



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

February 17, 2021

The Honorable Kumar P. Barve
Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

The Honorable Dana Stein
Vice Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

Re: Letter of Information – House Bill 860 – State Planning – Preservation of Agricultural Land – Goal

Dear Chair, Vice Chair, and Committee Members,

The Maryland Department of Natural Resources is providing information on House Bill (HB) 860. This bill establishes a State goal of preserving a total of 1,030,000 acres of productive agricultural land by 2030 through the Maryland Agricultural Land Preservation Foundation, the Maryland GreenPrint Program, the Rural Legacy Program, the Maryland Environmental Trust (MET), and local land preservation programs. A similar goal was established by Senate Joint Resolution 10 of 2002. This bill extends the date to reach that goal and includes acres protected by MET.

According to the Maryland Department of Planning (MDP), as of November, 2020, with the addition of the MET, the five programs have preserved 829,491 acres, or 80.5% of the goal.

The Rural Legacy Program was established in 1997 by the General Assembly to protect the State's natural resources, farms, forests, and other sensitive environmental areas while maintaining the viability of resource-based economies and the proper management of tillable and wooded areas. MET was established by the General Assembly in 1967 to be charitable in nature for the purpose of conserving and maintaining Maryland's natural, agricultural, scenic, and cultural land resources for future generations. The vast majority of land protected by MET easements is either in active agricultural use, including forestry uses, or is land available for such use.

Demand for funding through the Rural Legacy Program has averaged \$95 million per year while funding authorized has averaged \$17 million per year. Because of the high demand for funding and the continued partnership between DNR and counties and land trusts, acres preserved through the Rural Legacy Program are directly tied to the amount of funding provided for the program. The Governor's FY22-26 Capital Improvement Program includes full funding of land preservation programs according to statute and repayment funds required by HB 462 of 2016. Annual funding planned for the next 5 years averages \$21 million per year, which would preserve approximately 6,000 acres per year. If funding increases or decreases in the out-years, the acres preserved will change.

MET has protected on average roughly 1,200 acres per year over the past 8 years. Assuming MET maintains full staffing of its easement acquisition program over the ensuing 8 years, it would be reasonable to estimate that MET could maintain or slightly increase this annual rate. Therefore, for the 8-year period FY22-FY30, MET could protect close to 10,000 additional acres through conservation easements.

The department agrees that continuing to protect agricultural land is important and necessary. Both Rural Legacy and MET continue to pursue all land conservation projects based on available funding/staff and consistency with program criteria. The continued full funding for land preservation, together with the repayment of prior transfer tax revenue transferred to the General Fund scheduled in future fiscal years, could accelerate the pace of land preservation going forward.

The Maryland Department of Natural Resources respectfully submits to the Committee this information on HB 860.

Respectfully submitted,

James W. McKitrick
Director, Legislative and Constituent Services