

# **Phase 2 of Montgomery County Farmland Preservation**

Keeping the land viable for agriculture  
in the future

Agricultural Preservation Advisory Board

October 19, 2015

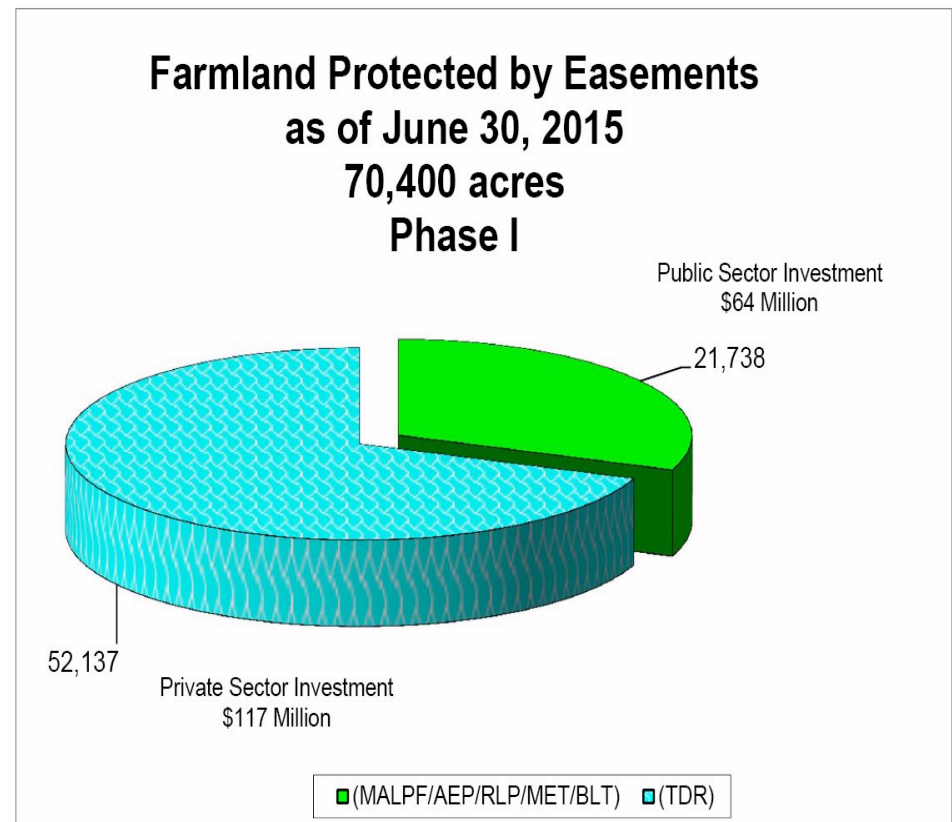
# What is the County's Vision for the Agricultural Reserve over the Next 25 Years?

Subdivision of Agricultural Land vs  
Agricultural Land Preservation

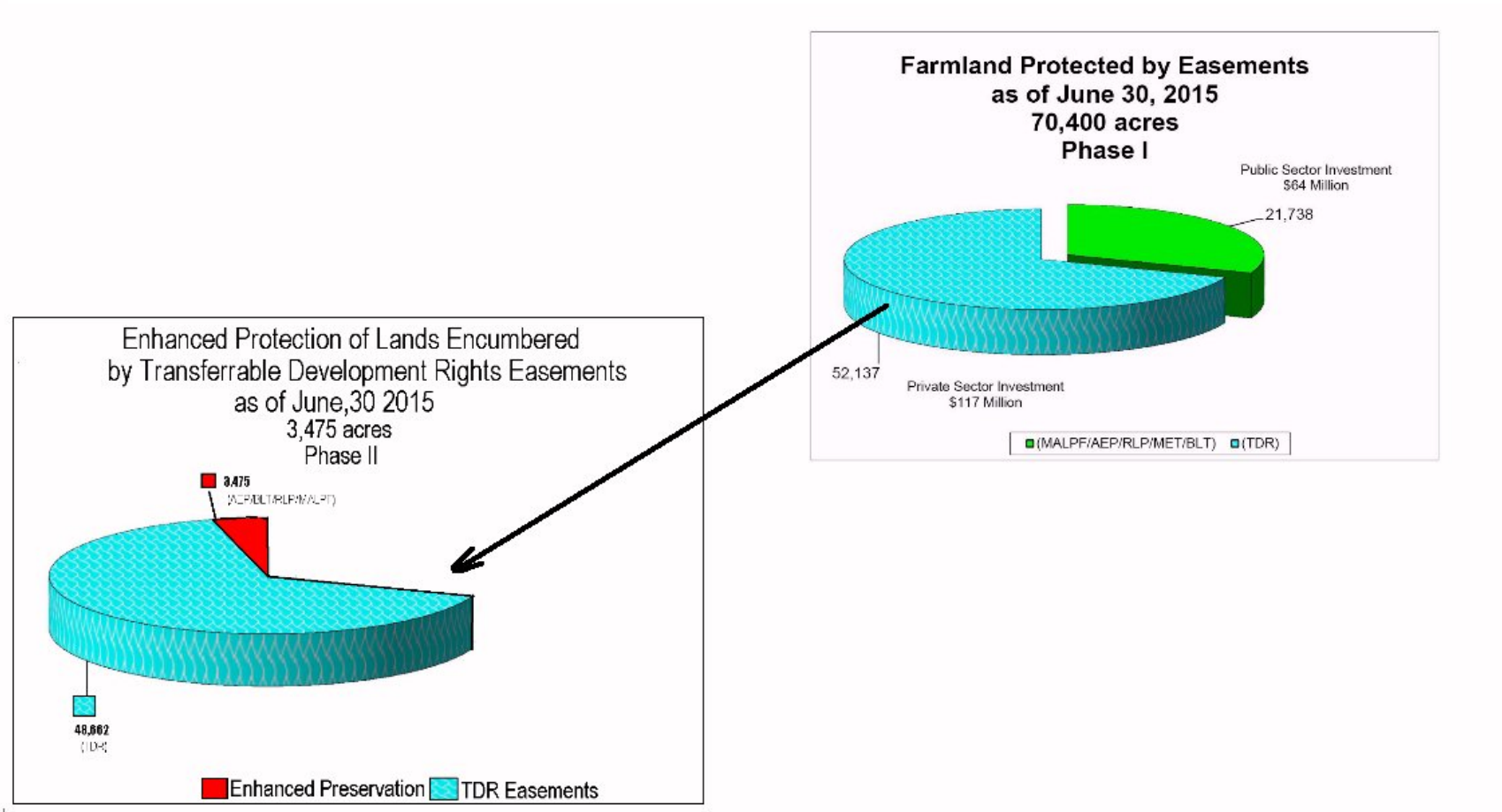
Are we preserving large (5 - 25) acre  
homesteads or land viable for  
agriculture?

# Thank you for your help with Phase 1

- Achieved Phase I of the 70,000 acre farmland preservation goal (Jan 2009).
- Accomplished through various easement programs (MALPF, AEP, RLP, MET, BLT, TDR)
- TDR Easements are the largest part of the Phase I goal and achieve 1 lot / 25 acres.



# Phase 2: Enhanced Protection of 52,000 Acres



- As of June 30, 2015, a total of 3,475 acres of TDR Protected Lands have received enhanced protection through MALPF/AEP/RLP/BLT Easements



One Vision:  
Residential  
Subdivision of  
Agricultural  
Land

Requires County Services to  
support houses constructed



# Another Vision: One that Supports Agricultural Land Preservation

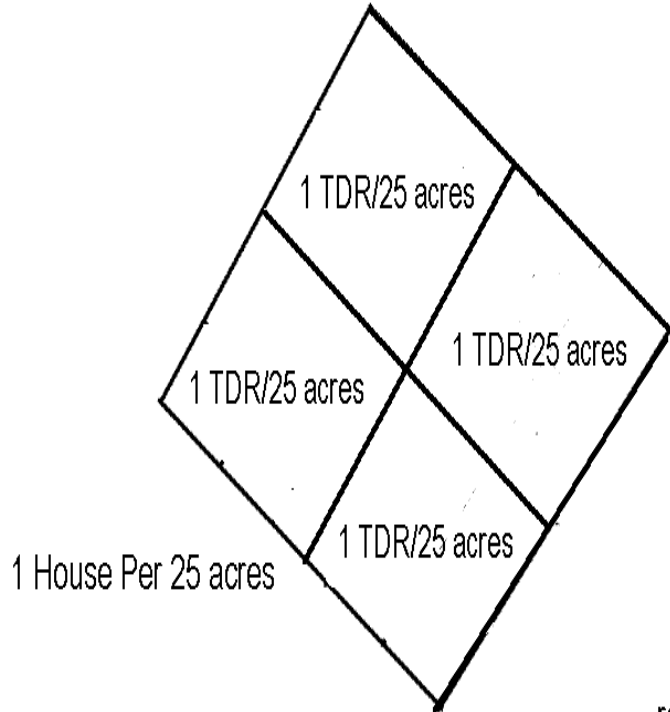
This scenario results in reducing the cost of county services needed in the Ag Reserve because houses will not be built

PEACHTREE RD



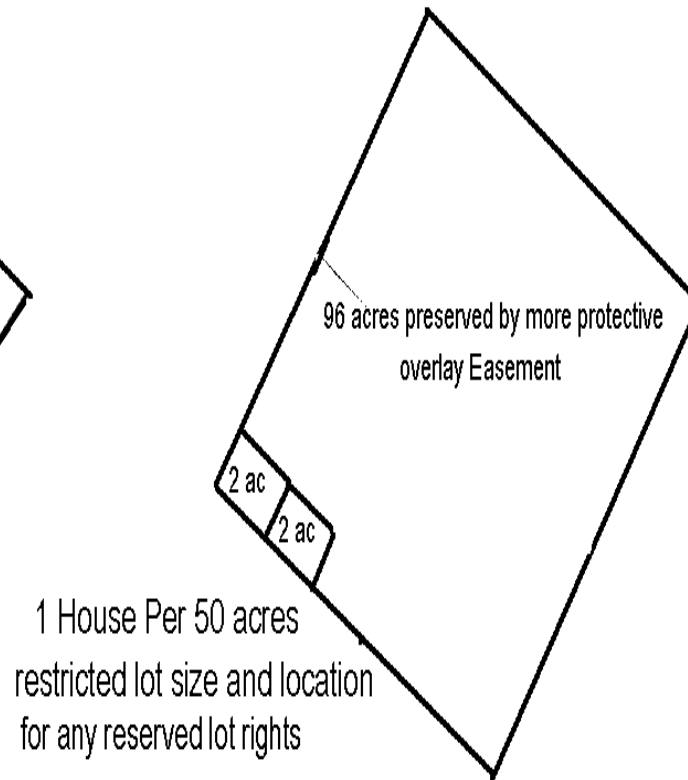
## Current Policy

This 100 acre farm then retains 1 TDR for every 25 acres in the absence of additional easements, this farm can be fragmented into four 25 acre parcel (large estate lots)



## Preservation with Additional Easements

Enhanced Preservation of Land Protected by TDR Easements can be accomplished by overlaying more protective easements like MALPF/AEP/RLP/BLT reducing density further from 1/25 to 1/50 or greater



By purchasing one BLT directly from the owner, we can preserve most of the farm (96%) for agriculture at as low as 225K for one TDR

# What is the County's Vision for the Agricultural Reserve over the Next 25 Years?



Residential Subdivision of Ag Land? Or The Preservation of Agricultural Land?



# Phase II of the Farmland Preservation Goal

- We target the preservation of farmland where TDR easements encumbering farmland still have retained development rights
- Enhanced protection through BLT Program as well as MALPF, AEP and RLP.
- GOAL: 962 BLTs\*\*

\*\* Based upon an estimate of the number of acres preserved by TDR less improvements and BLTs previously acquired

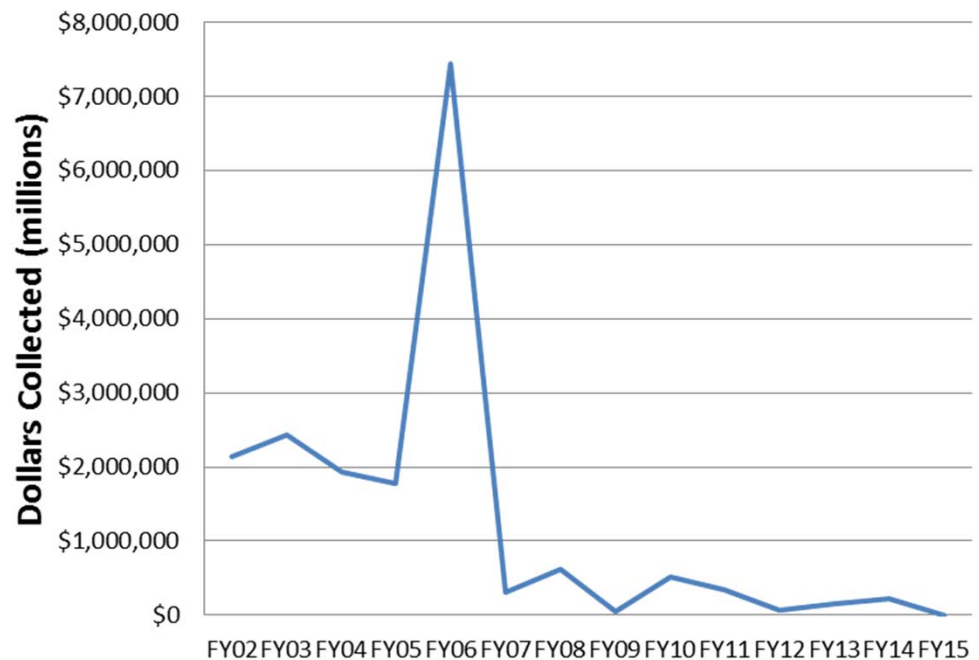
# Funding for Phase 2



# A Funding Dilemma

- Funding for public easements from all funding sources is effectively zero for Land under the Ag Pres. CIP
- We have funding to cover Planning, Design and Supervision costs through FY2022

**Trend of State Agricultural Transfer Tax Collections  
FY02-FY15**



# Analysis of Funding and Preservation

Level of Public Funding	# of Public BLTs	# of Private BLTs	# Years to reach 962 BLT Goal	# of Years to Reach Goal by BLT & AEP
\$0	0	0	Never	0
\$1,000,000	4	4	120	99
\$2,000,000	8	8	60	50
\$3,000,000	12	12	30	25

APAB requests two million in annual public funding which could translate to a total of four million in public and private funds

# Preservation Needs to be a Public - Private Partnership

- Private sector funded 75% of Phase 1
- Need Private sector to be incentivized to help fund Phase 2 BLT acquisitions
- But, Public BLT purchases restrict the ENTIRE property, not just the single BLT
- Optimal BLT acquisition – 1 or 2 Public, Rest Private

# High Interest in Ag. Preservation Combined with No Revenues

- The APAB has developed a list of potential alternative sources of funds to be considered as part of the FY17-22 CIP to purchase agricultural easements at a time when demand for the program is great

# Funding Alternative Options

- Water Quality Protection Charge (WQPC) – Preserving Land reduces impervious surfaces that help infiltration of storm water in rural areas and improves water quality.
- Excise Tax on Disposable Bags – This tax is allocated to the Stormwater Management Fund that includes the WQPC
- County Agricultural Transfer Taxes – Currently assessed on all agricultural land sold whereby no portion of this County tax goes to support agricultural land preservation. We propose either receiving a percentage of the County Ag Tax to be allocated to Agricultural Land Preservation, or as an alternative, provide all investment income derived from the tax collected to be allocated to Ag. Preservation.
- MNCPPC Legacy Open Space Funding – Category 5. The Legacy Open Space Master Plan recommended supplemental funding for the Montgomery County Agricultural Easement Program. This recommendation has never been fulfilled.

# Help Us Finish the Job

- Identify funding source for two million dollars of public BLT/AEP funding per year
- Make your legacy be preserving the land in the Agricultural Reserve for Future Agriculture and not large residential lots