception of BARC and PRR), Mixed Use Commercial, Mixed Use Residential, Residential, Rural, Transportation; based on Existing Land Use Layer, M-NCPPC, February 28, 2011. Calculation of this acreage by the Information Management Division is approximate and subject to change pending revisions of the land use layer.

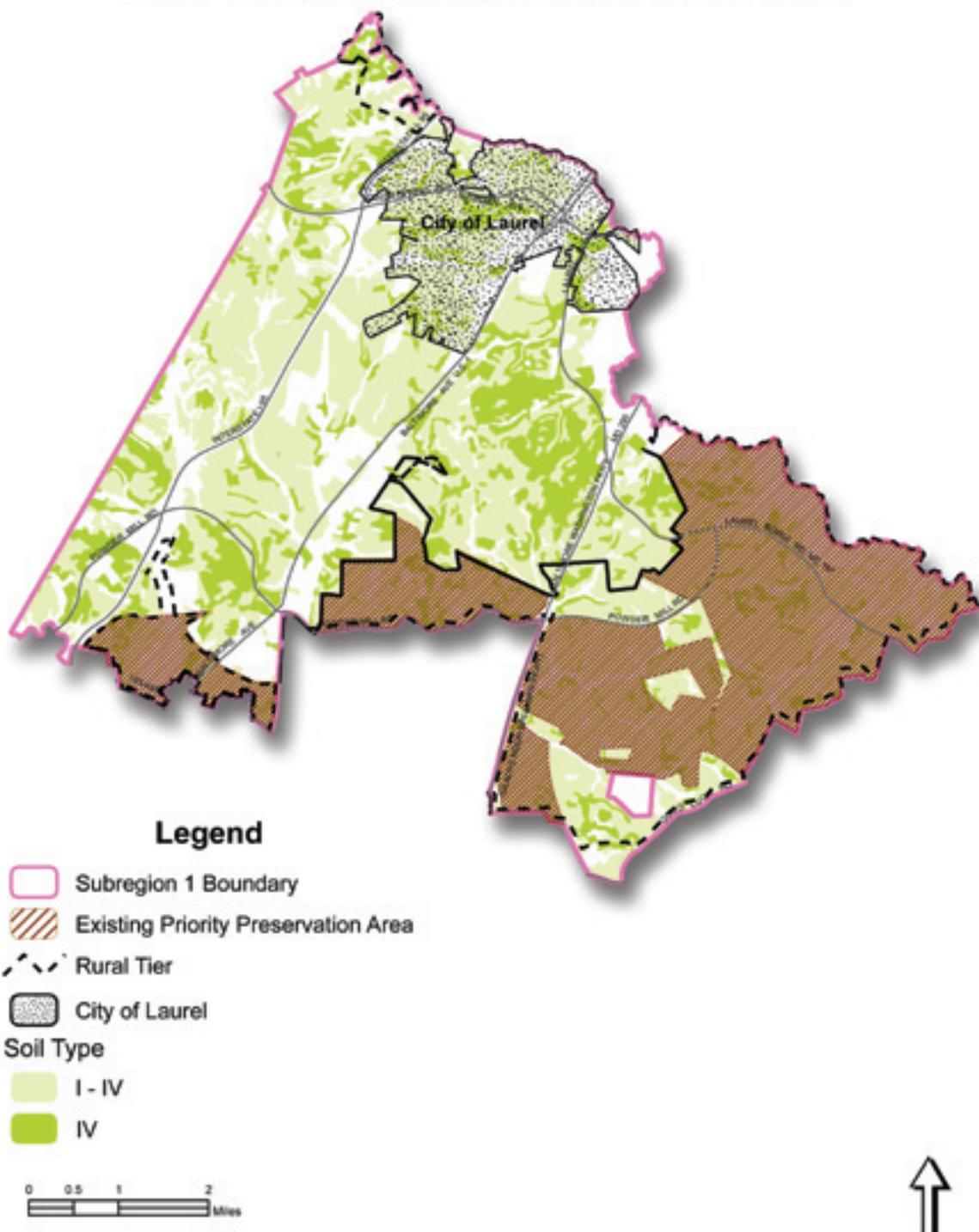
** Undeveloped: Any land classified as Agriculture, Bare exposed rock, Bare ground, Beaches, Extractive, Forest, Parks and Open Space, Water, Wetlands; based on Existing Land Use Layer, M-NCPPC, February 28, 2011. Calculation of this acreage by the Information Management Division is approximate and subject to change pending revisions of the land use layer.

Existing Priority Preservation Area in Subregion 1



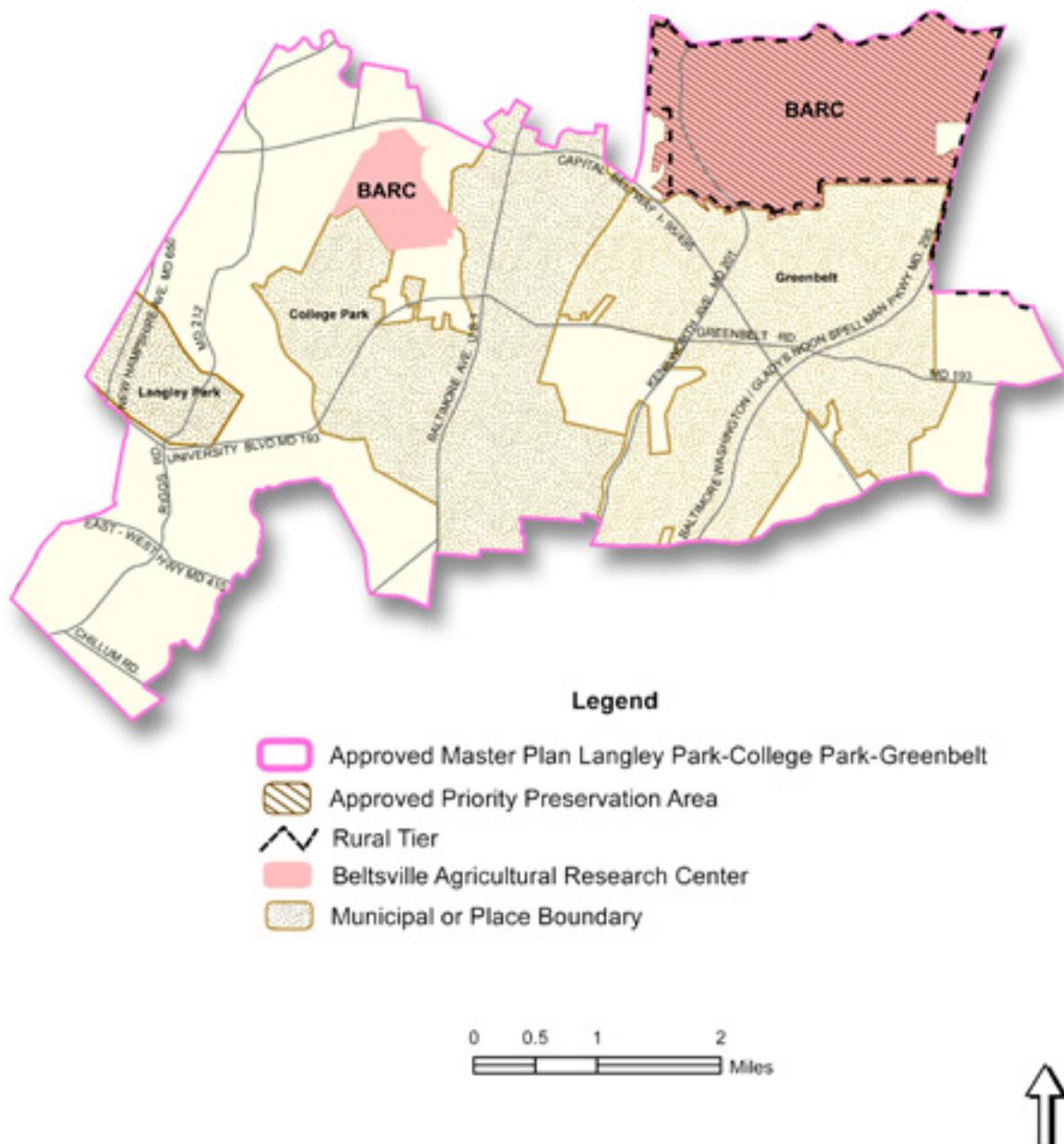
Map 5. Existing Priority Preservation Area in Subregion 1

Soils - Priority Preservation Area in Subregion 1



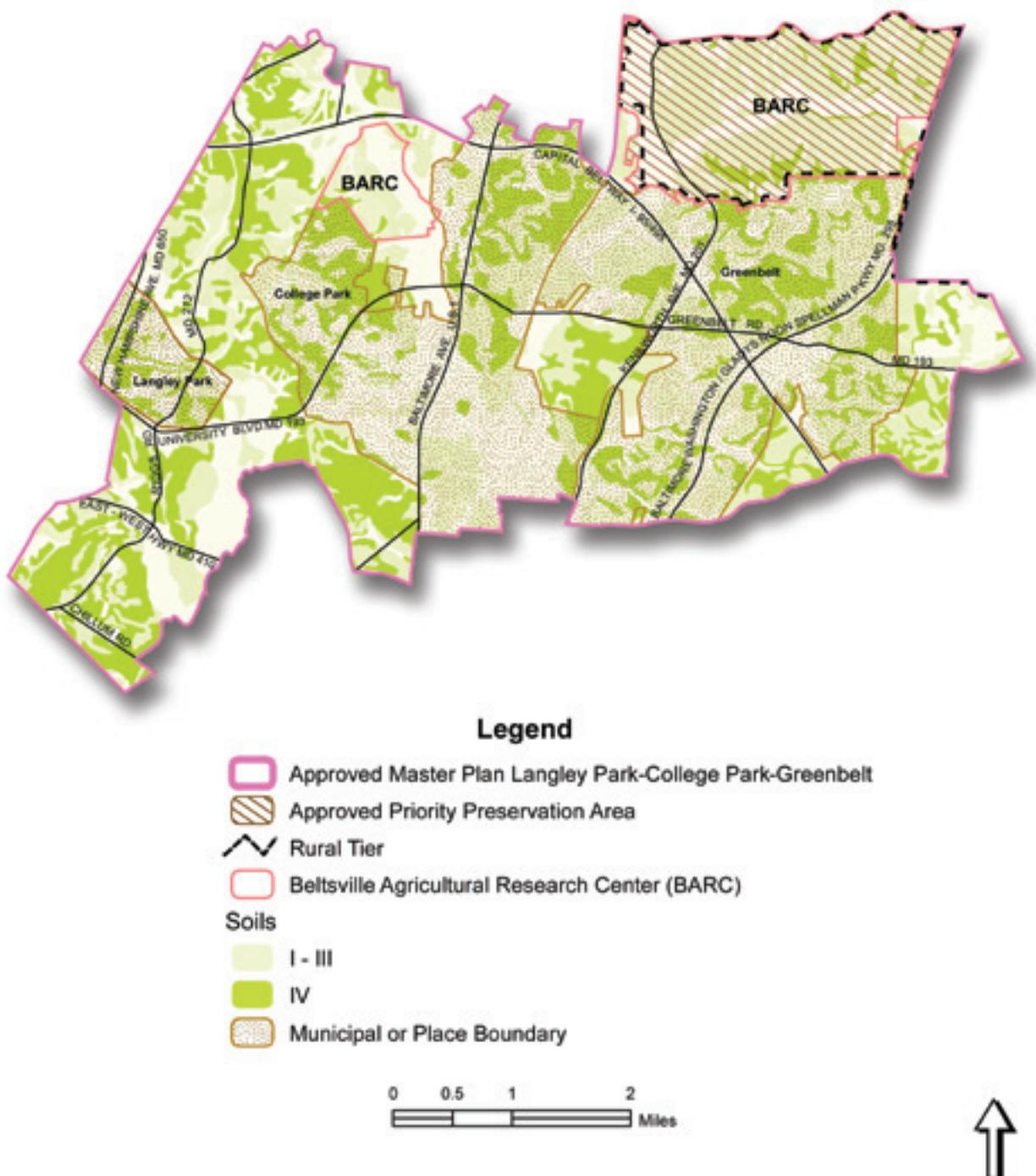
Map 6. Soils - Priority Preservation Area in Subregion 1

Approved Priority Preservation Area in Langley Park-College Park-Greenbelt



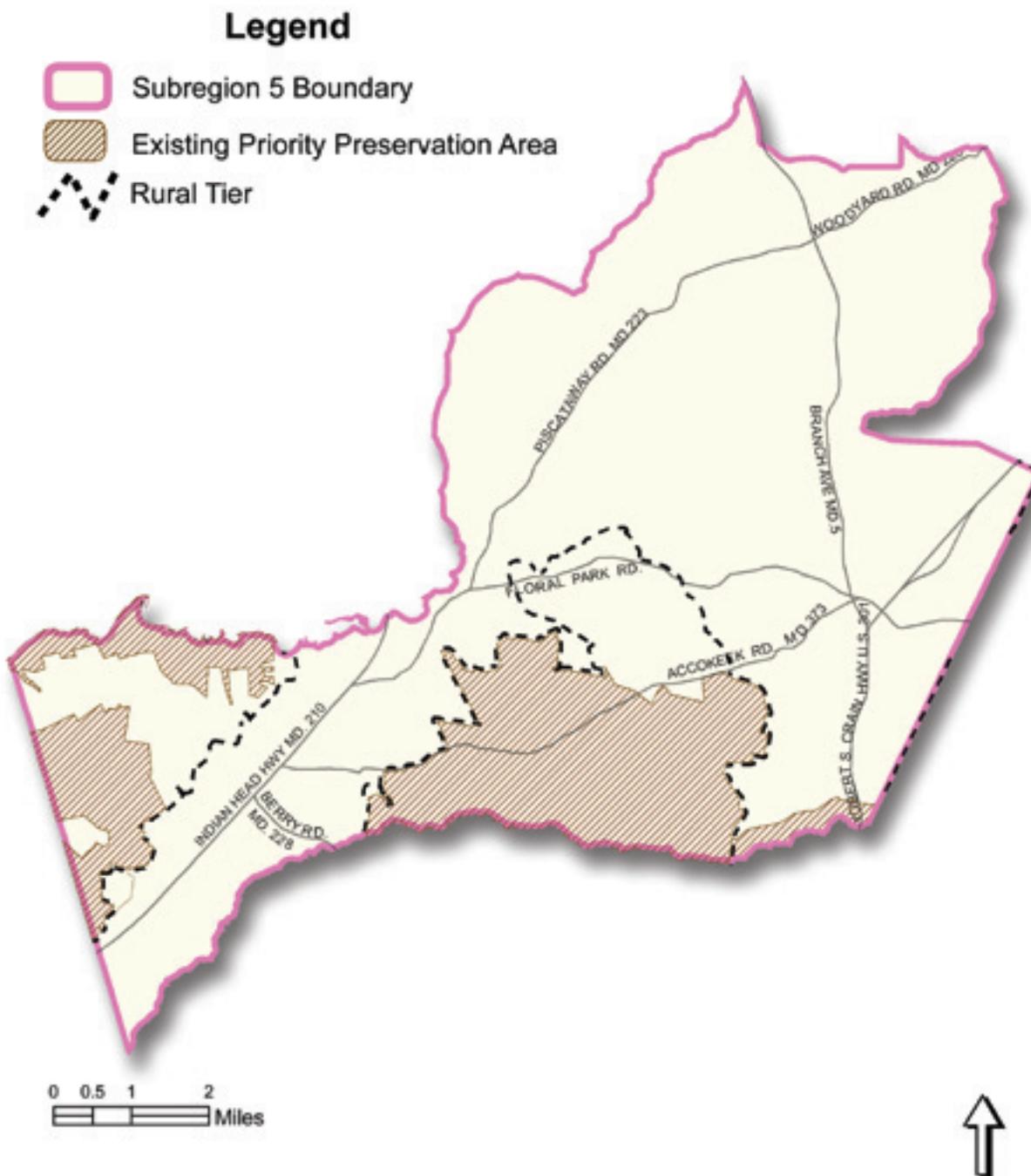
Map 7. Approved Priority Preservation Area in Langley Park-College Park-Greenbelt Area

Soil Types I-IV - Approved Priority Preservation Area in Langley Park-College Park-Greenbelt



Map 8. Soils - Approved Priority Preservation Area in Langley Park-College Park-Greenbelt Area

Existing Priority Preservation Area in Subregion 5



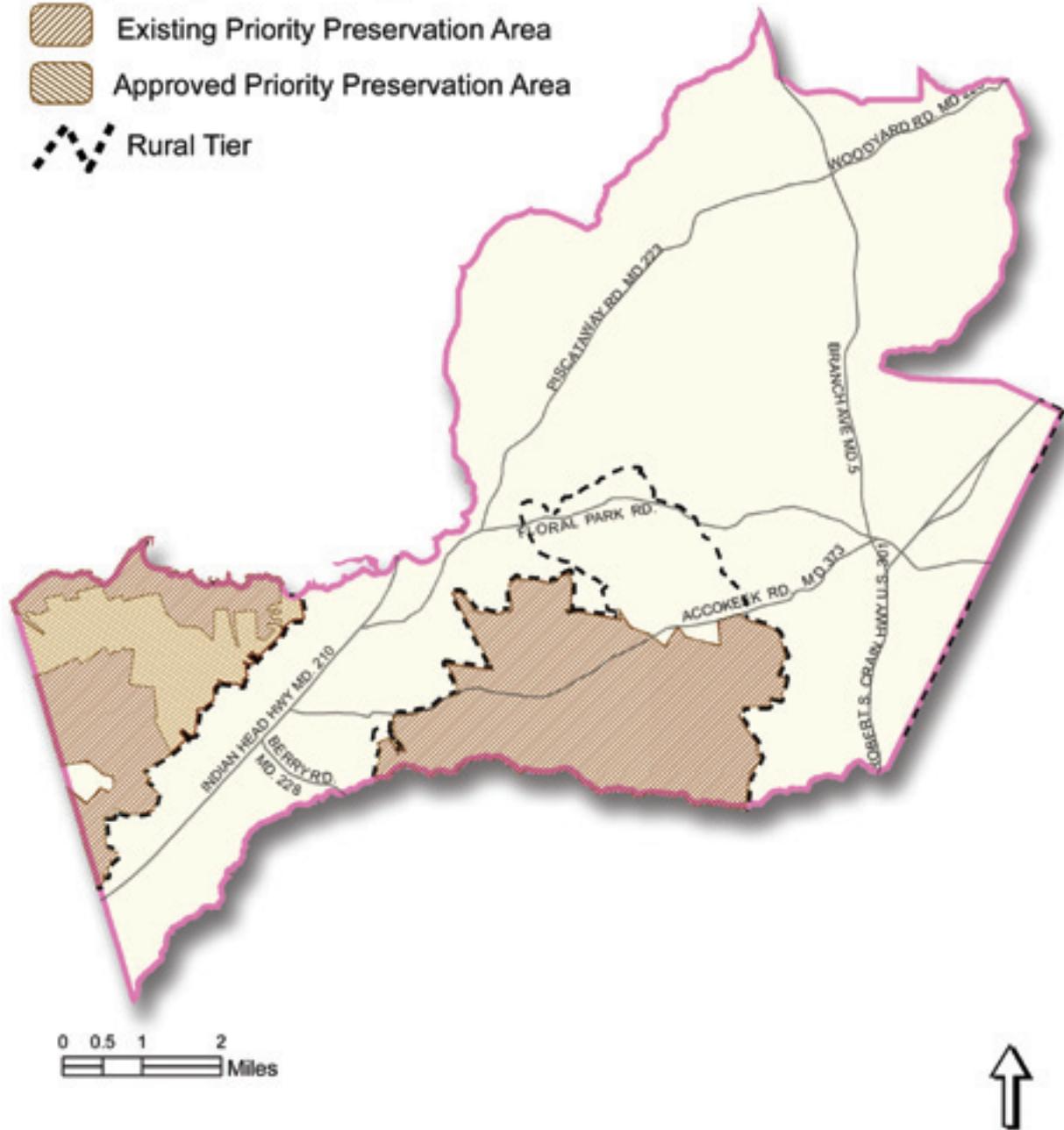
Map 9. Existing Priority Preservation Area in Subregion 5

* Please see disclaimer on the Abstract page regarding 2009 *Approved Subregion 5 Master Plan*.

Approved Modified Priority Preservation Area in Subregion 5

Legend

- Subregion 5 Boundary
- Existing Priority Preservation Area
- Approved Priority Preservation Area
- Rural Tier



Map 10. Approved Modified Priority Preservation Area in Subregion 5

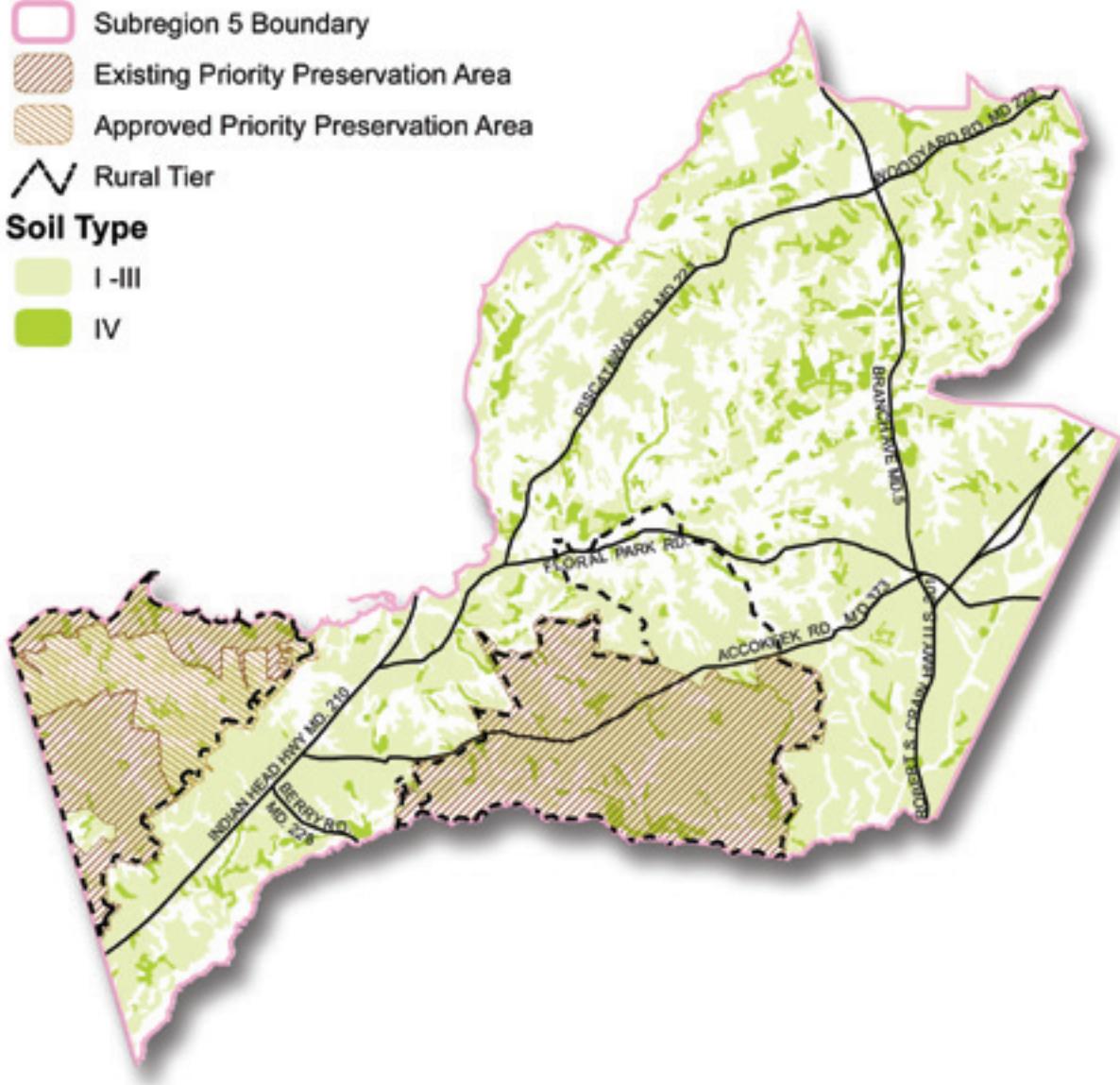
Soil Types I-IV - Approved Modified Priority Preservation Area in Subregion 5

Legend

- Subregion 5 Boundary
- Existing Priority Preservation Area
- Approved Priority Preservation Area
- Rural Tier

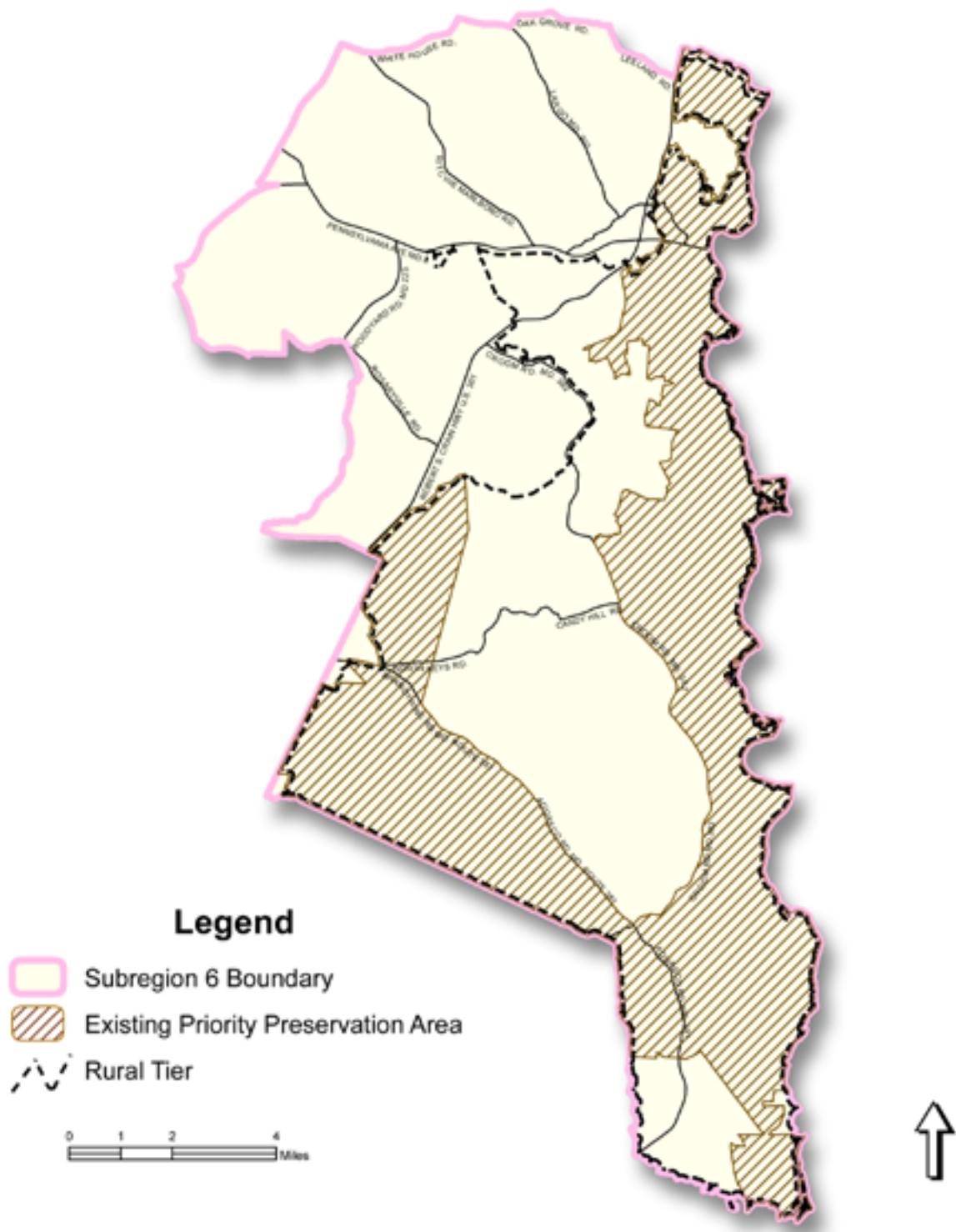
Soil Type

I-III
IV



Map 11. Soils - Approved Priority Preservation Area in Subregion 5

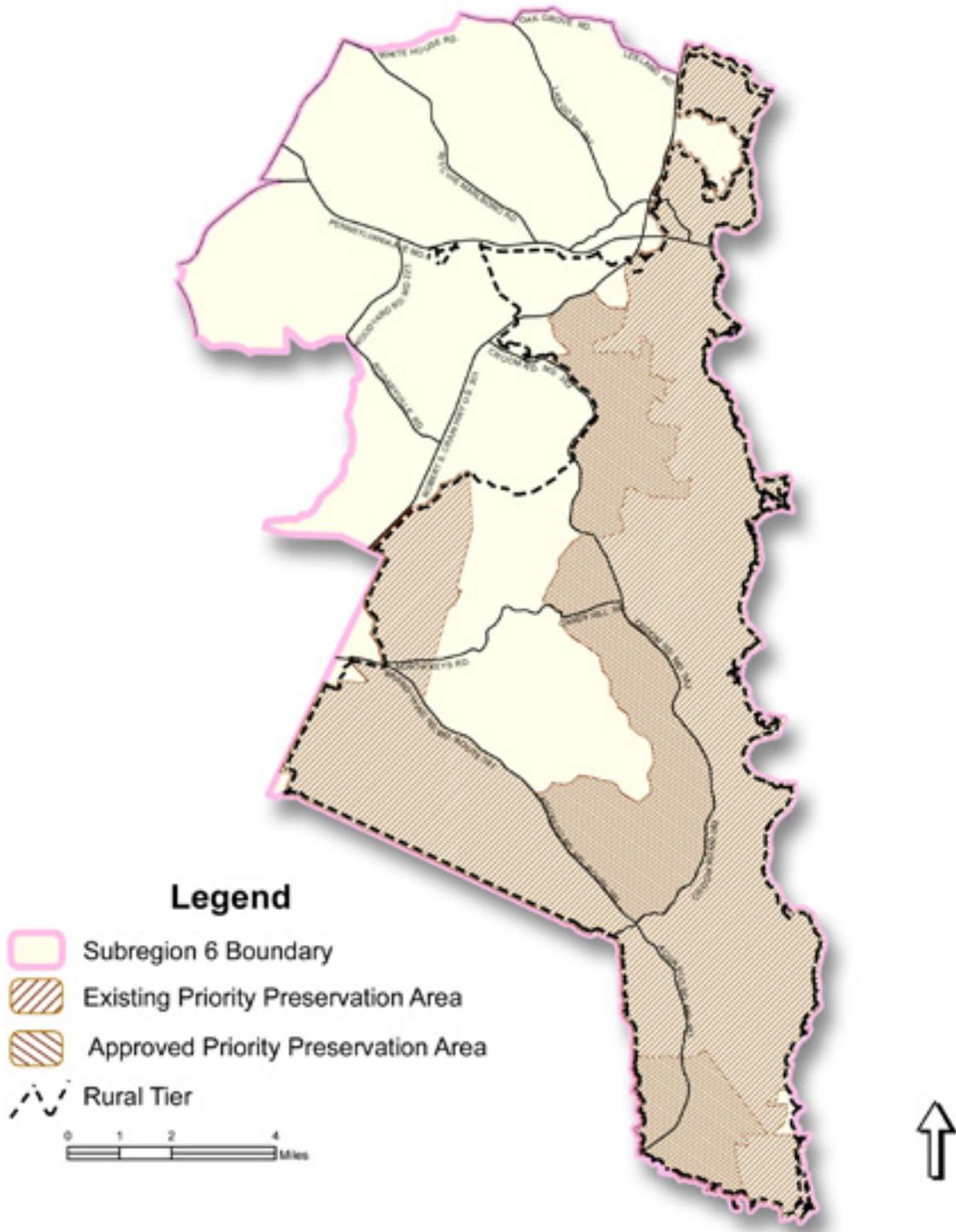
Existing Priority Preservation Area in Subregion 6



Map 12. Existing Priority Preservation Area in Subregion 6

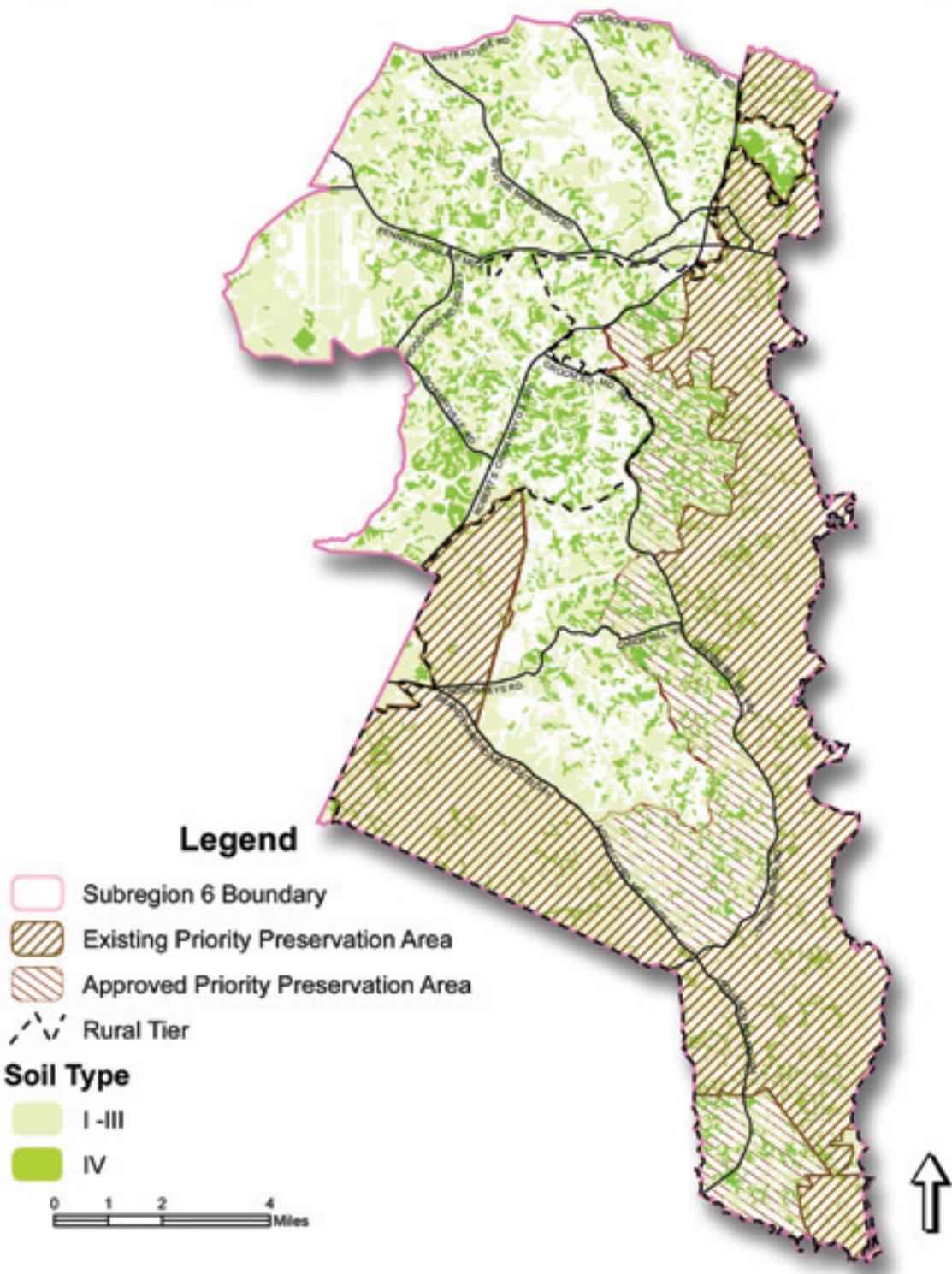
* Please see disclaimer on the Abstract page regarding 2009 *Approved Subregion 6 Master Plan*.

Approved Modified Priority Preservation Area in Subregion 6



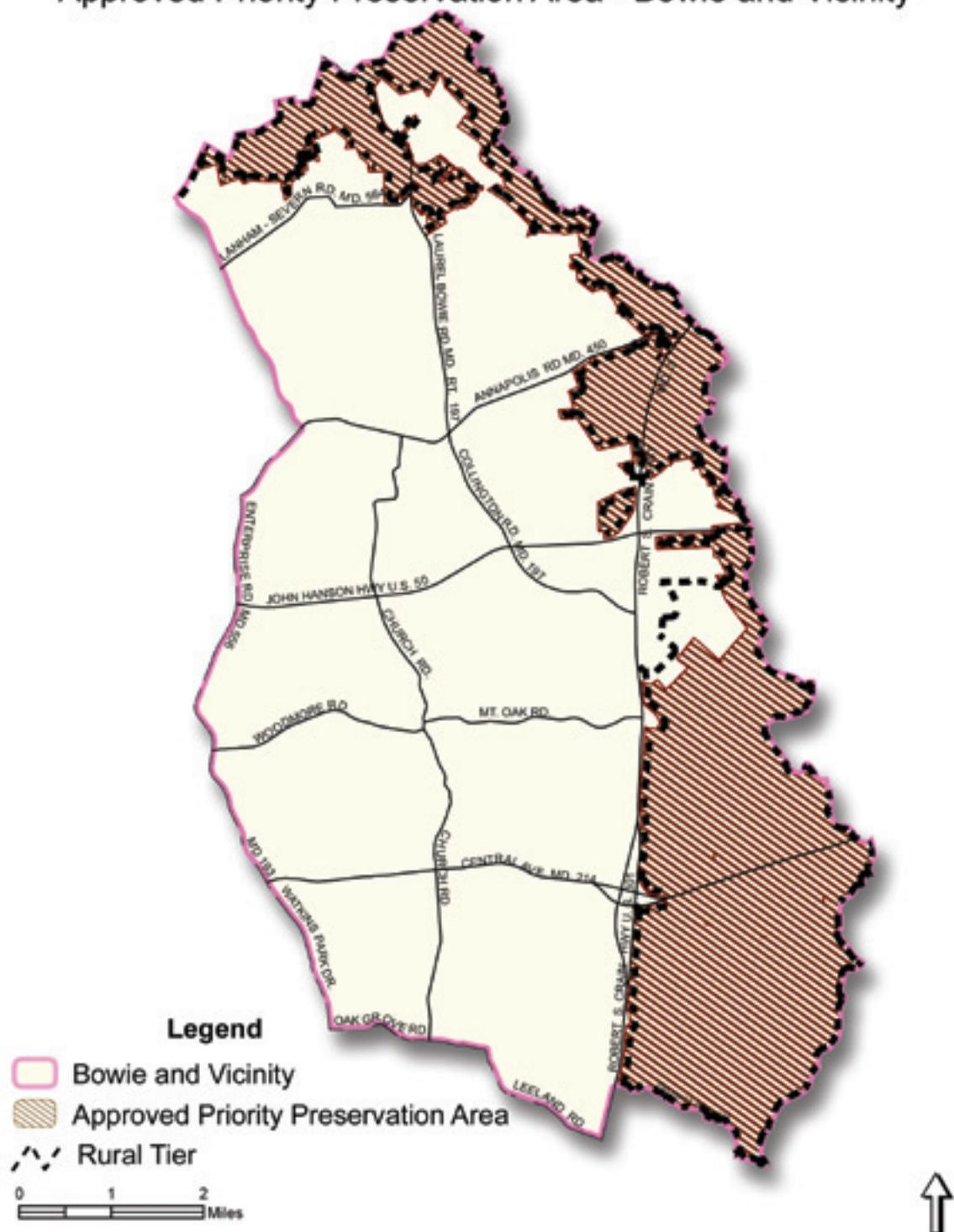
Map 13. Approved Modified Priority Preservation Area in Subregion 6

Soil Types I-IV - Approved Modified Priority Preservation Area in Subregion 6



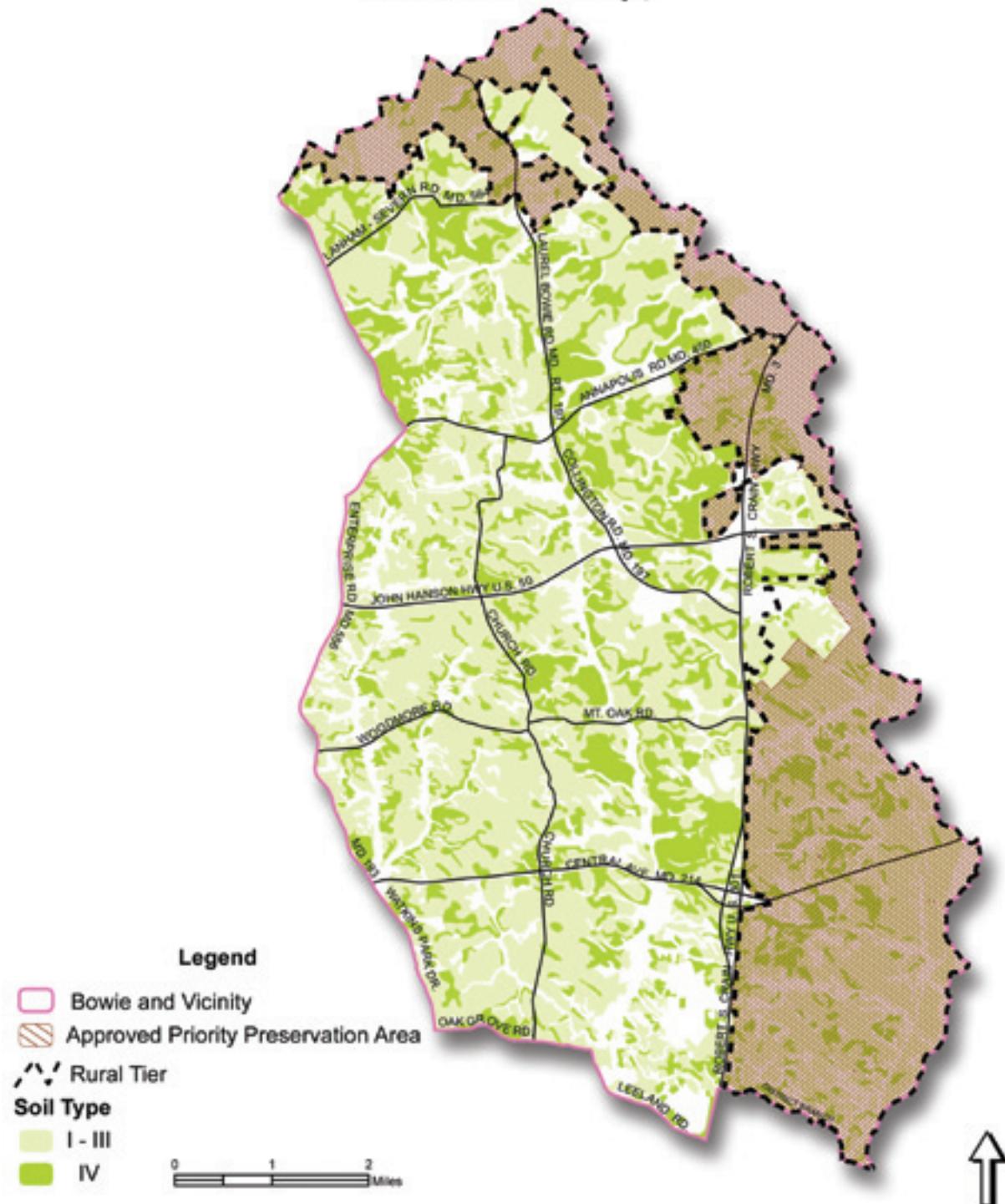
Map 14. Soils - Approved Modified Priority Preservation Area in Subregion 6

Approved Priority Preservation Area - Bowie and Vicinity



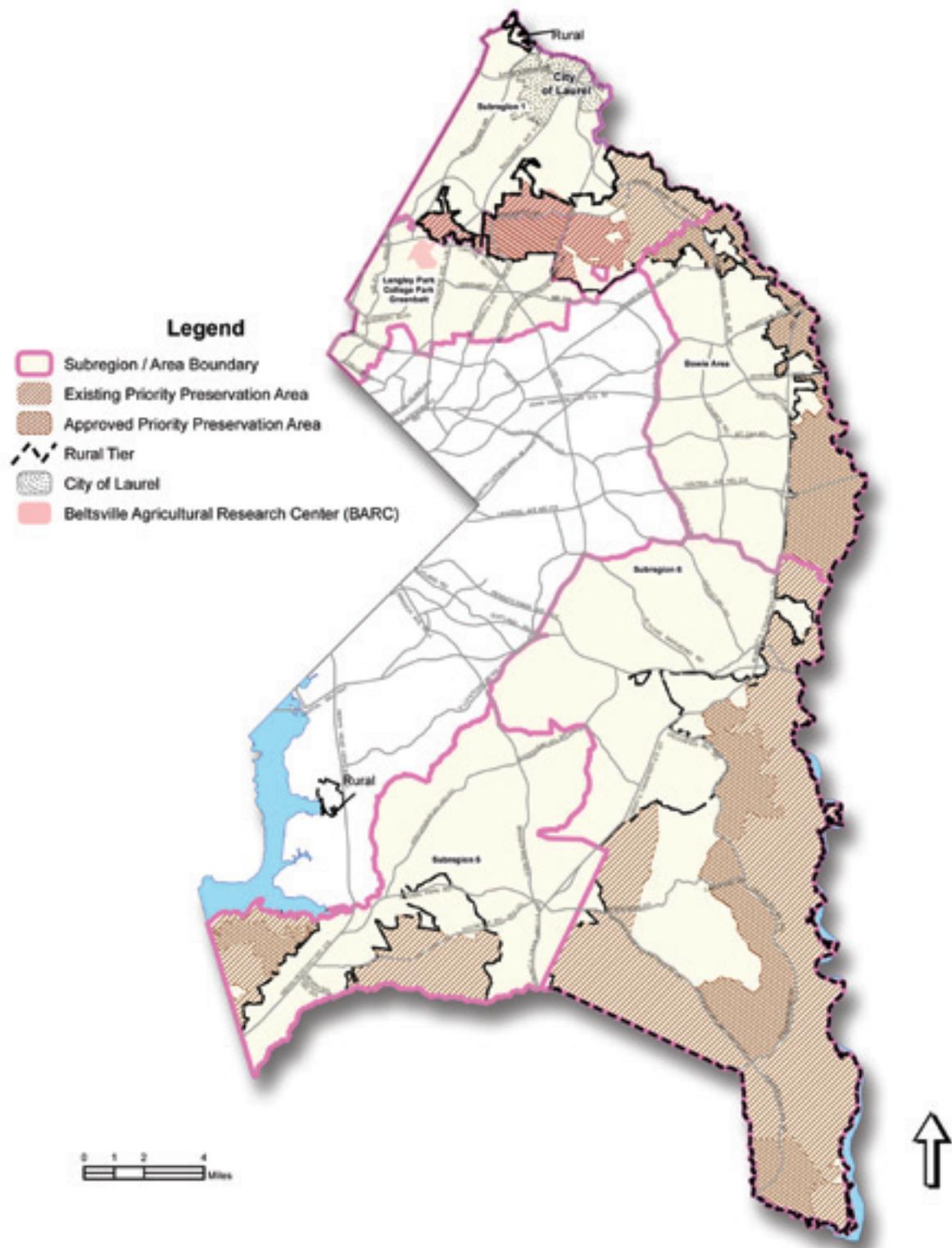
Map 15. Approved Priority Preservation Area - Bowie and Vicinity

Soil Types I-IV - Approved Priority Preservation Area - Bowie and Vicinity



Map 16. Soils - Approved Priority Preservation Area - Bowie and Vicinity

Countywide Consolidated Approved Priority Preservation Area



Map 17. Countywide Consolidated Approved Priority Preservation Area

***Includes federal lands; state parks, state forests, and other state land; and county land. Does not include all wetlands and floodplains.

IMPLEMENTATION

Short Range (1 to 5 years); Medium Range (6 to 10 years); Long Range (beyond 10 years)

Action Steps	Potential Coordinating Agency	Time Frame
Remove restrictions and broaden guidelines that define acceptable farm and forest enterprises.	The Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department	Short range
Designated PPA should be prioritized for renewable energy production, i.e., wind, biomass, and solar energy production using available farmland.	Maryland Farm Bureau, MARBIDCO, SMADC, Prince George's County Economic Development Corporation, University of Maryland College of Agriculture and Natural Resources, Maryland Department of Agriculture (MDA), DNR	Long range
The Soil Conservation District should continue to pursue state certification of the agricultural land preservation program, signifying the importance to the county of preserving high-value farm and forest land and the agriculture industry.	Soil Conservation District (SCD)	Ongoing
The county should, in accordance with the provisions of HB 2 (2006), continue to update the Plan every three years to allow regular opportunities for examination or reevaluation of potentially affected properties and to ensure appropriate inclusion or exclusion as a result of tier boundary changes or other land use decisions.	M-NCPPC Planning Department	Ongoing
The county should encourage and promote exploration of agricultural preservation options in a timely manner.	M-NCPPC Planning Department	Ongoing
Work with the local land trusts and nonprofit organizations to increase their role in preserving land in the PPA and disseminating information about conservation tax credits and other tax incentives.	M-NCPPC Planning Department, Patuxent Tidewater Land Trust, Black Swamp Creek Land Trust	Medium range
Increase the use of funding in a variety of programs to preserve agricultural land and retain healthy forests in private ownership in the PPA, adjacent to parcels that have already been preserved or that are eligible for preservation funds based on soil characteristics and other qualities.	SCD, Forestry for the Bay, Bay Bank	Ongoing

Table 3. Implementation Table - Priority Preservation Area Plan

Action Steps	Potential Coordinating Agency	Time Frame
Research and prepare an analysis of methods to pursue dedicated funding sources, or federal, state, local, or other sources of funds to preserve and improve agricultural land countywide.	M-NCPPC Planning Department, SCD	Medium range
Strengthen the county HARPP easement process by evaluating the feasibility of a dedicated source of general funds for agricultural preservation and expediting the application process.	SCD, M-NCPPC Planning, M-NCPPC Department of Parks and Recreation	Short range
The Maryland-National Capital Park and Planning Commission should strive to clarify the application processes for land preservation programs, and how or whether multiple programs can be utilized on a single property.	M-NCPPC Planning Department, SCD	Short range
Forest certification programs, landowner cooperatives, tree planting, and other innovative practices should be promoted to increase worth and minimize forest loss.	M-NCPPC Planning Department, SCD, Natural Resources Conservation Service (NRCS), Department of Natural Resources	Ongoing
Promote woodland conservation banking as a way to preserve valuable forest infrastructure, supporting the private market, including fee-in-lieu requirements which comparatively make banking a less expensive alternative.	M-NCPPC Planning Department, SCD	Medium range
Pursue options for establishing a transfer of development rights (TDR) program that can maintain property owners' development rights.	M-NCPPC Planning Department, SCD	Short range
Identify all agricultural (farm and forest) land in the Developed and Developing Tiers that is worthy of preservation, with the intention of conceptualizing a separate plan and preservation program for preserving agricultural land in the Developed and Developing Tiers.	M-NCPPC Planning Department, SCD	Medium range
Conduct a detailed analysis of the non-PPA portion of the Rural Tier to determine where there are large parcels that should be included in the PPA.	M-NCPPC Planning Department, SCD	Medium range
Review the zoning categories to identify ways to stabilize and maximize preservation of agricultural land through zoning, such as making improvements to the Conservation Subdivision Ordinance.	M-NCPPC Planning Department	Medium range
Explore tools to support urban agriculture as a way to increase locally grown produce, and provide new market opportunities for farmers in the PPA.	M-NCPPC Planning Department	Short range

Action Steps	Potential Coordinating Agency	Time Frame
Develop a work plan to provide complete information about preservation benefits, and to increase the participation of farm and forest landowners, among small (50 acres or less) and minority-owned farms constituting 33 percent of the total acreage goal of 24,769 acres preserved by the year 2027.	M-NCPPC Planning Department, SCD	Short range
Consider a tax credit as a tax incentive for the landowner who volunteers land for a conservation easement, but is allowed to remain on the land.	M-NCPPC, SCD, Maryland Farm Bureau	Medium range
An installment purchase agreement option should be established for farm and forest landowners to obtain easement funds as a sustained income stream over time while deferring tax payment.	SCD, M-NCPPC Finance Department, Department of Parks and Recreation	Short range
The conservation subdivision regulations should be evaluated to determine the feasibility of increasing the amount of area required for preservation or conservation without changing density.	M-NCPPC Planning Department	Short range
Continue to implement and enforce the Right-to-Farm provisions to encourage agricultural preservation.	SCD, Maryland Cooperative Extension, MDA	Ongoing
Carbon credit, carbon sequestration ² , and other programs and policies should be implemented to maximize the benefits of forest resources.	M-NCPPC Planning Department, SCD, MDA	Long range
For sand and gravel mines in the PPA, reclamation plan requirements should be enforced to allow for preservation of land for appropriate farm and forest enterprises, and other community uses and environmental needs.	M-NCPPC Planning Department, Department of Environmental Resources (DER), Maryland Department of the Environment (MDE)	Short range
Reclamation plan regulations should be reviewed to include standards that retain topsoil for future agricultural use.	M-NCPPC Planning Department, MDE, SCD	Short range
Identify valuable mineral resources, protect and manage access, and reclaim areas where possible for farm and forest enterprises.	M-NCPPC Planning Department, Soil Conservation District	Short range
The county should consider including the economic viability of farm and forest enterprises as a vital part of its overall economic development strategy.	Prince George's County Economic Development Corporation	Ongoing

² Carbon sequestration involves taking carbon dioxide from the atmosphere and sequestering or capturing it in biomass and soils.

Action Steps	Potential Coordinating Agency	Time Frame
The Soil Conservation District should continue to address the concerns of farmers regarding the challenges of maintaining productive farmland, such as deer overpopulation, lack of needed agricultural support services.	SCD, Maryland Cooperative Extension, Maryland Department of Natural Resources (DNR), Maryland Farm Bureau-Prince George's County, Southern Maryland Agricultural Development Commission	Ongoing
Institutionalize the agricultural marketing specialist position by securing permanent funding, and obtain grant funding for bringing farm products to urban and regional direct and wholesale markets.	Maryland Cooperative Extension	Ongoing
Complete efforts to create, and launch a “one-stop shop” where farmers and producers can access services from the Soil Conservation District, Farm Service Agency, University of Maryland Extension, and other local and federal agencies that provide technical assistance or regulate their activities.	SCD, Farm Service Agency, Maryland Cooperative Extension	Short range
Follow up and collaborate with the Patuxent Research Refuge in implementation of their land protection plan.	M-NCPPC Planning Department, Patuxent Research Refuge, SCD	Medium range
Conduct a detailed examination of the Aquasco area with updated soils layer to determine the best way to establish boundaries for the PPA.	M-NCPPC Planning Department, SCD	Medium range



M-NCPPC No. 12-23

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28* of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to a General Plan for Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, held duly advertised joint public hearings with the Prince George's County Council, sitting as the District Council, on September 13, 2011 and January 24, 2012 on the *Preliminary Priority Preservation Area Functional Master Plan*, being also an amendment to the 2002 *Prince George's County Approved General Plan*; 2010 *Approved Water Resources Functional Master Plan*; 2010 *Approved Historic Sites and Districts Plan*; 2009 *Approved Master Plan of Transportation*; 2008 *Approved Public Safety Facilities Master Plan*; 1983 *Adopted and Approved Public School Sites Functional Master Plan*; 1994 *Bladensburg, New Carrollton and Vicinity (PA 69) Approved Master Plan*; 1989 *Approved Langley Park-College Park, Greenbelt and Vicinity Master Plan*; 1993 *Glenn Dale-Seabrook-Lanham and Vicinity Master Plan*; 1993 *Landover and Vicinity Approved Master Plan*; 1993 *Subregion V Approved Master Plan*; 1994 *Melwood/Westphalia Approved Master Plan*; 1994 *Planning Area 68 Approved Master Plan*; 1994 *Subregion VI Study Area Approved Master Plan*; 1997 *College Park Metro-Riverdale Transit District Development Plan*; 2000 *Brentwood Mixed-Use Town Center Zone Development Plans and Design Guidelines*; 2000 *Addison Road Metro Sector Plan*; 2000 *The Heights and Vicinity Approved Master Plan*; 2001 *Anacostia Trails Heritage Area Management Plan*; 2001 *Greenbelt Metro Sector Plan*; 2002 *College Park US 1 Corridor Sector Plan*; 2004 *Riverdale Park Mixed-Use Town Center Zone Development Plans and Design Guidelines*; 2004 *Approved Prince George's County Gateway Arts District Sector Plan*; 2004 *Morgan Boulevard-Largo Town Center Sector Plan and Sectional Map Amendment*; 2005 *Tuxedo Road-Arbor Street-Cheverly Metro Sector Plan*; 2005 *Green Infrastructure Plan*; 2006 *Bowie and Vicinity Approved Master Plan*; 2006 *East Glenn Dale Area Approved Sector Plan*; 2006 *Henson Creek-South Potomac Approved Master Plan*; 2006 *West Hyattsville Transit District Development Plan*; 2007 *Bladensburg Town Center Approved Sector Plan*; 2007 *Westphalia Approved Sector Plan*; 2008 *Capitol Heights Transit District Development Plan/Transit District Overlay Zone and Zoning Map Amendment*; 2008 *Branch Avenue Corridor Sector Plan and*

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* Cross reference: MD.ANN.CODE, Land Use Article, §25-211 (Effective October 1, 2012)

Endorsed Sectional Map Amendment; 2009 Port Towns Sector Plan and Sectional Map Amendment; 2009 Landover Gateway Sector Plan and Sectional Map Amendment; 2009 Marlboro Pike Sector Plan and Sectional Map Amendment; 2009 Subregion 5 Master Plan and Sectional Map Amendment; 2009 Subregion 6 Master Plan and Sectional Map Amendment; 2010 Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment; 2010 Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment; 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment; and the 2010 New Carrollton Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment, and

WHEREAS, on April 12, 2012, the Prince George's County Planning Board, after said public hearings and due deliberation and consideration, and in consideration of the public hearings testimony, adopted the master plan with revisions, as described in Prince George's County Planning Board Resolution PGCPB No. 12-28, and transmitted the plan to the District Council on May 11, 2012; and

WHEREAS, the Prince George's County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Prince George's County, held a work session on June 18, 2012 to consider hearing testimony; and

WHEREAS, on July 10, 2012, upon consideration of the testimony received through the hearing process and with amendments, the District Council determined that the adopted plan should be approved as the functional master plan for agricultural preservation for Prince George's County, Maryland, subject to the modifications and revisions set forth in Resolution CR-52-2012 DR-1;

NOW, THEREFORE, BE IT RESOLVED, that The Maryland-National Capital Park and Planning Commission does hereby adopt said Priority Preservation Area Functional Master Plan as an amendment to the General Plan for Physical Development of the Maryland-Washington Regional District within Prince George's County as approved by the Prince George's County District Council in the attached Resolution CR-52-2012 DR-1; and

BE IT FURTHER RESOLVED, that copies of said Amendment should be certified by The Maryland-National Capital Park and Planning Commission and filed with each Clerk of the Circuit Court of Prince George's and Montgomery Counties, as required by law.

* * * * *

* Cross reference: MD.ANN.CODE, Land Use Article, §25-211 (Effective October 1, 2012)

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No.12-23 adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Carrier, Hewlett, Anderson, Bailey, Dreyfuss, Geraldo, Shoaff, and Wells-Harley voting in favor of the motion, with no Commissioner voting against, at its regular meeting held on Wednesday, September 19, 2012, in Mitchellville, Maryland.



Patricia Colihan Barney
Executive Director

Reviewed and Attested To
For Legal Sufficiency



George Johnson/Matthew Mills

* Cross reference: MD.ANN.CODE, Land Use Article, §25-211 (Effective October 1, 2012)

Certificate of Adoption and Approval

The *Approved Priority Preservation Area Functional Master Plan* amends the 2002 *Prince George's County Approved General Plan*; 2010 *Approved Water Resources Functional Master Plan*; 2010 *Approved Historic Sites and Districts Plan*; 2009 *Approved Master Plan of Transportation*; 2008 *Approved Public Safety Facilities Master Plan*; 1983 *Adopted and Approved Public School Sites Functional Master Plan*; 1994 *Bladensburg, New Carrollton and Vicinity (PA 69) Approved Master Plan*; 1989 *Approved Langley Park-College Park, Greenbelt and Vicinity Master Plan*; 1993 *Glenn Dale-Seabrook-Lanham and Vicinity Master Plan*; 1993 *Landover and Vicinity Approved Master Plan*; 1993 *Subregion V Approved Master Plan*; 1994 *Melwood/Westphalia Approved Master Plan*; 1994 *Planning Area 68 Approved Master Plan*; 1994 *Subregion VI Study Area Approved Master Plan*; 1997 *College Park Metro-Riverdale Transit District Development Plan*; 2000 *Brentwood Mixed-Use Town Center Zone Development Plans and Design Guidelines*; 2000 *Addison Road Metro Sector Plan*; 2000 *The Heights and Vicinity Approved Master Plan*; 2001 *Anacostia Trails Heritage Area Management Plan*; 2001 *Greenbelt Metro Sector Plan*; 2002 *College Park US 1 Corridor Sector Plan*; 2004 *Riverdale Park Mixed-Use Town Center Zone Development Plans and Design Guidelines*; 2004 *Approved Prince George's County Gateway Arts District Sector Plan*; 2004 *Morgan Boulevard-Largo Town Center Sector Plan and Sectional Map Amendment*; 2005 *Tuxedo Road-Arbor Street-Cheverly Metro Sector Plan*; 2005 *Green Infrastructure Plan*; 2006 *Bowie and Vicinity Approved Master Plan*; 2006 *East Glenn Dale Area Approved Sector Plan*; 2006 *Henson Creek-South Potomac Approved Master Plan*; 2006 *West Hyattsville Transit District Development Plan*; 2007 *Bladensburg Town Center Approved Sector Plan*; 2007 *Westphalia Approved Sector Plan*; 2008 *Capitol Heights Transit District Development Plan/Transit District Overlay Zone and Zoning Map Amendment*; 2008 *Branch Avenue Corridor Sector Plan and Endorsed Sectional Map Amendment*; 2009 *Port Towns Sector Plan and Sectional Map Amendment*; 2009 *Landover Gateway Sector Plan and Sectional Map Amendment*; 2009 *Marlboro Pike Sector Plan and Sectional Map Amendment*; 2009 *Subregion 5 Master Plan and Sectional Map Amendment*; 2009 *Subregion 6 Master Plan and Sectional Map Amendment*; 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment*; 2010 *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment*; 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*; and the 2010 *New Carrollton Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment*. The Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the plan by Resolution PGCPB No. 12-28 on April 12, 2012, after duly advertised joint public hearings on September 13, 2011 and January 24, 2012. The Prince George's County Council, sitting as the District Council, approved the plan by Resolution CR-52-2012 on July 10, 2012. The Maryland-National Capital Park and Planning Commission adopted the plan by Resolution M-NCPCC No. 12-23 on September 19, 2012.

The Maryland-National Capital Park and Planning Commission



Françoise M. Carrier
Chair


Elizabeth M. Hewlett
Vice-Chair

Joseph Zimmerman
Secretary-Treasurer

ACKNOWLEDGEMENTS

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