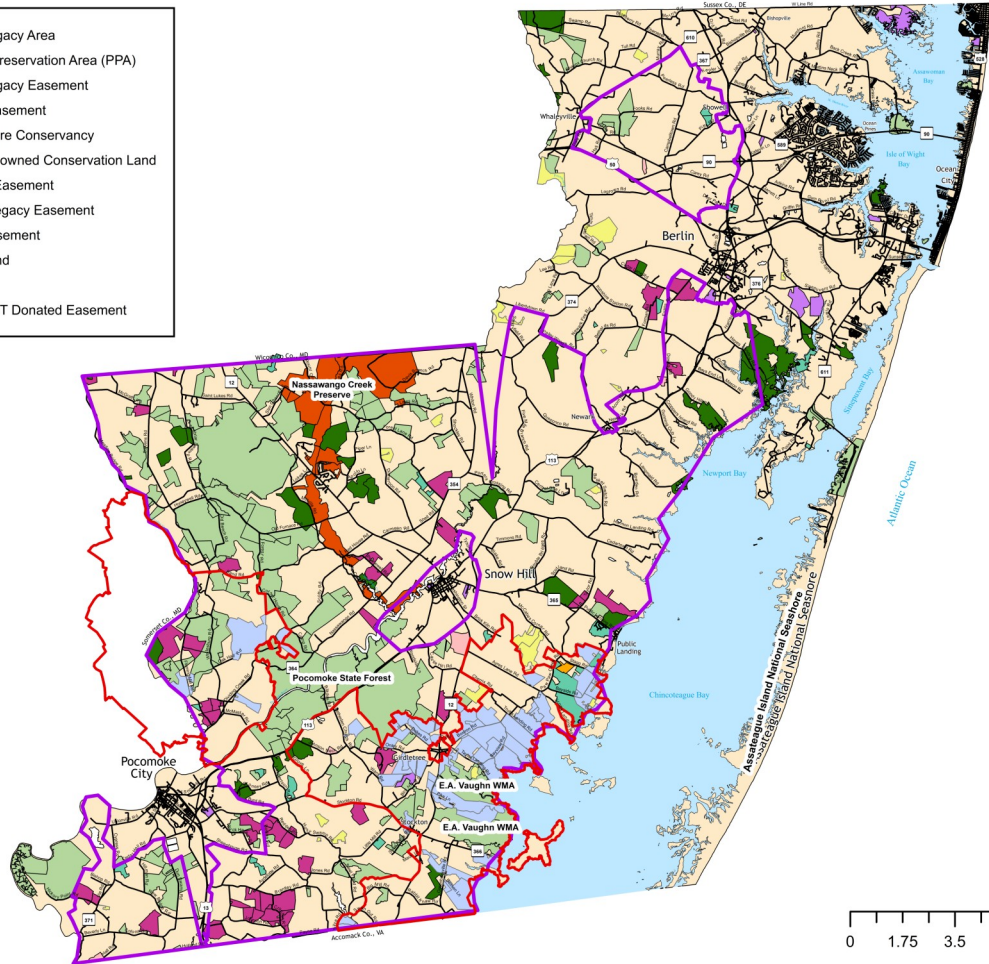


- Rural Legacy Area
- Priority Preservation Area (PPA)
- Rural Legacy Easement
- CREP Easement
- The Nature Conservancy
- Privately owned Conservation Land
- MALPF Easement
- Forest Legacy Easement
- WRP Easement
- State Land
- Park
- LSLT/MET Donated Easement



This map is intended for planning purposes only and not for regulatory application.  
Map prepared on June 9, 2015.  
Data sources: Worcester County Department of Development Review and Permitting, Maryland Department of Natural Resources

Worcester County EP  
Worcester County  
Government Center  
1 West Market Street, #1306  
Snow Hill, MD 21863

Phone: 410-632-1220  
E-mail: kmunson@co.worcester.md.us



www.co.worcester.md.us

**Members of the Worcester County Agricultural Land Preservation Advisory Board:**

- Bill Bruning, Snow Hill
- Kathy Drew, Bishopville
- Kelley Gravenor, Snow Hill
- Glen Holland, Pocomoke City
- Alan Hudson, Berlin
- Ed Phillips, Whaleyville
- Donny Powell, Snow Hill

**County Program Administrator:** Katherine Munson  
410-632-1220, ext 1302; kmunson@co.worcester.md.us

**Maryland Agricultural Land Preservation Foundation:**  
410-841-5860  
www.mda.maryland.gov/malpf



**Worcester County  
Agricultural Land Preservation News**

An Annual Newsletter for Landowners

**\$31.5 Million Available Statewide for MALPF for FY15/16**

FY15/16 MALPF (Maryland Agricultural Land Preservation Foundation) funding, state-wide, is \$31,527,500, falling about \$15 million short of funding available in the FY13/14 cycle.

Worcester County's FY15/16 share will be

nearly \$900,000, with Worcester County offering a match of \$130,859 from retained agricultural transfer tax revenue and the general fund.

While funding allocation from the state real estate tax revenue for MALPF easement purchase is

trending downward, a record number of landowners are interested in participating in the program. Twenty-two (22) applications for FY 15/16 easement sale were accepted in spring of 2014 in Worcester, the applicants owning a total of 3,188 acres.

The state accepted only the top 8 ranking applications for further consideration. Offers from MALPF will be made by letter to highest ranking FY15/16 applicants in late June 2015, or later.

**The next opportunity to submit an application to the county to sell an agricultural easement will be Spring 2016.**



Farm protected by a MALPF easement, Worcester County. 2015.

**Redden Farm Designated**

The Maryland Century Farm Program recognized the Redden farm (on Redden Road) and family in 2008. A Century Farm has been operated by one family for a century or longer. This farm has been in one family since 1892. Pictured are four generations: From left to right, Willis Redden, III; Willis Redden, II; W. Dan Redden; Willis Redden, Sr. The farm is also protected by a MALPF easement.



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**As of May 2015:**

- There are 44 properties, owned by 33 landowners, in the MALPF easement program in Worcester County.
- 6,724.72 acres in Worcester County are protected by MALPF easements.
- Over 28,000 acres of privately owned land is under permanent conservation easement in Worcester County, or 9% of Worcester's land area.
- There are over 110,000 acres of farmland in Worcester County.

## Junk/Debris and Subdivision Among the Most Common MALPF Easement Violations Statewide

More than 2,000 farms (nearly 300,000 acres) statewide participate in the MALPF easement purchase program. One of the biggest challenges as the program has aged and grown, and properties have transferred to new owners is the prevention of easement violations. In many cases, violations are due to mistakes or misunderstandings on the part of the landowner. Correcting violations can be costly, so it is important for participating landowners to be aware of all provisions in their deed of easement. If in doubt, please seek legal counsel, and/or contact the county program administrator, or the MALPF office, before making a decision about a land use change.

**SCWQP/FSPs** All landowners are required to have a Soil Conservation and Water Quality Plan that is not less than ten (10) years old. In addition, many landowners are required to have a Forest Stewardship Plan not less than ten (10) years old. Statewide, at least 166 properties are not in compliance with this provision. Landowners that remain out of compliance may lose access to MACS funding or additional MALPF funding.

*If you have a question about a specific law, regulation, policy, or provision of the district agreement, option contract, deed of easement, or any forms, please consult legal counsel.*

**Agricultural Subdivision** There are no circumstances in which a landowner is allowed to sell off a portion of a farm under MALPF easement without board review and approval. Whether the land is made up of two or more parcels of land, is divided by a road, or the subdivision would be allowed by zoning, is irrelevant. Statewide there are twenty-six (26) such violations in process of being remedied at the cost of the landowner.

**Junk/Debris.** The deed of easement disallows “dumping”. While very old dump sites are not uncommon on farms and generally exempt from this provision, new dumping, or a new collection of disused junk, is not allowed on a MALPF easement. There are twenty (20) such violations statewide in process of correction.

The following violations are less common:

**Right-of-Ways:** Granting a new ROW may conflict with a MALPF deed of easement. Prior to granting a new ROW, please contact the program administrator.

**Subdivision for Residential Use:** While some deeds of easement permit subdivision for creation of a new lot (or lots), there is a specific application process. Please contact the program administrator for assistance.

**Illegal Overlay Easement:** No additional easements of any sort may be granted, typically. Please contact the program administrator for more information.

Each MALPF easement is unique, depending upon settlement date, size of the property, lot options chosen, and sometimes other conditions. Landowners planning a land use change should communicate to ensure violations are avoided. Please contact the program administrator or the MALPF office, to discuss any questions, prior to starting and during any land use change. Contact information is on the last page of this newsletter.

### Monitoring: What to Expect

MALPF easements are required to be monitored from time to time to ensure that easement provisions are being met. (If Federal Farmland Protection Program funds were used to purchase an easement, annual monitoring is required. The county monitors 10-15% of all other easements annually.) Prior to a monitoring visit, you will receive a letter and an e-mail or phone call to schedule the inspection, a copy of the form used to complete the inspection, and the opportunity to accompany the monitors on their visit. Generally a county planner and a Soil Conservation District staff member will serve as monitors.

The following will be reviewed during the visit to your property: general land use, including any recent or planned changes; implementation of your forest stewardship plan and/or soil and water quality plan; evidence of dumping. Most monitoring visits last less than one hour.

## NEW Permitted Uses Policy

MALPF is constantly challenged with finding a balance between what the deed of easement allows or, more importantly, what it doesn't allow, and what landowners want to do to increase farm profits. For instance, MALPF **now allows creameries** on properties under easement (with Board of Trustees approval) so that dairy farms can now process their milk, make ice cream, and sell directly to consumers. The creameries that are approved and operating are hugely popular and successful – some are even on the state's very popular Maryland's Best Ice Cream Trail! The following guidelines apply to these accepted (additional) uses:

- the use must conform to county zoning regulations,
- the use must conform to conditions listed in the MALPF uses policies and regulations,

- the landowner must have some ownership interest in the venture, and
- generally the use can occupy no more than two acres or 2 percent of the easement property (whichever is smaller).

To view the uses policies, please visit [www.mda.maryland.gov/malpf](http://www.mda.maryland.gov/malpf)

Or contact the program administrator.

On March 25, 2014, the MALPF Board approved allowing some form of **restaurant service** on MALPF easement properties where county regulations permit the activity.

Any request must include how the following conditions are incorporated into the food preparation and on-site sales request:

- integral to and supporting the sale and marketing of the princi-

pal agricultural operation;

- seating area is limited to 1,000 square feet of a permanent roofed structure (or less if county zoning is more restrictive); and
- total size of food preparation and on-site sales/seating area must be reviewed and approved by MALPF, which will consider the size of the facility in proportion to the size of the intended use.



## NEW Alternative Energy Policy

New legislation (Senate Bill 259/House Bill 861) allows MALPF easement landowners to request approval to install renewable energy source generation facilities **for commercial purposes, when such use also conforms with all county regulations.** The types of energy are limited to solar, wind, or anaerobic digestion of poultry litter or livestock manure. Approval is subject to significant limitations. The size of a facility is limited to 5 percent of the easement area or five acres, whichever is less. The location of a facility is to be in an area that will minimize the impact to the agricultural uses of the land. Also, some locations may either not be permitted or may require height restrictions for wind turbines because they will cause interference with Doppler Radar at the Patuxent River Naval Air Station. MALPF easements which have federal or county funding may be precluded from approval. Applications for consideration are to be submitted no later than June 30, 2018 as this law prohibits Board approval after June 30, 2019.

## MALPF Easements on the Eastern Shore (as of June 2013)

County	Total Easements	Acreage	Percent of State Total
Caroline	219	31,395	11%
Dorchester	82	13,510	3.9%
Kent	90	16,963	4.28%
Queen Anne's	158	26,306	7.52%
Somerset	40	4,901	1.90%
Talbot	71	11,198	3.38%
Wicomico	53	6,649	2.52%
Worcester	41	6,408	1.95%
<b>TOTAL</b>		<b>117,330</b>	<b>36%</b>



Property under MALPF easement in Worcester County, 2015