



Kent County Agricultural Land  
Preservation Advisory Board  
Department of Planning, Housing, and Zoning  
400 High Street, Suite 130  
Chestertown, MD 21620  
410-778-7423 (voice/relay)

## AGENDA

*Kent County Government Center*  
**County Commissioners' Hearing Room**

*March 11, 2021*  
*6:30 pm*

Approval of minutes from October 14th, 2020, meeting

### GENERAL DISCUSSION

**Modifications to the Easement Prioritization Formula**

### **Adjourn**

Meetings are conducted in Open Session unless otherwise indicated. Meetings are subject to audio and video recordings. Other business without assigned times may be discussed during the course of this meeting as time allows.

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In response to the State of Emergency due to COVID-19, individuals must refrain from attending meetings. In lieu of public appearance, this meeting is being held virtually, via teleconference. Members of the public may listen to the meeting either online at <https://www.kentcounty.com/commissioners/meeting-live-video>, OR via the audio-only phone number and conference identification number listed below. The way for members of the public to provide verbal comments during the meeting is via the audio-only phone number.

Public participation and audio-only call-in number:

1. Dial **410-810-2213**
2. Enter Conference ID: **55266**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment. Please note that if you are listening to the online livestream while waiting to call in to participate, there is an approximately 45-second delay. In order to avoid audio feedback issues, please mute the livestream before calling in.

## MINUTES

The Kent County Agricultural Preservation Advisory Board met on Wednesday, October 14, 2020, at the Commissioner's Hearing Room, 400 High Street and virtually online through video conference. The following members were in attendance: David Hill, Chairman, Davidson Coleman, Tyler Gale and Ernest "Tot" Strong. Also, in attendance were Carla Gerber, GIS Specialist; Rob Tracey, Community Planner; William Mackey, Director; and Brian Jones, Clerk.

The meeting was called to order at 5:32 p.m.

### MINUTES

The minutes of the August 24, 2020 meeting were approved as written and distributed.

### GENERAL DISCUSSION:

#### **Proposed changes to the Easement Prioritization Formula & Ag Preservation District Criteria.**

Mr. Tracey and Ms. Gerber gave an overview of the proposed changes. The board discussed the proposed changes.

Mr. Coleman made a motion that newly established districts cannot apply to sell an easement immediately following district establishment. Mr. Strong seconded the motion, the motion passed unanimously.

Mr. Strong made a motion to approve the following proposed change:

Rank applications based on the date that the District Agreement (DA) was signed by the landowner, and then assign points in reverse order for the EPF rankings and the DA rankings (#1 rank gets most points). The final rankings would be based on the combined point totals.

Mr. Coleman seconded the motion, the motion passed unanimously.

After further discussion, Mr. Gale made a motion to use the following formula:

Soil Capability is 20%, Farm Quality and Potential is 40%, and Priority Preservation Area is 40%.

Mr. Strong seconded the motion, the motion passed unanimously.

The Board agreed to send a recommendation to the County Commissioners with proposed changes.

#### **Discussion of Proposed Regulations regarding Corrective Easement Regulation and Overlay Easement Regulation (COMAR Title 15, Subsection 15, Chapters 11 & 16)**

Mr. Tracey and Ms. Gerber gave a brief overview of the proposed regulations.

The Board was in support of the proposed regulations with Mr. Strong abstaining.

### ADJOURN

There being no further business for the good of the organization, Mr. Strong made a motion to adjourn, Mr. Coleman seconded, the motion passed unanimously, and the meeting was adjourned at 7:03 P.M.

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Rob W. Tracey

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Brian Jones



## Memorandum

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To: Agricultural Land Preservation Advisory Board  
From: Carla Gerber  
Date: March 3, 2021  
Subject: Easement Prioritization Formula

DPHZ staff submitted the Easement Prioritization Formula for review and approval by the MALPF Board of Trustees in early January. MALPF staff, in a memo that is included in your packets, had several issues with the draft formula. Most significantly, MALPF staff concluded that the proposal to rank applications based on the age of the district wasn't in compliance with MALPF regulations. MALPF staff will not support this proposed change, because it could lead to a lesser quality farm ranking over higher quality farms. It may be advisable to drop this aspect of the proposed formula in response to MALPF staff's input. MALPF staff has also requested that the County change the allocation of points for several criteria.

Here's a detailed list of MALPF's concerns and options to consider:

- 1) Kent County needs better justification to drop the soil productivity score. The soil productivity score uses the non-irrigated corn yield for each soil type. I had suggested that we utilize the soil capability score, because it's easier to calculate. MALPF staff feels that the quality of the soils should be the most important factor in the rankings. If it can be proven that for Kent County, the soil productivity and soil capability aren't different enough to significantly alter the rankings by only using the soil capability score, then MALPF might allow the County to change the Land Evaluation section of the formula. I'll try to have data available before the meeting, but I would like to suggest that it may be advisable not to change anything for the Land Evaluation section.
- 2) MALPF staff would like to see fewer points awarded for Length of Ownership. MALPF staff doesn't feel this criterion relates to the legislative intent of the program. I would like to suggest that we lower the points from 9 to 5, and we reassign those points to Farm Ownership and Operation which had been lowered from 25 to 16. Farm Ownership and Operation would now be worth 20 points.
- 3) MALPF staff doesn't like the number of points awarded for Reapplication. The County had suggested dropping the criterion for Date of Application from District Establishment and putting those points plus 5 more points towards Reapplication, for a total of 20 points. MALPF staff has never liked this criterion, but Chana has agreed not to raise any concerns, if we don't make any changes. I would like to suggest that we keep the 10 points for Date of Application from District Establishment and the 5 points for Reapplication.
- 4) MALPF staff doesn't like the new Starting New Block of Protected Lands criterion. Again, they think that it goes against the legislative intent of the program. However, if we can explain how it works and

show how it fits the intent of the program, then we may be able to keep it. I would like to suggest, though, that we reduce the number of points from 20 to 10.

- 5) Due to reducing the number of points for New Blocks and Reapplication, there are 15 points that need to be reallocated within the Priority Preservation Area Status section. I would like to suggest that we increase the number of points for the Priority Preservation Area (PPA) and Protection of Surrounding Area criterion from 25 to 35 points. I would also like to suggest that we make no changes to the Historic, Scenic, or Habitat Value of Site criterion. We had proposed decreasing the number of points from 15 to 10.
- 6) And finally, the good news, MALPF staff really liked the Value-added Production criterion.

A redlined version of the formula is included in the packet. My suggestions are only suggestions. We can discuss any aspect of the formula and change the point allocation of any criterion. I will run the pool of applicants through this revised formula and send you the data prior to the meeting.

I've included the Ranking Guidelines that MALPF approved in 2004; however, it's a long document. Below is a summary of MALPF's legislative goals and the Ranking Task Force's goals.

#### Legislative goals of the MALPF Program:

- Preserve land as a source of food and fiber for the citizens of Maryland;
- Control the subdivision and conversion of farmland and woodland to development;
- Curb the spread of urban blight and deterioration; and
- Protect farm and forest as open space.

#### SB564 (2003) directed that properties should be ranked based on:

- Location in a priority preservation area of the county;
- Soil and other land characteristics associated with productivity;
- Agricultural production and contribution to the agricultural economy; and
- Any other unique county considerations that support the Program's goals.

The legislation also directed the Foundation to maintain the fiscal benefits of competitive discount bidding.

From the Ranking Guidelines, choices on measures and points should be "based on the rationale that the resulting ranking system will better support achievement of the Program's goals," and points assigned to a category should be "based on the relative importance of each category to best support achievement of the Program goals in the County."

## MALPF EASEMENT PRIORITIZATION FORMULA

OWNER NAME(S) \_\_\_\_\_ NUMBER OF ACRES \_\_\_\_\_ Kent ALP FILE# \_\_\_\_\_  
 LAND EVALUATION SCORE \_\_\_\_\_ SITE ASSESSMENT SCORE \_\_\_\_\_ TOTAL POINTS THIS CYCLE \_\_\_\_\_  
 RANK \_\_\_\_\_ DATE \_\_\_\_\_

### Land Evaluation Site Assessment (LESA) Ranking Guidelines for the Maryland Agricultural Land Preservation Foundation

LAND EVALUATION (LE)	SITE ASSESSMENT (SA)			
Soil Productivity & Capability Index	Farm Quality & Potential		Priority Preservation Area Status	
	Capability Class score + Soil Productivity Score = Land Evaluation score  Maximum score is 80 points so a weighting factor of 1.25 is used to bring the score to 100 points.	F1	Farm Size (compared to median size farm)	P1
F2		On-Site Production	P2	Priority Preservation Area (PPA) and Distance from a Priority Funding Area (PFA)
F3		Value-added Production	P3	<del>Boundary &amp; Buffer Properties</del> New block of Protected Lands
F4		Stewardship/Conservation of Land	P4	Historic, Scenic, or Habitat Value of Site
F5		Farm Ownership and Operation	P5	Re-application
F6		Length of Ownership	P6	Date of Application
↓ 35% <b>20%</b>	↓ 35% <b>40%</b>	↓ 30% <b>40%</b>		

### AGRICULTURAL SITE ASSESSMENT

No.	Farm Quality and Potential of Property	Points: _____ (100 pts. max.)																																																		
F1	<p><b>Farm Size (compared to the median size farm)</b>                      How large is the proposed easement site compared to the average sized farming unit in the County? (Median size is based on the latest available Census of Agriculture).                      Median farm size in Kent County is 123 acres. (Source: 2017 Census of Agriculture).</p> <ul style="list-style-type: none"> <li>• Greater than 150% above the County median _____ 25 points</li> <li>• 110% - 150% _____ 20 points</li> <li>• 90% - 110% _____ 15 points</li> <li>• 70% - 90% _____ 10 points</li> <li>• Less than 70% _____ 5 points</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center; color: red;"> <tr> <td>&gt; 270%</td><td>25</td><td>220.01-230</td><td>20</td><td>170.01-180</td><td>15</td><td>120.01-130</td><td>10</td><td>70.01-80</td><td>5</td> </tr> <tr> <td>260.01-270</td><td>24</td><td>210.01-220</td><td>19</td><td>160.01-170</td><td>14</td><td>110.01-120</td><td>9</td><td>60.01-70</td><td>4</td> </tr> <tr> <td>250.01-260</td><td>23</td><td>200.01-210</td><td>18</td><td>150.01-160</td><td>13</td><td>100.01-110</td><td>8</td><td>50.01-60</td><td>3</td> </tr> <tr> <td>240.01-250</td><td>22</td><td>190.01-200</td><td>17</td><td>140.01-150</td><td>12</td><td>90.01-100</td><td>7</td><td>40.01-50</td><td>2</td> </tr> <tr> <td>230.01-240</td><td>21</td><td>180.01-190</td><td>16</td><td>130.01-140</td><td>11</td><td>80.01-90</td><td>6</td><td>&lt; 40%</td><td>1</td> </tr> </table>	> 270%	25	220.01-230	20	170.01-180	15	120.01-130	10	70.01-80	5	260.01-270	24	210.01-220	19	160.01-170	14	110.01-120	9	60.01-70	4	250.01-260	23	200.01-210	18	150.01-160	13	100.01-110	8	50.01-60	3	240.01-250	22	190.01-200	17	140.01-150	12	90.01-100	7	40.01-50	2	230.01-240	21	180.01-190	16	130.01-140	11	80.01-90	6	< 40%	1	Points: _____ (25 pts. max.)
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F2	<p><b>On-Site Production</b>                      What percentage of the site is being farmed for income (managed for a scheduled commercial harvest) or managed as woodland with a forest management plan that emphasizes wood product production? This land includes crop fields, pastureland, livestock operations, forest, agricultural buildings, etc.) <u>This does not</u> include lawns, home areas, or wetlands.</p> <ul style="list-style-type: none"> <li>• More than 90 percent _____ 25 points</li> <li>• 75 to 89 percent _____ 20 points</li> <li>• 60 to 74 percent _____ 15 points</li> <li>• 40 to 59 percent _____ 10 points</li> <li>• Less than 40 percent _____ 5 points</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center; color: red;"> <tr> <td>&gt; 95%</td><td>25</td><td>75.01-80</td><td>17</td><td>55.01-60</td><td>9</td> </tr> <tr> <td>90.01-95</td><td>23</td><td>70.01-75</td><td>15</td><td>50.01-55</td><td>7</td> </tr> <tr> <td>85.01-90</td><td>21</td><td>65.01-70</td><td>13</td><td>45.01-50</td><td>5</td> </tr> <tr> <td>80.01-85</td><td>19</td><td>60.01-65</td><td>11</td><td>&lt;45%</td><td>3</td> </tr> </table>	> 95%	25	75.01-80	17	55.01-60	9	90.01-95	23	70.01-75	15	50.01-55	7	85.01-90	21	65.01-70	13	45.01-50	5	80.01-85	19	60.01-65	11	<45%	3	Points: _____ (25 pts. max.)																										
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F3	<p style="color: red;"><b>Value-added Production</b></p> <ul style="list-style-type: none"> <li>• Farming operation includes animal production such as a dairy, poultry, beef cattle, or hogs <span style="float: right;">5 points</span></li> <li>• Farming operation does direct sales to consumers from the farm or from local markets <span style="float: right;">5 points</span></li> <li>• Farm offers agritourism opportunities <span style="float: right;">5 points</span></li> </ul>	Points: _____ (10 pts. max.)																																																		

F4	<p><b>Stewardship/Conservation of Land, Water, and Natural Resources</b>  <i>To promote the protection of the Chesapeake Bay and its tributaries, MALPF requires that all easement properties have an implemented soil and water conservation plan. Does the landowner have an up to date Soil and Water Conservation Plan? Or, has the NRCS or local SWCD determined that the farm does not need any conservation plan? Does the landowner have an up to date Nutrient Management Plan?</i></p> <ul style="list-style-type: none"> <li>• SWCP and Nutrient Management Plan are up to date. 15 points</li> <li>• SWCP is up to date. 7.5 points</li> <li>• Nutrient Management Plan is up to date. 7.5 points</li> </ul>	Points: _____ ( <del>25</del> 15 pts. max.)
F5	<p><b>Farm Ownership and Operation</b>  <i>Is the landowner a resident, full-time farmer, retired with the farm operated by family members, or does the landowner live on the farm and lease to a full-time farmer or does a part-time resident farmer operate the farm?</i></p> <ul style="list-style-type: none"> <li>• Applicant lives in the County and the applicant or a family member is actively farming the subject property 20 points</li> <li>• Applicant lives in the County and the farm is leased to a non-family member 15 points</li> <li>• Applicant does not live in the County and the applicant or a family member is actively farming the subject property 10 points</li> <li>• Applicant does not live in the County and the farm is leased to a non-family member 5 points</li> </ul>	Points: _____ ( <del>25</del> 20 pts. max.)
F6	<p><b>Length of Ownership</b>  <i>How long has the landowner, or his family, owned the farm?</i></p> <ul style="list-style-type: none"> <li>• Applicant, or his family, has owned the farm for at least 25 years 1 point</li> <li>• Applicant, or his family, has owned the farm for at least 40 years 3 points</li> <li>• The farm has been designated as a Century Farm 5 points</li> </ul>	Points: _____ (5 pts. max.)

No.	Priority Preservation Area Status	Points: _____ (100 pts. max.)
P1	<p><b>Priority Preservation Area (PPA) and Protection of Surrounding Area</b>            State and county policies have always emphasized the need to preserve large blocks of farmland for the continuance of agricultural operations. <i>How well is the subject property protected by surrounding lands that are permanently protected by easements or protective zoning, or temporarily protected as agricultural districts?</i></p> <p>The points credited for proximity to permanent easements will carry three times the weight of points credited for Districts. The size of the applicant farm is given credit by including it in the easement acreage.  <b>No points will be awarded if the property is not within the County's PPA.</b></p> <ul style="list-style-type: none"> <li><b>Easements</b> - The combined total acreage of the applicant property and all properties subject to an easement to the Maryland Agricultural Land Preservation Foundation, the Maryland Environmental Trust, or other easement(s) with similar restrictions, which are located within an adjacent block will be calculated. <b>State or Federal Resource Lands will be considered as equivalent to easements.</b> The applicant will receive one (1) point for each <del>50</del> <b>200</b> acres, or portion thereof, of the total acres calculated in this subsection.</li> <li><b>Districts</b> - The total acreage of all non-easement properties subject to a District Agreement with the County which are located within an adjacent block of the applicant's property will be calculated. The applicant will receive one (1) point for each <del>150</del> <b>300</b> acres, or portion thereof, of the total acres calculated in this subsection.</li> </ul>	Points: _____ ( <del>20</del> <b>35</b> pts. max.)
P2	<p><b>Distance from a Priority Funding Area (PFA)</b>  <i>Is the property near a PFA such that it serves as a buffer between a PFA and a conservation zone; or is it sufficiently distant from a PFA or designated growth area to form part of a larger contiguous block of farmland?</i></p> <p>Identify the correct distance and assign the indicated points. The application can receive points for only one distance range.</p> <ul style="list-style-type: none"> <li>The applicant property is adjacent to a community with sewer and/or water. 5 points</li> <li>The applicant property is less than ½ mile, but is not adjacent to a community with sewer and/or water 10 points</li> <li>The applicant property is more than ½ mile, but less than 1 mile from a community with sewer and/or water 15 points</li> <li>The applicant property is more than 1 mile, but less than 2 miles from a community with sewer and/or water 20 points</li> <li>The applicant property is more than 2 miles from a community with sewer and/or water 25 points</li> </ul>	Points: _____ (25 pts. max.)
P3	<p><b>Boundary and Buffer Properties</b>  <i>How well is the subject property protected from potential development by adjacent protected land?</i></p> <p>Determine the Total Land Perimeter of the applicant property by excluding the portions of the property's perimeter adjacent to another county, water, a PFA, or development zoning district. Next, calculate the percent of the property's Total Land Perimeter next to parcels of the types of land listed below. Add the resulting numbers together to determine the total points for this score. Do not double count the portion of the perimeter next to a property with both an easement and protective zoning or other combination of attributes but count once only for the most highly valued attribute. <b>No points will be awarded if the property is not within the County's PPA.</b></p> <p><b>Definitions of terms are provided in the endnotes.</b></p> <p>(% of Total Land Perimeter with protective zoning<sup>1</sup> on the adjacent parcel) * .10 = _____ points            (% of Total Land Perimeter with agricultural districts<sup>2</sup> on the adjacent parcel) * .15 = _____ points            (% of Total Land Perimeter with permanent restrictive easements<sup>3</sup> on the adjacent parcel) * .25 = _____ points  <b>TOTAL POINTS</b> (add the point totals above together – not to exceed 25 points) = _____ points</p> <p><b>Starting New Block of Protected Lands</b>  <i>In order to encourage landowners in areas of the County that are less protected, points will be given for smaller/newer blocks of protected lands. Farms can only qualify for these points if they received 10 or fewer points in P1 above.</i>  <b>No points will be awarded if the applicant property is not within the County's PPA.</b></p> <ul style="list-style-type: none"> <li><b>Easements</b> - The combined total acreage of the applicant property and all properties subject to an easement to the Maryland Agricultural Land Preservation Foundation, the Maryland Environmental Trust, or other easement(s) with similar restrictions, which are located within an adjacent block will be calculated. State or Federal resources lands will be considered as equivalent to easements. The applicant will receive one (1) point for each 50 acres, or portion thereof, of the total acres calculated in this subsection.</li> <li><b>Districts</b> - The total acreage of all non-easement properties subject to a District Agreement with the County which are located within an adjacent block of the applicant's property will be calculated. The applicant will receive one (1) point for each 100 acres, or portion thereof, of the total acres calculated in this subsection.</li> </ul>	Points: _____ ( <del>25</del> <b>10</b> pts. max.)
P4	<p><b>Historic, Scenic, or Habitat Value of Site</b>  <i>Does the subject property have non-agricultural site-specific attributes highly valued by the County?</i></p> <p>A property shall receive the points indicated for each of the qualifying designations below. If a property contains several of the designations, the points for each shall be added together for a total score which shall not be greater than 15 points. Do <u>not</u> count historic designations more than once. To verify if a site contains these attributes, an evaluator may need to consult with the appropriate State or County representative or agency, such as the designated local Historic Preservation Planner, the Maryland Historical Trust, or the Department of Natural Resources.</p> <ul style="list-style-type: none"> <li>Contains structure/s listed in the National Register of Historic Places or the County Historic Sites Listing 2 points</li> <li><del>Located within Stories of the Chesapeake Heritage Area</del> 2 points</li> <li>Contains Rare, Threatened or Endangered Species Habitat or is in an Area of Critical State Concern 2 points</li> <li>Is part of a contiguous forested area (25 acres or greater) 5 points</li> <li>Located along a National or State Scenic Byway 5 points</li> <li>Borders tidal waters 5 points</li> </ul> <p><b>TOTAL POINTS</b> (add the point totals above together – not to exceed 15 points) = _____ points</p>	Points: _____ (15 pts. max.)
P5	<p><b>Re-application</b>            Has an application for this specific property been submitted to the County previously that has not resulted in an easement offer.</p>	Points: _____ (5 pts. max.)

P6	<b>Date of Application from District Establishment</b>		Points: _____
	Current calendar year minus 5	10 points	(10 pts. max.)
	Current calendar year minus 4	8 points	
	Current calendar year minus 3	6 points	
	Current calendar year minus 2	4 points	
	Current calendar year minus 1	2 points	
	Current calendar year	0 points	

<sup>1</sup> Protective Zoning Property: a property with a potential lot yield of one unit or less per twenty acres.

<sup>2</sup> Agricultural District Property: a property that is protected by a county agricultural district agreement with at least a three-year restrictive covenant.

<sup>3</sup> Easement Property: a property on which growth is permanently restricted by a recorded deed, for example,; the Maryland Agricultural Land Preservation Foundation, the Rural Legacy Program, the Maryland Environmental Trust, the Maryland Historical Trust, county land preservation programs, national and local private land trusts, or other programs or organizations imposing similar restrictions. Government-owned properties used for resource conservation should be included.





# Maryland Department of Agriculture

Office of the Secretary

Larry Hogan, Governor

Boyd K. Rutherford, Lt. Governor

Joseph Bartenfelder, Secretary

Julianne A. Oberg, Deputy Secretary

Maryland Agricultural  
Land Preservation Foundation

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Agenda Item: VI.B.  
Meeting Date: 1-26-2021

To: MALPF Board of Trustees  
From: Chana Kikoen Turner, Administrator  
Re: Kent County Ranking System

## Request

Kent County requests approval of its proposed modified ranking system which would combine points earned under its Easement Prioritization Formula (EPF Ranking) with points earned under its new District Agreement ranking system (DA Ranking) in determining the final ranking of easement applications.

## Recommendation

Staff finds that certain components of the county's proposed ranking system are not in compliance with, Section 2-101 et seq., Agriculture Article, Maryland Annotated Code, specifically Section 5-209, (statute), and the Maryland Agricultural Land Preservation Ranking Guidelines adopted in November 2004, as mandated by statute (guidelines).

Combining points assigned to a property under the DA Ranking, as described below, with points assigned under the EPF Ranking to a property based on the number of previous applications submitted by a landowner to sell an easement (see Section P4 of the EPF Ranking), could result in a farm with lower quality soils achieving a higher final ranking, based on the combined DA Ranking and EPF Ranking point allocations, than a farm composed of higher quality lands which may have better soils but a lower DA Ranking. Staff finds that the allocation, under Section P4 of the EPF Ranking, of up to 20 points based on the number of previous applications and using the sum of the EPF Ranking and the DA Ranking in determining a property's final ranking, would result in an easement prioritization formula that does not address land quality and does not support the program's goals.

As cited above, the counties' ranking systems are to ensure the highest quality of land be protected by the program. Recognizing that the age of a District and the number of previous applications by an owner are both important factors to the county, staff recommends that these components be treated as sub-factors with less influence on the final ranking than that provided in the county's proposal. As such, staff recommends the Board require the county to submit a revised request that 1) eliminates the DA Ranking as part of Kent county's ranking system; and 2) revises Section P4 of the EPF Ranking to (a) reduce the maximum number of points available under Section P4 from 20 points to some lesser amount (Staff recommends a maximum of 10 points); and (b) allocates such maximum number of points available under

Section P4 between a certain number of points which may be awarded on the basis of the number of previous applications and a certain number of points which may be awarded based on the basis of the age of the District.

Staff finds that all other components of the proposed EPF Ranking are in compliance with statute and the guidelines as cited at the end of this memorandum, and recommends approval of those portions of the proposed ranking request.

### Background

Pursuant to statute and guidelines, each county is required to prioritize applications to sell an easement to MALPF by way of a ranking system that ensures that the county identify and acquire easements on land of the highest quality in soils, production, location and stewardship.

Kent County requires landowners to enter into a district agreement to be eligible to apply to sell an easement to MALPF, thereby "pre-qualifying" properties' eligibility for the MALPF program. The last bullet point of the letter dated December 15, provided by Rob Tracy, the Kent County MALPF Program Administrator, briefly mentions that the county proposes to award points based on the age of the district agreement by creating a separate DA Ranking system.

The DA Ranking would assign points based on the age of the District with the highest number of points being assigned to the oldest district and the lowest number of points being assigned to the newest district. The DA Ranking points assigned to a property would then be combined with the EPF Ranking points to determine the total points for each property. This method results in a ranking system that provides equal weight to the EPF Ranking and the DA Ranking.

Along those lines, Section P4 of the EPF Ranking awards up to 20 points to applicants who have submitted prior applications that did not result in an offer. Neither Section P4 of the EPF Ranking, nor the DA Ranking, take into account land quality in a comparative sense.

### **Statutory References:**

#### Authority:

Agriculture Article, Maryland Annotated Code,

Section 2-509(b)(5)(ii) If the county governing body decides to recommend approval...it shall notify the Foundation and forward to the Foundation...

2. A ranking of all applications based on:

A. The county governing body's locally established priorities as approved by the Foundation..., and

B. Guidelines adopted by the Foundation under subsection (d) of this section;

(d) Regulations and criteria developed by the Foundation relating to land which may be considered for purchase of an easement shall provide that:

(1) ... [L]and shall meet productivity, acreage, and locational criteria determined by the Foundation to be necessary for the continuation of farming;

**Criteria to be evaluated:**

Agriculture Article, Maryland Annotated Code,

Section 2-509(d) ...criteria developed by the Foundation relating to land which may be considered for purchase of an easement shall provide that:

(6) Land be evaluated for:

(i) Location in a priority preservation area of the county;

(ii) Soil and other land characteristics associated with agricultural and silvicultural productivity;

(iii) Agricultural and silvicultural production and contribution to the agricultural and silvicultural economy; and

(iv) Any other unique county considerations that support the goals of the program.

**Program Goals:**

The goals of the program are pursuant to Agriculture Article, Maryland Annotated Code,

Section 2-501.1(a):

(1) Provide sources of agricultural products within the State for the citizens of the State;

(2) Control the urban expansion which is consuming the agricultural land and woodland of the State;

(3) Curb the spread of urban blight and deterioration; and

(4) Protect agricultural land and woodland as open-space land.

## **Guidelines:**

### I. Basis of Guidelines

B. ...[T]he [MALPF] Program should increasingly focus easement acquisition on high quality farms ...

### II. Overview of the Guidelines

...There are numerous decisions to be made by each county to develop an individual ranking system...[E]ach county may include or exclude individual measures and assign various degrees of importance (or number of points) to individual...categories, with approval of the Foundation. These choices should be proposed by the county and approved by the Foundation based on the rationale that the resulting ranking system will better support achievement of the Program's goals.

# Maryland Agricultural Land Preservation Foundation Ranking Guidelines

## Basis, Overview, and Intent OCTOBER 2004

### I. Basis of the Guidelines

#### A. MALPF's Statutory Goals

These guidelines are being developed per the recommendations of the Task Force to Study the Maryland Agricultural Land Preservation Foundation (MALPF) and legislation resulting from those recommendations (i.e., Senate Bill 564 of the 2003 Session of the General Assembly). The purpose is to improve the ability of the Foundation to overcome some of the principal obstacles to success identified by the Task Force, thereby enabling the Program to achieve its legislative goals. In presenting the guidelines, we therefore begin with a summary of those goals:

- Preserve land as a source of food and fiber for the citizens of Maryland;
- Control the subdivision and conversion of farmland and woodland to development;
- Curb the spread of urban blight and deterioration; and
- Protect farm and forest as open space.

In addition to these longstanding statutory goals, the General Assembly passed Senate Joint Resolution 10 in its 2002 Session, establishing a goal to preserve by 2022 three times the number of acres of productive agricultural land that had been preserved as of 2002, based on land preserved through MALPF, Rural Legacy, local agricultural land preservation programs, and GreenPrint. That goal equals approximately 1,030,000 acres, which is roughly 635,000 acres more than had been preserved as of January 2004.

#### B. Task Force Recommendations & Legislation

In its January 2003 Report, the Task Force to Study the Maryland Agricultural Land Preservation Foundation (MALPF) reported that:

- The Program's goals are increasingly being compromised by development;
- Easement acquisition funds are insufficient to compete with development;
- Weak zoning support for preservation is allowing development incompatible with many forms of production; and
- Easement valuation and ranking systems are not sufficiently supportive of Program goals.

The Task Force also found that both "more easement money and better zoning is

necessary in many areas to control subdivision and development and curb the spread of urban blight and deterioration.”

Accordingly, the Task Force recommended three critical steps to enhance the Program. “First, the Program should increasingly focus easement acquisition on high quality farms in areas that best address the Program’s goals. The Task Force calls these *Priority Preservation Areas (PPAs)*. Second, greater incentives must be created for counties and landowners to limit development and stabilize land use in Priority Preservation Areas. Third, any additional program funds should be invested in easement acquisition in those areas, to make it possible for landowners to sell easements more readily.”

As a first step in the process of focusing easement acquisition in PPAs, the Task Force’s legislative recommendation was to develop county ranking guidelines for easement acquisition that would prioritize offers to the best farms in areas that are better protected from development. Additionally, the intent of these guidelines for county ranking systems is to establish the concept of priority preservation areas, and to encourage the concentration of easements in those areas through the implementation of these guidelines such that, when additional program funds are available to invest in easement acquisition in the priority preservation areas, the structure for creating and approving priority preservation areas is already in place and functioning.

The Task Force envisioned priority preservation areas as areas that are rich in productive soils and agricultural activity, in which counties use effective measures to control the impacts of development, stabilize land use, and make possible the achievement of State and local goals for productive agriculture.

To that end, Senate Bill 564 of the 2003 Session of the General Assembly directed the Foundation to develop new ranking guidelines in consultation with counties. Specifically, SB 564 directs that properties should be ranked based on:

- Location in a priority preservation area of the county;
- Soil and other land characteristics associated with productivity;
- Agricultural production and contribution to the agricultural economy; and
- Any other unique county considerations that support the Program’s goals.

Both the Task Force and the legislation also directed the Foundation to maintain the fiscal benefits of competitive discount bidding.

### **C. Basis for the Guidelines in LESA**

The proposed guidelines are modeled on the Land Evaluation and Site Assessment (LESA) system. LESA is widely used by the USDA Natural Resource Conservation Service (NRCS), states, local governments, and Natural Resource Conservation Districts across the nation, for a variety of purposes. In Maryland, a version of LESA is currently being used by NRCS to rank properties for easement purchase made with funds from USDA’s Federal Farm and Ranchland Protection Program (FRPP). The Foundation’s

ranking guidelines were adapted from the Maryland FRPP ranking system, through a collaborative effort of the Foundation, NRCS, and the Maryland Department of Planning.

There are two components to the LESA system: the Land Evaluation (LE) portion of the system, based on soil characteristics of an individual property; and the Site Assessment (SA) portion, which is used to evaluate other attributes of the property itself and of its surroundings. The Site Assessment portion of the system may consist of several categories of ranking criteria. Attributes of surrounding areas considered are typically those that reflect the area's current and potential long-term importance for agriculture, including development pressure on farmland and sustainability of farming. Each portion of the system assigns points for various characteristics. For purposes of ranking, these points are typically added to compute a total score, which is then used to rank properties. The system is also used in different ways for other purposes.

The Foundation's draft ranking guidelines are consistent with this model of LESA. In addition, the Foundation, the NRCS, and the Department of Planning are working together to ensure that the ranking systems used by the Foundation and by the NRCS for easement acquisition under the FRPP will be as similar and consistent as possible. This is intended to make application of the two systems as compatible and routine as possible in terms of data sources and scoring for individual criteria, which in turn should limit the workload imposed on County Program Administrators and District staff support these two related but distinct ranking processes.

## **II. Overview of the Guidelines**

The guidelines are formulated in four categories. The *Land Evaluation* section consists of only one category, *Soil Productivity*. The *Site Assessment* section consists of three categories: *Farm Quality and Potential*; *Priority Preservation Area Status*; and *Development Pressure and Potential*.

There are numerous decisions to be made by each county to develop an individual ranking system from the guidelines. As noted specifically below, each county may include or exclude individual measures and assign various degrees of importance (or number of points) to individual measures or categories, with the approval of the Foundation. Those choices should be proposed by counties and approved by the Foundation based on the rationale that the resulting ranking system will better support achievement of the Program's goals. Each decision that must be made is highlighted in the following discussion.

**County Allocation of Points Among Categories.** There are four categories of criteria. For convenience, the maximum number of points possible under the guidelines is 400. It should be noted, however, that the actual number of points used is simply a device to facilitate consistent discussion about weighting and emphasis among categories and individual measures. If an existing county system used 300 points, it could be quickly be converted to operate on a 400 point basis by multiplying by a conversion factor of 1.33,

(i.e., 300 points times 1.33 equals 400 points, therefore 30 points times 1.33 equals roughly 40 points, etc.). The point is that scoring details that differ by virtue of point totals can be easily reconciled and expressed in terms of the point total prescribed for these guidelines.

Counties are given a potential range of points between a maximum and a minimum for each category:

	Minimum Points	Maximum Points
Soil Productivity:	80	240
Farm Quality and Potential:	80	240
Priority Preservation Area Status:	80	240
Development Pressure and Potential:	0	160

The number of points assigned to a category should be proposed by each county and approved by the Foundation, based on the relative importance of each category to best support achievement of Program goals in the county.

**County Discretion Regarding Individual Criteria or Measures.** Within each category, measures or criteria are used to evaluate a farm or its surrounding area. Some measures are required while others can be excluded, changed, or replaced with the approval of the Foundation. These choices should be justified based on the ability of the resulting ranking system to satisfy the intent of the guidelines as it applies to those specific measures, discussed below. Some measures (specifically noted) may be excluded if the county determines and the Foundation agrees that the intent of those guidelines is not important within the county. Other criteria (also specifically noted) may be replaced with county-specific measures that better address the intent of the guidelines for those criteria.

In each of the three categories within the *Site Assessment* section, counties may also add *County Specific Measures* with the approval of the Foundation. The purpose is to give each county the opportunity to address the intent of the guidelines for each category in a manner that is either unique to the county or is otherwise neglected by the already specified measures. *County Specific Measures* should also be reasonably important, i.e., their inclusion in the county ranking system should improve its ability to identify and prioritize properties whose preservation is likely to better support the goals of the Program than would otherwise be the case.

Points may be allocated among the measures or criteria within a category according to a rationale proposed by the county and approved by the Foundation. That rationale should be based on the relative importance of the various measures to address the general intent of the guidelines, which is to better support Program goals.

**County Discretion in Calibrating the Ranking System.** Calibration refers to the way in which the design of the ranking system affects the range of scores likely to be earned



by properties in the county. Simply put, systems should not be designed so that most properties score at or near the highest possible score, even if they differ considerably in terms of quality. Systems should be designed so that the best farms in a county earn the most points, those of the least quality score substantially less, and those of moderate quality fall in between. If most farms fall within a narrow range of total points despite significant differences, the system will not accomplish the objective of the ranking guidelines (unless there is in reality very little difference among farms and areas within a county). Consequently, it is important that counties demonstrate that their proposed ranking systems are reasonably well calibrated through sample application to a range and diversity of properties.

The principal means available to calibrate ranking systems are the way in which points are allocated among categories and individual measures (discussed above); and the way in which individual criteria are scored. Scoring for individual criteria should be designed to distinguish clearly among properties with significantly different levels of a feature. For example, for criterion P1, *Protection of Surrounding Area*, a farm in a surrounding area with three square miles of easements should not earn a number of points that is comparable to the number earned by a farm in a surrounding area with only 1 square mile of easements. Similar examples could be articulated for each measure covered in the guidelines.

**County Discretion in the Application of Ranking Systems.** Counties may apply their ranking system in one of two ways:

- 1) The total number of points scored by each property may be used to rank properties in descending order of priority for easement acquisition.
- 2) If a county demonstrates that it has one or more established priority preservation areas, or works with the Foundation to establish such areas (discussed below in section III.B.2), the county may rank applicant properties within priority preservation areas and those outside those areas in two separate groups, with those in priority preservation areas ranked first and receiving higher priority than those outside those areas.

A county may also use the discount ratio in conjunction with its ranking system to emphasize discount bidding in its final rankings or to group properties in an initial ranking based on discounting prior to applying the ranking guidelines based on the quality of the property and its importance to achieving a county's land-use objectives.

With respect to discount bidding, the MALPF Task Force does not believe that it will be possible to achieve in the future the fiscal benefits that have been historically achieved through discount bidding. Those benefits have been small in recent years in some areas, and may continue to decline in the future. Strategic targeting through the new ranking guidelines will probably further reduce the effectiveness of discount bidding as a money saving device. If acquisition costs rise inordinately, modification of the easement valuation system should be considered again in the future.

Accordingly, the Task Force will recommend that the Foundation monitor acquisition costs to establish the impact of the new rankings system and encourage counties to find creative ways to limit acquisition costs through their incorporation of discounting in their rankings systems or in other ways. Counties are encouraged to use discount bidding to the degree feasible in a way that does not compromise the purpose of the ranking guidelines. For example, a county could, as part of their ranking system, direct the Foundation to add or subtract a given number of points from a property's total score for each percentage its price deviates from 60% of its fair market value (or another percentage chosen by the county). This would increase ranking scores of properties with lower asking prices and reduce scores of those with higher asking prices. Or, counties could include a *County Specific Measure* in their ranking system based on asking price that would raise or lower scores in a comparable manner.

**Other Considerations.** Other adjustments to county ranking systems not addressed or foreseen at this time will be considered by the Foundation for approval as they arise. Such adjustments may include the need to increase the ranking of properties eligible for Federal Farmland Protection Funds, so those funds can be matched and obtained; or properties identified through a county or a future statewide critical farms program.

### **III. Intent of Guidelines**

#### **A. Land Evaluation Section: Soil Productivity**

The intent of the *Land Evaluation* section of the guidelines is to incorporate soil quality for agriculture and silviculture as considerations in county ranking systems. The specific criteria prescribed were determined to be the best measures for which adequate information resources are available readily statewide through NRC Districts. These measures are required, and may be modified only with the approval of the NRCS and the Foundation.

Soils are extremely important for farming, and must carry considerable weight in the ranking system. For this reason, county systems must assign at least 80 possible points to this category, and could assign as many as 240 (20-60% of the total points). The maximum that is reasonable for a given county system may depend on numerous factors. For example if the majority of land eligible for easement purchase is in areas dominated by fairly productive soils, *Soil Productivity* may not merit a lion's share of total points. Higher shares of points elsewhere may be more appropriate to ensure that other differences between farms, more important in the county, have a greater influence on ranking. Those differences could relate to any of the other categories of *Farm Quality*, *Priority Preservation Area Status*, or *Development Pressure*.

#### **B. Assessment of Property and Surrounding Area**

The purpose of this section of the guidelines is to incorporate three of the considerations

recommended by the Task Force and required by SB 564 in the ranking guidelines:

- Location in a priority preservation area of the county;
- Agricultural production and contribution to the agricultural economy; and
- Any other unique county considerations that support the Program's goals.

Agricultural production and contribution to the agricultural economy are primarily addressed in the *Farm Quality and Potential* category. Location in a priority preservation area of the county is primarily addressed in the *Priority Preservation Area Status and Development Pressure and Potential* categories. Unique county considerations may be addressed in all three categories.

## 1. Farm Quality and Potential

The intent of the guidelines for this category is to emphasize features of properties that reflect current production; contribution to the agricultural economy and viability of the county, region, or State; resource stewardship that is essential for long-term viability of land for farming; and long-term potential to continue to support production and profitable agriculture. As in the case of the *Soil Productivity* category, this category may be given assigned between 80 and 240 possible points (20-60% of the total points). If these features comprise important differences among eligible farms in the county, this category should receive a higher allocation of points.

**[F1] Farm Size:** The intent is to preserve farms with the potential to support the greatest diversity of production and amounts of agricultural commodities. A farm's size is a significant measure in this regard; thus, farms larger than the average in each county score higher than farms smaller than average. This is a required measure.

**[F2] On Site Production:** The intent is to recognize that farms currently supporting profitable farming have the demonstrated ability to do so; and that the percentage of a farm in production may also be a significant indicator of a farm's desirability in this regard. Land being farmed for income may include cropland, pasture, livestock facilities, forestland managed for harvest, and other agricultural buildings and facilities. This is a required criterion, but may be measured in a manner different than prescribed with the Foundation's approval.

**[F3] Stewardship and Conservation Practices:** The intent is to recognize the importance of land, water, and natural resource stewardship, as defined by NRCS, as practices that are of great importance to the long-term viability of agriculture. Viability of agriculture depends not only on the long-term ability of land to support profitable farming, but also on the status of agriculture as a socially and environmentally sound part of our landscape, economy, and culture. This is a required measure.

**[F4] Farm Ownership and Operation:** The intent is to recognize that landowners and operators more engaged in farming on their land have a higher stake in maintaining

resources on and around the property and the short and long-term capabilities of the land for production. This is an optional measure, which means that it may be excluded if there are good reasons to believe that it is not a valid or substantial measure of landowner / operator commitment to land integrity and long-term viability of farming in a county.

## 2. Priority Preservation Area Status

Priority preservation areas as defined by the Task Force are intended to be areas rich in productive soils and agricultural activity, in which counties use effective measures to control the impacts of development, stabilize land use, and make possible the achievement of State and local goals for productive agriculture. The intent is to encourage counties to adopt designated priority preservation areas to prioritize easements in these areas for purchase by the Foundation. This category may be allocated between 80 and 240 points (20-60% of the total points).

**[P1] Protection of Surrounding Area:** The intent is to recognize in ranking systems the importance of protection measures in the area around and in the vicinity of applicant properties. It is a measure of the degree to which the Program's goals are being supported in that larger surrounding area, both through preservation efforts and zoning. Areas consisting of greater percentages of land that is already permanently preserved, is better protected by zoning and other land use management measures, and is enrolled as preservation districts are better suited to help overcome a principal shortcoming in the ability of the Program to achieve its goals. This is a mandatory measure.

**[P2] Strategic Location Relative to a Priority Funding Area (PFA):** The intent is to recognize local conservation strategies to prioritize specific locations for easement acquisition as a means to accomplish Program goals in light of development pressures and relation to development zoning districts. The goal is to rank properties higher if they occur in such priority areas. *Strategic Locations* may be:

- Areas planned as buffers or boundaries of preserved land between development and conservation zoning districts. Land values and easements costs in such areas may increase more rapidly than in more distant rural areas. Part of the county strategy may be to preserve as much of that land as possible before costs escalate further.
- Areas at a greater distance from development districts, in which the desire is to preserve larger blocks of quality agricultural land that is less subject to the development pressure radiating from development districts. Land in these areas may be relatively inexpensive to preserve, and it may be possible to preserve much more land than would be possible in other areas.

The guidelines are designed to allow an individual property to score higher based on either of these alternatives. Additionally, other strategic areas may be proposed by a county and approved by the Foundation, in consideration of their ability to better address the intent of the *Strategic Location* criterion, stated above. This is a required measure that may be modified or replaced with County-specific considerations with approval of

the Foundation's Board of Trustees.

**[P3] Boundary and Buffer Properties:** The intent is to recognize the important influence that immediately adjacent land use may have on State investment in preservation of a specific property for farming, and to rank properties higher or lower accordingly. This criterion uses many of the same considerations used to measure *Protection of Surrounding Area* (P1, above). However, it is limited only to those properties that share a common boundary with the applicant property. This is an optional measure and may be replaced by County-specific considerations that better address the intent of this guideline.

**[P4] Historic, Cultural, Scenic and Environmental Value of Site:** The intent is to recognize significant cultural and/or natural resource features of a property as a potentially important ranking factor. This is an optional measure. However, it should be included in the county ranking system if there are significant numbers of farms in the county that would meet any of the criteria. Conservation of these features is a State conservation priority under one or more of the State programs that contribute significantly to accomplishment of the goals of the MALPF Programs.

**Establishing Priority Preservation Areas.** Counties are strongly encouraged to adopt voluntarily formal priority preservation areas in their comprehensive land-use plans, as recommended by the MALPF Task Force, to concentrate easement purchases in areas of the county most likely to sustain profitable agriculture over time. Priority preservation areas should meet four criteria:

- 1) The areas are identified in the county comprehensive plan and recognized in the county zoning ordinance as areas in which agriculture and rural resource conservation are the preferred use, stated purpose, or primary intent of the district.
- 2) The areas include the most productive soils in the county in undeveloped areas.
- 3) The areas encompass land that is primarily used for commercial agricultural and silvicultural production, and is contributing significantly to the relevant resource-based economy.
- 4) The areas have zoning and other land use management practices in place that have stabilized land use commensurate with development pressure; are helping to make it possible for easement acquisition to compete effectively with development; and are providing time to buy easements and achieve Program goals, in light of development pressure.

Counties may address all four of these criteria through means of the county's choosing. However, a specific measure is offered for criterion 4. A county should be able to demonstrate that most properties in the proposed area(s) are likely to score at or above a certain number of points possible in the *Priority Preservation Area Status* category. This threshold should be used to distinguish, by virtue of *PPA* scores, land in the proposed areas and land outside it. Such a difference would reflect the fact that land within proposed areas is better protected from subdivision and development, on average, than

land outside the proposed area(s). Recommendations on the creation of priority preservation areas can be found in the final report of the MALPF Task Force (October 2004).

If a county has one or more approved priority preservation areas, a county may rank applicant properties within those areas in one group, and those outside those areas separately as a second group. Properties within areas would be ranked first, based on the total number of points scored for all criteria; they would all receive higher priority than properties in the second group. Properties outside priority preservation areas would then be ranked together in the second group, based on total points. If a county has no certifiable priority preservation areas, all applicant properties must be ranked in a single group, based on total points.

### **3. Development Pressure and Potential**

The intent of this section is to give counties the ability to affect a property's ranking in recognition of its development potential or the amount of development pressure in the vicinity of the property. In terms of achieving Program goals, these criteria may be important in one county and of relatively little significance in another. Thus, counties may choose to assign between zero and 160 points to this category (0-40% of the total points).

**[D1, a & b] Road Access and Number of Potential Lots:** The intent is to provide a measure of development potential of a specific property, and to rank higher properties with greater potential. The measure may be replaced with a county-specific measure that better addresses this intent.

**[D2] Environmental or Physical Site Limitations:** The intent is to provide a measure of limitations on development potential of a specific property, and to rank lower properties with greater limitations. It is recognized that site limitations affect lot potential. However, factors such as property size and differences in zoning or subdivision requirements or restrictions between properties may make it advantageous to use both measures. This measure may be replaced with a county-specific measure that better addresses this intent. If it provides no additional benefit beyond that provided by D1, it may be eliminated.

**[D3] Development Pressure:** The intent is to give counties the discretion to rank properties for easement acquisition higher or lower in consideration of development pressure in the area around an applicant property, depending on the county's acquisition strategy, the area in which the property occurs, etc. For example, it may be desirable to rank properties under greater development pressure higher when they occur in areas relatively remote from development districts. However, development pressure may, for all intents and purposes, be essentially the same on farms within a designated preservation boundary or buffer area that is adjacent to a development district, regardless of differences that might be suggested by attempts to measure variations in development

pressure within those areas. Counties should use this criterion in a strategically useful way in consideration of such factors. The criterion may be replaced by county-specific measures that will do a better job than the one described.

#### **IV. Final Comments**

This October revision of the Ranking Guidelines takes into consideration both the June 24, 2004, meeting and discussion with program administrators on the rankings system and the discussion of the MALPF Task Force and its final report issued in late October, 2004. These revisions have been primarily directed at giving counties more discretion in what weights are given the different criteria and in recognizing the technological limitations of the state program and some county programs in using some of indicators. The attached table, entitled "Proposed Guidelines: MALPF Ranking," sets out the discretionary range counties have for the individual measurement criteria within the broader categories and which measurement criteria can be modified or substituted to take into consideration county-specific conditions or objectives.

The intent of the state guidelines is to provide a common framework for counties to develop specific ranking systems that shifts the emphasis of the kinds of properties whose easements are acquired by the Foundation from the most steeply discounted to the best quality properties in terms of their prime soils strategic location, as recommended by earlier Task Force reports, the Governor Ehrlich's land preservation policy statement in *Maryland's Land Conservation Programs: Protecting the Chesapeake Bay Watershed* (December 2003), and Senate Bill 564 (2003).

County program administrators have already started developing or have developed ranking systems based on this general framework to be presented and approved by the MALPF Board of Trustees. This process of adopting the new state guidelines and applying those guidelines to the development and approval of county ranking systems will be completed in time for ranking applicants for the 2005 easement acquisition cycle to make offers in the new year.

**PROPOSED GUIDELINES: MALPF RANKING**

LAND EVALUATION (SOIL POTENTIAL RATING)		ASSESSMENT OF PROPERTY & SURROUNDING AREA					
Soil Productivity Index & Woodland Capability Index (20-60%)		Farm Quality and Potential (20-60%)		Priority Preservation Area Status (20-60%)		Development Pressure & Potential (0-40%)	
A1	Capability Class Score (0-100%)	F1	Farm Size (compared to average size farm) (25-33%)	P1	Protection of Surrounding Area (25-50%)	D1 A&B*	Road Access & Potential Lots (0-100%)
		F2*	On-Site Production (25-33%)	P2*	Distance from a PFA (25-50%)	D2*	Environmental or Physical Limitations of Site (0-100%)
		F3	Stewardship/Conservation of Natural Resources (25-33%)	P3*	Boundary & Buffer Properties (0-33%)	D3*	Projected Development Pressure (0-100%)
A2	Soil Productivity Score (0-100%)	F4*	Farm ownership & operation (0-25%)	P4*	Historic, Scenic, or Habitat Value of Site (0-25%)	**	County Specific Considerations (can alter the above percentage distribution)
		**	County Specific Considerations (can alter above percentage distribution)	**	County Specific Considerations (can alter the above percentage distribution)		

\* This measure is optional, i.e., it may be excluded if not strategically important in a county; or, it may be replaced with a County-specific consideration that better addresses the intent of the guideline for the particular measure, with the approval of the Foundation.

▪ This measure is required, but may be replaced with County-specific considerations that better address the intent of the guideline for the particular measure, with the approval of the Foundation.

\*\* County-specific measures that address the intent of the guidelines for the category may be added with the approval of the Foundation.

Land Evaluation must be included, but the County may choose how to combine capability class and soil productivity scores.



Required measures are **bolded** and their cells are double-lined. Measures that may be replaced by County specific considerations that better address the intent of the guideline for the particular measure are *italicized*, whether they are required or optional.

**FEDERAL FARM AND RANCH LAND LESA RANKING SYSTEM**

LAND EVALUATION (SOIL POTENTIAL RATING)		ASSESSMENT OF PROPERTY & SURROUNDING AREA					
Soil Productivity Index & Woodland Capability Index (42.1%)		Farm Quality and Potential (28.9%)		Priority Preservation Area Status (21.1%)		Development Pressure & Potential (7.9%)	
A1	Capability Class Score (50%)	F1	Farm Size (compared to average size farm) (18.2%)	P1	Protection of Surrounding Area (62.5%)	D3	Projected Development Pressure (100%)
		F2	On-Site Production (36.4%)				
		F3 & F4	Stewardship/ Conservation of Natural Resources/Farm Ownership & Operation (36.4%)				
A2	Soil Productivity Score (50%)			P2	Distance from a PFA (37.5%)		
		Op-tional	Availability of Farm Services (9.0%)				

FRPP LESA is compatible with the State guidelines except that the specific language used by the State guideline measures differs somewhat from the language used in the FRPP LESA measures. Further, F3 and F4 are collapsed into a single measure for FRPP LESA. The A1 & A2 measures are identical in both ranking systems. The F1 measure is marginally different in the two ranking systems. The F2 measure in the state guidelines is more finely differentiated. The F3 and F4 measures in the state guidelines are more finely differentiated in the state guidelines than the single question for FRPP. The P1 measure is more inclusive in state guidelines by including protective zoning in addition to easements and districts. The P2 measure is worded differently, but achieves the same goal; counties can better specify county goals in state guidelines. The D3 measure is worded differently for each of the two ranking systems

and each is probably getting at slightly different things. In the state guidelines, the focus is on subdivision for development purposes within a 2-mile radius; in FRPP LESA, the measure is urban vs. non-urban use within a 1-mile radius.

**BAREBONES COUNTY/MALPF RANKING SYSTEM**

LAND EVALUATION (SOIL POTENTIAL RATING)		ASSESSMENT OF PROPERTY & SURROUNDING AREA				
Soil Productivity Index & Woodland Capability Index (50%)		Farm Quality and Potential (25%)		Priority Preservation Area Status (25%)		Development Pressure & Potential (0%)
A1	Capability Class Score (50%)	F1	Farm Size (compared to average size farm) (33%)	P1	Protection of Surrounding Area (50%)	Measure Not Used
		F2	On-Site Production (33%)	P2	Distance from a PFA (50%)	
A2	Soil Productivity Score (50%)	F3	Stewardship/Conservation of Natural Resources (33%)			

- A1 – already done for FRPP
- A2 – already done for FRPP
- F1 – already done for FRPP (slightly differently)
- F2 – already done for FRPP & MALPF (somewhat differently)
- F3 – already done for FRPP & MALPF (somewhat differently)
- P1 – already done for FRPP (slightly differently)
- P2 – already done for FRPP (could change, based on county preferences)