

From: [Criss, Jeremy](#)
To: [Riley, Mike](#); [Sandberg, Brenda](#); [Butler, Patrick](#); [Chung, Megan](#); [Coppola, Henry](#)
Cc: [Tibbitts, Dale](#); [Kassiri, Fariba](#); [Hartman, Ken](#); [Gaul, Vickie](#); [Hucker, Thomas](#); [Scheffel, Mike](#); mjam0422@yahoo.com
Subject: FW: Broad Run Creek Farm letter and supporting documents-Three appraisals will be sent separately
Date: Friday, September 10, 2021 10:16:00 AM
Attachments: [OAG letter to Parks re broad run creek.pdf](#)
[APAB testimony 12_26_2007.pdf](#)
[LOS new sites hearing 11_15_2007.pdf](#)

Hello Mike,

I am following up on the Parks proposal to purchase the Broad Run Creek Farm II LLC that is encumbered by the County Agricultural Easement Program-AEP.

Attached, you will find the response letter from the Office of Agriculture-OAG to your June 11, 2021 letter along with supporting documents that are referenced.

Due to size of the documents associated with the three appraisals requested by the OAG, I will remit them in follow up emails.

The County Executive-CE has several questions and concerns surrounding the termination of the AEP easement on the Broad Run Creek Farm, although we have addressed some, but not all of them. The concerns and questions from the CE may be addressed if we had the contract between Parks and the current owners of the farm.

It is our understanding that Vickie Gaul is drafting a Terms Sheet to help us with the negotiations on this transaction.

The back and forth between the OAG and the Executive staff has taken more time than we hoped.

Please let us know if you have any questions.

Thanks J

Please take a moment to answer this quick satisfaction survey about our interaction today:

<https://forms.gle/yXhnxpQLtHgFPtBX6>

Jeremy V. Criss
Office of Agricultural Services, Director
18410 Muncaster Road
Derwood, Maryland 20855
301-590-2830 (Office)
301-943-9766 (Cell)

jeremy.criss@montgomerycountymd.gov
<http://www.montgomerycountymd.gov/agservices>

CONNECT WITH The Office of Agriculture



Montgomery County Ag Reserve
93,000 acres

From: Scheffel, Mike <Mike.Scheffel@montgomerycountymd.gov>

Sent: Friday, September 10, 2021 8:48 AM
To: Criss, Jeremy <Jeremy.Criss@montgomerycountymd.gov>
Subject: Broad Run Creek letter and supporting documents

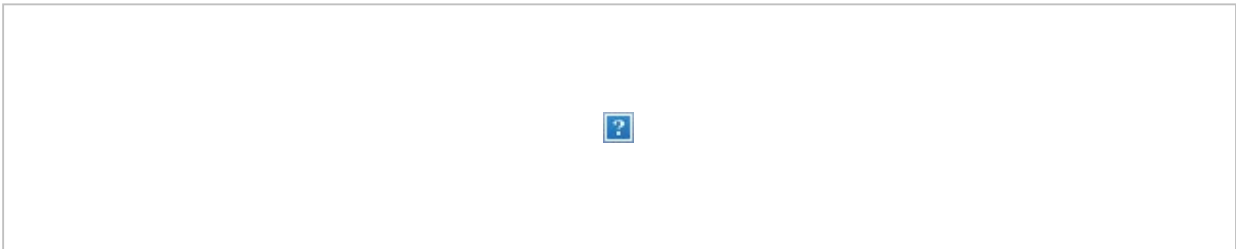
Here you go!

Mike Scheffel
Office of Agricultural Services, Agricultural Land Preservation Program Administrator
18410 Muncaster Road
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301-590-2856 (Office)
443-487-2971 (Cell)
mike.scheffel@montgomerycountymd.gov
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CONNECT WITH The Office of Agriculture
Montgomery County Ag Reserve
93,000 acres

Please take a moment to answer this quick satisfaction survey about our interaction today:

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For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19



THE OFFICE OF AGRICULTURE

Marc Elrich
County Executive

Jeremy V. Criss
Director

August 13, 2021

Mr. Michael F. Riley, Director
Montgomery County Parks
2425 Reedie Drive
Wheaton, MD 20902

Re: Broad Run Creek Farm II, LLC, Property Termination of Agricultural Preservation Easement

Dear Mr. Riley,

The Office of Agriculture – OAG is responding to your June 11, 2021, letter regarding the proposed acquisition of Broad Run Creek Farm II, LLC located at 21820 Club Hollow Road Poolesville, MD 20837.

Our work on this process can be distilled to one question – What is the present value of an easement? This single question represents the most unclear part of the proposed Parks acquisition. The County Code provides no clarity on the issue, Chapter 2B-10 (b) states, “*Easement Properties Purchased or Condemned by Government. **If the federal government or the State or County buys or condemns land under an agricultural easement for park or any other nonagricultural use, the condemning authority must pay the present value of the easement to the Fund.*** (emphasis added).

There is an expectation in the Code for the County Government to be reimbursed and payments made to the Fund before the County Attorney must prepare, execute, and deliver to the condemning authority for recording, a Deed of Termination and Release from Easement, To determine how the present value of the easement is determined, we need to go back to when the County’s Agricultural Easement Program-AEP began.

Bill 56-87, the act creating the County’s Agricultural Easement Program, was introduced on December 8, 1987, and enacted on February 16, 1988. As this bill promulgated through the legislative process, the basis of the program was to streamline the easement acquisition process by moving away from an appraisal-based valuation and replace it with a more consistent added-value formula. The expectation of the County was to ensure a condemning authority could not terminate an easement unless they reimbursed the Agricultural Preservation Fund. As I stated to you in May, the bare minimum reimbursement should be no less than what the County originally paid for the Easement. If the County accepts a lower reimbursement payment, it would not be acting in a fiduciarily responsible manner.

Montgomery County Parks has previously tried to purchase this farm. In November and December of 2007, County Parks made recommendations to add this farm (formerly Beverly Farm) to its Legacy Open Space – LOS Master Plan (see attached). The Montgomery County Agricultural Preservation Board – APAB provided comments on this potential addition to the LOS master plan (see attached). Among the

comments made by the APAB, a concern is still valid today: the idea of governments and condemning authorities should not pursue properties encumbered by agricultural preservation easements as a backdoor to acquire farmland for parks. Farmers are accustomed to competing with their own industry for farmland, when government gets in the business of buying farmland it has a chilling effect on competition for farmland.

The Maryland National Capital Park and Planning Commission – MNCPPC, has a contract with the current owner of the property to purchase approximately 472 acres of the 535-acre farm and allow the approximately 63 acres remaining for continued use as a privately owned, active farm. Notwithstanding the proposal outlined above, the County Parks would like to terminate the entirety of the Agricultural Preservation Easement. The OAG has not seen the contract between buyer and seller. The County Parks strategy on the future of both portions of the Broad Run Creek Farm is an area that the appraisers asked us, and we were not able to provide definitive responses. As an example, once the easement is terminated, there are six transferable development rights-TDRs (one of which is retained for the exiting farmhouse that could be razed) that would yield six new buildable lots on the farm that would be realized upon achieving the water table and perc tests. The OAG believes the realization of these six new buildable lots must be considered as part of the present value of the easement. Not all of the appraisals reflect this future development potential. The OAG cannot navigate a complex, precedent setting transaction when we do not have all the details.

As part of this process MNCPPC ordered an appraisal of the property to determine what a present easement value may be. The firm of Ryland Mitchell of Lipman, Frizzell & Mitchell was hired to perform the appraisal. Their appraisal determined the present value of the easement to be \$600,000 that is based on the six retained TDRs valued at \$100,000 per TDR. We believe the appraisal is based on a misunderstanding of how the County paid for the easement in 2001. The County used an added-value formula to determine the price of the easement. This means the Beverly's were compensated for the agricultural resource characteristics of the property on a per acre basis, not on a per TDR basis.

After the OAG received MNCPPC's appraisal, the OAG immediately ordered three separate appraisals to be done by approved appraisers on the Maryland Department of General Services list. We wanted to show how difficult it is to appraise agricultural land and why the County's agricultural preservation program was amended in 2009 to eliminate the appraisal-based valuation and only provide the added-value formula for determining easement values.

Breakdown of Easement Values for the Beverly/Broad Run Creek Farm II:

2001: The County AEP added-value formula	\$1,954,090.30
2021: Ryland Mitchell of Lipman, Frizzell & Mitchell –	\$600,000
2021: Phillip R. Lamb & Co, Inc -	\$708,300
2021: Associated Appraisers -	\$1,892,000
2021: Karen H. Belinko Appraisals, LLC -	\$236,100
2021: Present AEP added value formula -	\$4,091,250.30

The appraisals show a wide range of terms and values, some high some low, and no consistency. The added-value formula reflects the understanding of the agricultural community – a continued increase for the price paid for easements and agricultural land values appreciating not depreciating. This property helps to demonstrate why the County uses the added-value formula and no longer an appraisal-based approach.

The possibility of terminating this easement cannot occur in a bureaucratic vacuum between MNCPPC and the OAG. Since this would be the first case of an agricultural preservation easement being terminated in Montgomery County and the State of Maryland, we need to get this right. The OAG will be recommending specific amendments to Chapter 2B-10 (d) that will provide greater clarity and process for condemning authorities seeking to terminate agricultural preservation easement properties moving forward. We will reach out to the County Executive and staff as well as the County Council to make sure all parties are aware of this process including our recommended remedies to the County Code.

Once we discuss this with the County Executive and Council and receive our directions, we will have a better understanding on our role to negotiate the present value of the easement. We understand and appreciate the timeline put forth in your letter; however, this is a precedent setting transaction, and our Agricultural Clients are watching closely. They want to make sure the fund is reimbursed fairly and that they understand this process.

We look forward to working with you on coming to a win-win solution for the County residents on this process.

Sincerely,



Jeremy V Criss, Director, Office of Agriculture

cc: Marc Elrich, County Executive
Tom Hucker, Montgomery County Council President
Vickie Gaul, Associate County Attorney
Dale Tibbitts, Special Assistant
Ken Hartman, Director of Strategic Partnerships
Michael Jamison, Chair, Montgomery County Agricultural Preservation Advisory Board



Nov 15, 2007
MCPB
Item # _____

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Bradford, Director of Parks
John Hench, Chief, Park Planning and Stewardship Division

FROM: Brenda Sandberg, Legacy Open Space Program Manager
Dominic Quattrocchi, Legacy Open Space Senior Planner

DATE: November 9, 2007

RE: Legacy Open Space Recommendations for New Sites: Recommend the addition of seven sites to Legacy Open Space

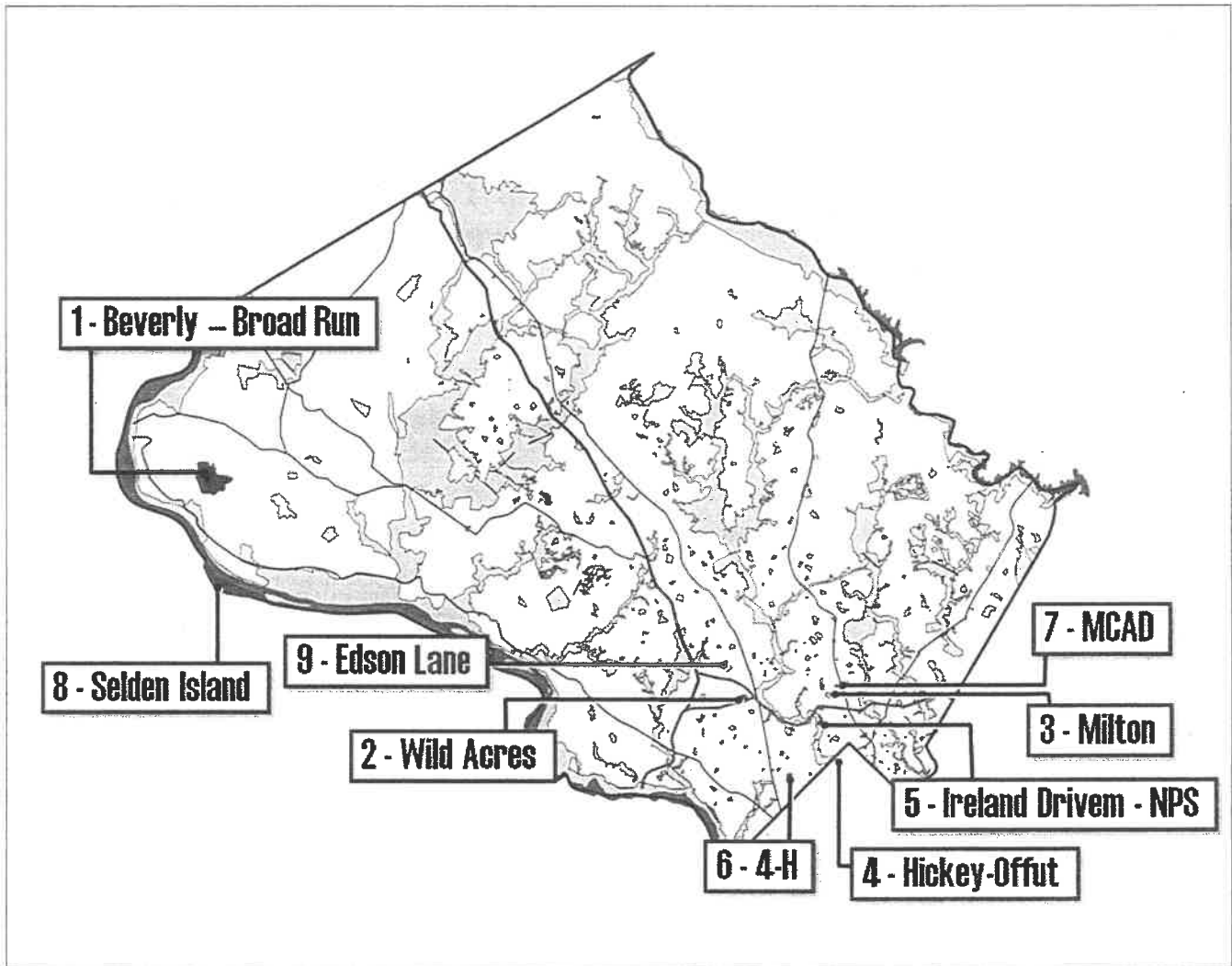
Recommended Action

Staff recommends that the Planning Board approve the addition of the following seven sites to the Legacy Open Space program:

- 1) Beverly Property, Broad Run Watershed, Poolesville (Natural Resources)
- 2) Wild Acres/Grosvenor Mansion Property, Bethesda (Natural Resources)
- 3) Milton Property, Capitol View Park (Natural Resources)
- 4) Hickey and Offut, Bethesda (Natural Resource)
- 5) Ireland Drive/National Park Seminary Carriage Trails, Silver Spring (Heritage Resource)
- 6) National 4H Council Headquarters, Chevy Chase (Urban Open Space)
- 7) Montgomery College of Art and Design, Wheaton (Urban Open Space)

See the attached table for a summary of the recommendations for designation and proposed protection techniques on all nine sites evaluated and attached maps showing each site.

Countywide Locator Map of all Properties



Background

Over the past two years, staff has completed evaluations of seventeen sites for potential addition to the Legacy Open Space (LOS) Program. The *Legacy Open Space Functional Master Plan* directs staff to conduct outreach in every odd-numbered year to identify new sites that should be considered for Legacy Open Space, and sites are nominated by citizens and staff at various times.

Nominated sites were put through an initial screening process followed by field work and GIS evaluation to evaluate natural, historic, and other site resources. Eight sites did not meet even the initial screening and, according to established procedure, were rejected by staff. Numerous Commission staff, including Planning staff, Park Managers, and Park Planning staff, were involved in the ultimate evaluation and recommendations for the remaining nine sites. Other public agencies were consulted as appropriate. The draft and final staff recommendations for these nine sites were reviewed with the LOS Implementation Team (internal to Park and Planning) and LOS Advisory Group (external citizen's advisory group) at the summer and fall quarterly meetings.

Site Analysis

The overall philosophy of Legacy Open Space is to identify resources of exceptional countywide significance for preservation efforts: those that "rise above the rest". The seven sites recommended for addition have been reviewed according to the general criteria spelled out in the *Legacy Open Space Functional Master Plan*. In addition to these criteria, specific factors relevant to each resource category (e.g., Heritage or Natural Resources) were also evaluated.

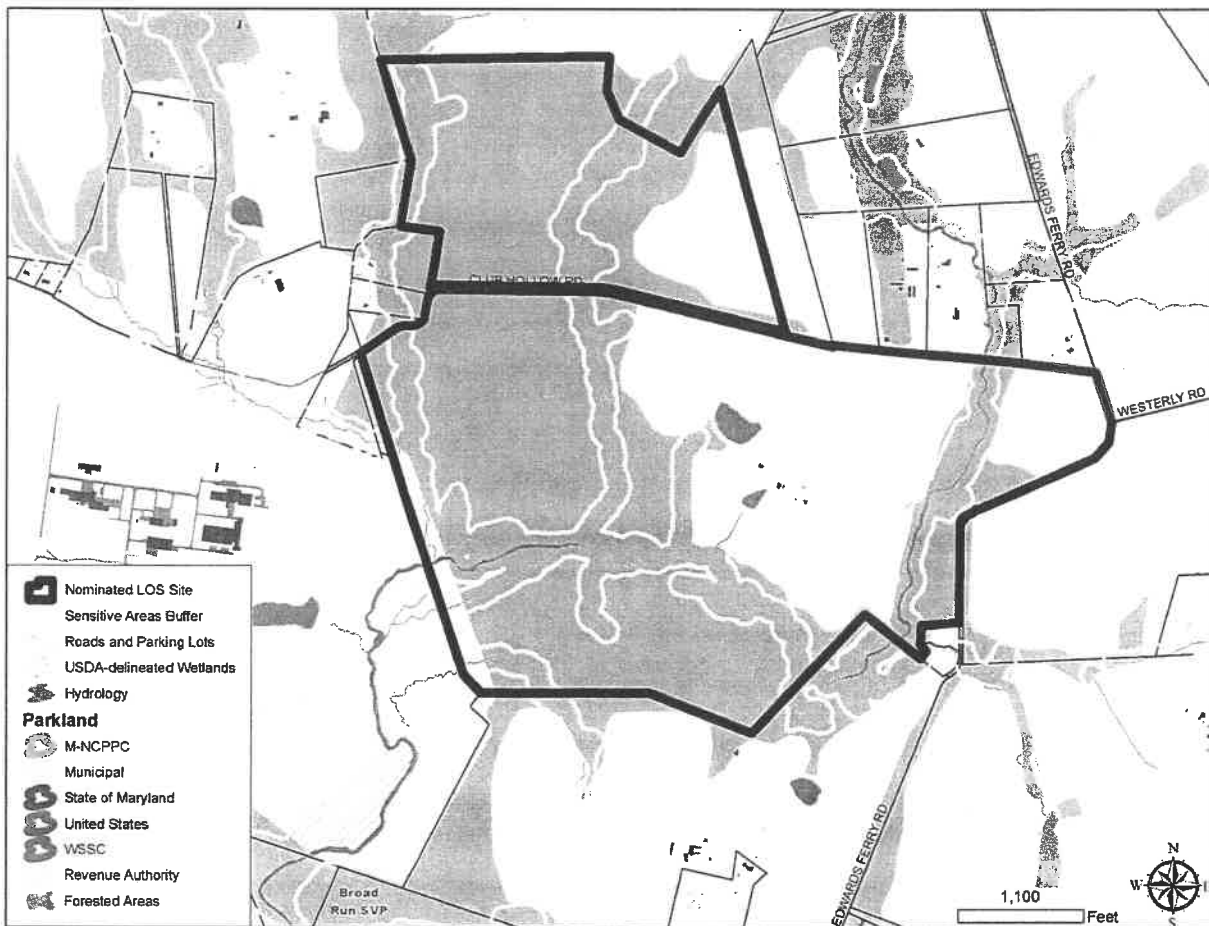
The Legacy criteria from the functional master plan are as follows:

- 1) The Resource has particular countywide, regional, or national significance in terms of (a) known or potential habitats for rare, threatened, or endangered species; (b) a "best example" of terrestrial or aquatic community; (c) unique or unusual ecological communities; (d) large, diverse areas with a variety of habitats; or (e) exceptional viewsapes, architectural character, or historic association.
- 2) The Resource is critical to the successful implementation of public policy such as the protection of the Agricultural Reserve and public water supply.
- 3) The Resource is part of a "critical mass" of like resources that perform an important environmental or heritage function.
- 4) The Resource makes a significant contribution to one or more heritage themes.
- 5) The Resource provides human or ecological connectivity between significant park, natural or historic areas and/or corridors.
- 6) The Resource helps to buffer and thereby protect other significant resources.
- 7) The Resource represents an opportunity for broadening interpretation and public understanding of natural and heritage resources.
- 8) The Resource provides a significant opportunity (a) to increase access to public open space in communities with high population densities, (b) to protect scarce open space in

an urbanized community, (c) to improve the character of a green boulevard of countywide or regional significance, or (d) to provide for a new regional park facility.

A summary of the staff recommendations for LOS designation and for the appropriate protection techniques for each of the nine sites is contained in the attached table. The next section of this memorandum provides more detailed analysis of the general criteria and resource category factors the program.

Beverly Property, Broad Run Watershed



Analysis of Overall Legacy Criteria and Resource Category Factors for Selected Sites

#1 - Beverly Property, Broad Run Watershed, Poolesville (Natural Resources, Class II)

Staff analysis of the Beverly Property and its importance by the Legacy Open Space Criteria has determined that:

- The Resource has particular countywide significance in terms of potential habitats for rare, threatened, or endangered species; as a “best example” of a large forest interior habitat on Triassic soils; and as a large, diverse forest area with a variety of wetland and upland habitats.
- The Resource is part of a “critical mass” of interior forest resources that perform the important environmental function of providing habitat for interior forest plant and animal species.
- The Resource provides human and ecological connectivity along the Broad Run Stream Valley, connecting between significant natural areas and existing and future parkland.
- The Resource helps to buffer and thereby protect water quality and adjacent forested area in the Broad Run watershed.

The Beverly property is a cornerstone property in the envisioned future Broad Run Stream Valley Park -- a long-term future series of acquisitions to complete a stream valley park system from the Chesapeake and Ohio Canal from near Edwards Ferry to Woodstock Special Park with a connection to the C+O Canal near Dickerson. M-NCPPC already owns a 106-acre property south of the Beverly properties known as the Broad Run Stream Valley Park (South Unit). The Broad Run Stream Valley Park is envisioned to provide a future natural surface trail connector with forested areas to be protected in perpetuity.



Broad Run south of the Beverly Property

The Broad Run watershed is considered an important natural area in the county because of its unique geology and plant communities, overall rural character and high recreational value. The Broad Run Watershed is entirely within Montgomery County, exhibits good water quality and represents a logical resource for protection and enhancement. Flowing south toward the Potomac River, the Broad Run passes through a part of Montgomery County that has changed little in 100 years. The watershed is characterized by rolling topography and red Triassic sandstone with soils that tend to be droughty. The Broad Run consist of a 14.3 square mile drainage area (9227 acres). Approximately 29 percent of this watershed is forested (2697 acres). Notably, the Beverly forest alone comprises 13 percent of all forest area within the Broad

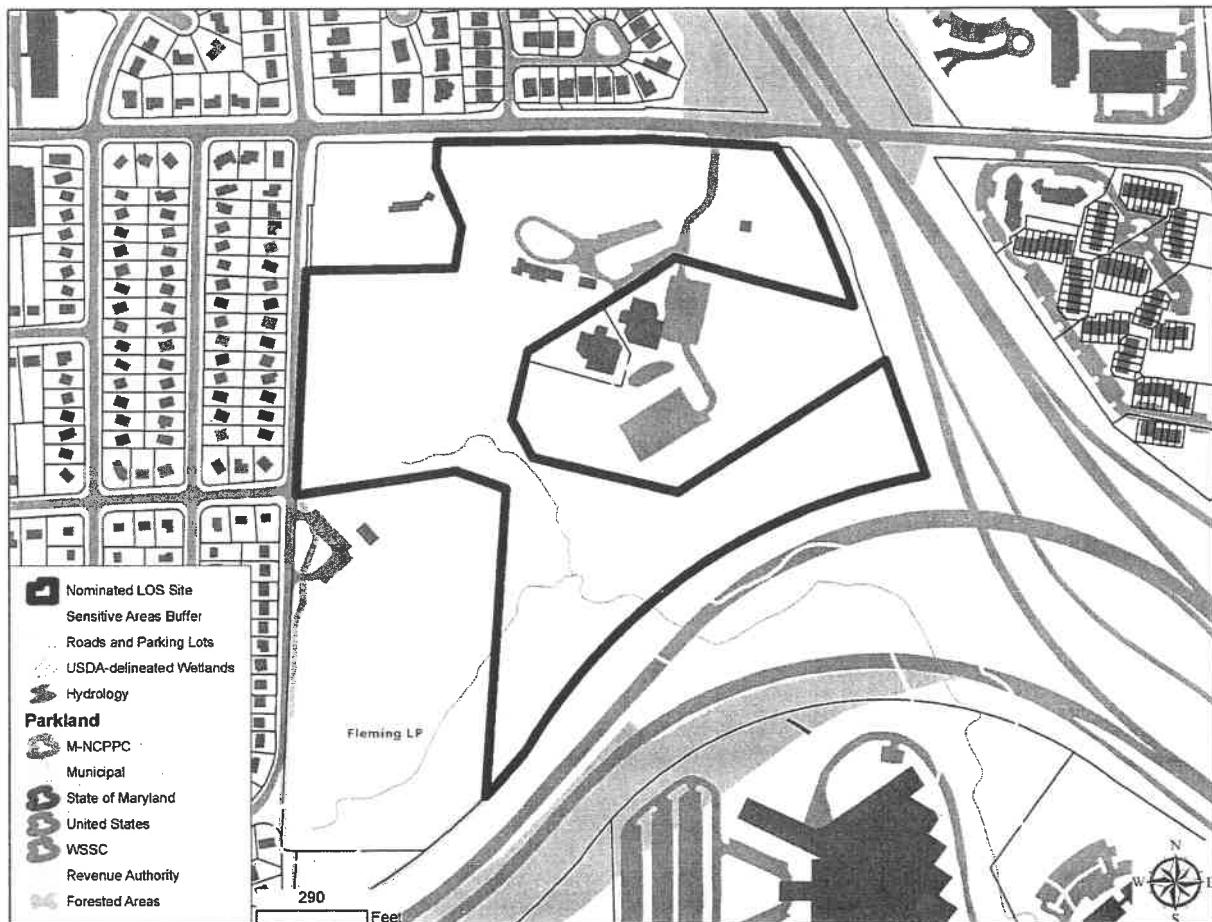
Run watershed and represents one of the most outstanding large forested areas within Montgomery County, including forested areas within public ownership.

The Beverly Property contains a total of 535 acres, including 342 acres of forest. Much of this forest is High Priority riparian forest. In addition, approximately 1.5 miles of stream and an undetermined amount of wetland acreage are part of this forest. The significance of this resource greatly increases the potential for rare, threatened and endangered species. Review of historic aerial photographs indicate that the existing forest boundaries have generally remained unchanged for at least the last 75 years.

Mature large contiguous blocks of forest in Montgomery County are increasingly rare. These areas provide critical habitat for species dependent of large and un-fragmented forest interior. In addition to protection of large intact Forest Interior, protection of the Agricultural Reserve and Rural Open Space is important to the Commission and can be achieved through acquisition of the forested portions of these parcels.

Staff recommends acquisition as permanent stream valley or conservation parkland of approximately 300 acres of forest. Further, staff recommends pursuing study of additional properties for future completion of the Broad Run Stream Valley Park.

Wild Acre/Grosvenor Mansion Property





AGRICULTURAL PRESERVATION ADVISORY BOARD

December 26, 2007

Mr. Royce Hanson, Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Written Testimony – Legacy Open Space Recommendations for New Sites
Beverly Property, Broad Run Watershed

Dear Chairman Hanson:

At the request of the Agricultural Preservation Advisory Board (APAB) we hereby submit this correspondence to the Montgomery County Planning Board, for it to be entered into the public record as official APAB written testimony for the Public Hearing that was held on November 15, 2007 regarding the recommendations for adding additional sites to the Legacy Open Space (LOS) Master Plan. More specifically, the APAB would like to comment directly on the Charles Beverly Property listed at site number 1 within the Staff Report.

General Comments:

The APAB is very disappointed we were not provided any notice of the public hearing held on November 15, 2007, given the fact the property is encumbered by a Montgomery County Agricultural Preservation Easement (AEP). The APAB's insight and expertise in reviewing the recommendation would have been salient to the discussion and some issues not identified in the staff report could have been raised and discussed. In consultation with the County Attorney's Office and MNCPPC LOS staff, it was stated that the public record would remain open for this property past the December 3, 2007 deadline so that the APAB could provide this written testimony.

Specific Details Regarding the Beverly Property:

On May 10, 2001, Montgomery County settled an agricultural preservation easement on the 535 acre property owned by Charles Beverly et. al. and was recorded among the land records of the County at Liber:19137 Folio:264-295. This easement encumbered the entire property and retained a total of 6 Transferable Development Rights (TDRs) for existing and future reserved rights. Simultaneously to recordation of the agricultural preservation easement, 100 TDRs were created via a TDR easement (Liber:19137 Folio:264) and transferred to the County c/o the

Royce Hanson, Chairman

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December 26, 2007

Department of Economic Development via a TDR Deed of Transfer (Liber: 19137 Folio: 274). All reserved rights contained with the easement are reserved as a personal covenant with the Easement's Grantors and these rights do not run with the land in the event the Grantor conveys the fee interest to another party.

Specific Comments Regarding the Beverly Property LOS Site Recommendation:

The APAB, questions the need MNCPPC has identified this property as a priority for protection, given this property is already protected from development. We understand MNCPPC staffs interest in this property is primarily limited to 300 acres more or less of forest because it represents a large contiguous tract of forest that is privately owned which is rather unique within the County. Having said this, it too must be recognized that this farm property represents a 535 acre farming operation, which is also unique as we do not have many farms protected by agricultural easements of this size. This was a key factor considered by the Agricultural Preservation Advisory Board when they deliberated the desire to purchase an agricultural easement on the property. The Board understood how important this property was to our preservation efforts and a key to implementing the 1980 Master Plan for the Preservation of Agriculture and Rural Open Space. The importance of protecting this resource can be understood when you consider the County purchased this easement at a premium value because of the quality of the farm property soils and its sheer size. The APAB does not support this farm being fragmented any further given the investment we have made and the fact it represents and exceptional farm resource.

The APAB fully acknowledges that continuing dialog and policy decisions will direct the future use of this property, and while the APAB preference is to see this farm maintained as a large private agricultural and forest land operation, the APAB wanted to inform the Montgomery County Planning Board regarding the specific steps that must be taken to further consider this property for the LOS program in light of this property being encumbered by an AEP easement. Chapter 2B-13 (b) of the County Code – Termination and Repurchase of Easements does address a process when properties where the County has purchased agricultural easement upon, are being considered for parkland and other nonagricultural uses. This section states: **“If land under easement is purchased or condemned by the County for park or other nonagricultural uses, the County must transmit funds equal to the present value of the easement to the fund”** The APAB believes that staff has not adequately addressed the costs associated with pursuing the purchase of this property. The Board feels that any decision to add this property to the LOS list of recommended sites for fee title purchase should not be approved until a determination on project costs is ascertained.

Furthermore, from a historic perspective, the Maryland Farm Bureau is on record that when State Purchase of Development Rights Programs are in place, that they not be used as a backdoor mechanism for government to condemn or acquire the remaining fee interest for parkland. The Board has many reservations about this approach and feel public resources may

Royce Hanson, Chairman

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be far better spent when they are associated with to projects where no public sector investments have been made to ensure their protection. We question whether this is a good use of taxpayers money and whether alternative approaches have been explored which may achieve similar results.

It is also important to know that the agricultural community will not support this request as they endorsed several resolutions through the Montgomery County Farm Bureau on November 13, 2007 relating to Legacy Open Space and purchasing of private lands for public park uses. These resolutions are provided by way of attachment and have been highlighted for your convenience.

In conclusion, the APAB recommends MNCPPC LOS staff work with the APAB to pursue an alternative approach that employs the use of overlay easements that would keep the property on the tax rolls and afford higher levels of protection for forest resources as well as limited public trail access. We believe this approach will ensure that the lands placed under an overlay easement will not be further fragmented, remain on tax rolls in private ownership and achieve the natural resource protections and trail connectivity desires being pursued by MNCPPC.

It is our hope and desire that the Planning Board will support our approach as it represents a win-win scenario for all parties involved.

Sincerely,



W. Drew Stabler, Chairman

Agricultural Preservation Advisory Board

Attachment: Montgomery Farm Bureau Resolutions

cc: Montgomery County Council
APAB Members
Diane Jones, Assistant Administrative Officer
Dr. Pradeep Ganguly, Director DED
Jeremy V. Criss, Agricultural Services Manager

SOCIAL SECURITY REFORM

The social security system has provided a safety net for America's senior citizens since the 1930's New Deal. Farm Bureau favors a thorough review of the problems and potential solutions for the social security program. When the best course of action is determined, the federal government needs to act quickly and decisively to head off this impending crisis. (FEDERAL) (2005)

PROPERTY RIGHTS/PUBLICLY OWNED LAND

Farm Bureau is opposed to any public entity taking private property, without just compensation to the property owner, for the so-called public good. Government entities often extort landowners by requiring them to donate land or provide easements in order to receive the permits required to proceed with a development project. Farm Bureau opposes the taking of private property without just compensation the property owner.

Over 50,000 acres in Montgomery County is currently in Federal, State and county parkland. This is almost 1/6 of the entire land in the county. This land is mostly underutilized, poorly maintained and frequently overrun by noxious and invasive plants. Farm Bureau is opposed to any additional acquisition of parkland in Montgomery County by any means by any government entity.

The park agencies are also poor stewards of the forest resources under their control. All parks should have DNR approved "Forest Stewardship Plans" and those plans should be implemented to increase forest production and the selective harvest of timber.

Additional wildlife habitat is unnecessary as farmers are currently overrun by deer, groundhogs, geese, raccoons and beaver. No additional land should be added as this land is permanently removed from the tax rolls and becomes an increasing burden on a park system already struggling to maintain the vast acreage currently in their control. (STATE, LOCAL & FEDERAL) (2004)

TREE MAINTENANCE ALONG UTILITY LINES & ROADS

In light of the disasters due to power outages from recent storms, State and County regulations regarding tree trimming and removal need to be simplified to allow more aggressive tree trimming. Farm Bureau supports updating the State Roadside Tree Law and Regulation to allow for the effective trimming and removal of hazardous trees and branches and climax trees considered hazardous to traffic, utilities and public safety. Trimming to remove trees and branches should be allowed on a regular trimming cycle.

Montgomery County has a large urban climax forest that has aged beyond its maturity. Farm Bureau urges that a public education program be undertaken by local governments and/or utility companies to educate County citizens on the facts that trees do not live forever and there is a need to inspect, harvest or remove older, mature, hazardous and diseased trees. (STATE & COUNTY) (2004)

**RETURNING POLICY
(No Written Changes)**

SUPPORT FOR COUNTY BASED EXTENSION AGENTS/EDUCATORS

The County Agricultural Extension Agents work with Maryland's Leading Industry – Agriculture. The Agricultural Extension Agents have always been looked upon as the right arm of the University of Maryland the College of Agriculture. Farm Bureau recommends that each county have at least one Agricultural Extension Agent/Educator who works with local producers to promote agricultural economic development and the preservation of the Chesapeake Bay. Furthermore, Farm Bureau strongly supports a budget that will enable each county to seek and keep top County Extension Agents at Maryland. (STATE & COUNTY) 2006

GREEN BUILDINGS IN MONTGOMERY COUNTY

The Farm Bureau recognizes the importance of Green Buildings as a way to reduce roof storm runoff and decrease energy/water use. In some cases this technology increases both the initial and normal maintenance costs beyond what is being saved in energy/water inputs. It is strongly recommended that all new construction of County Buildings consider the cost effective nature of this technology in future planning and construction. (COUNTY) 2006

ESTATE PLANNING EDUCATION

Farm Bureau supports the expanded curriculum by Maryland Cooperative Extension to educate farm families about the importance of estate planning as a wealth management and wealth preservation tool with appropriate funding of training sessions. (STATE & COUNTY). 2006

COUNTY HISTORIC PRESERVATION

Farm Bureau does not support the designation of rural and agricultural structures including properties as historic without the agreement and consent of the property owner. Farm Bureau strongly opposes the practice of including the entire property within the historic designation master plan process as the only area immediately surrounding the historic structures should be necessary. (COUNTY) 2006

PROPERTY RIGHTS

Farm Bureau is opposed to any governmental agency taking private property for public purpose without just compensation to the property owner. Government entities often extort landowners by requiring them to donate/dedicate land or provide easements in order to receive permit approvals necessary to proceed with a development project. (FEDERAL, STATE & COUNTY) (2005)

8. PARK AND PLANNING STAFF ACCESS TO FARMS

The Farm Bureau supports a revision in the law to restrict Park and Planning staff to private property to no greater than is allowed to Law Enforcement Agencies.

9. RESIDENT GOOSE CONTROL

Farm Bureau recommends that the Maryland Department of Natural Resources adopt any and all practices previously administered through the United States Fish and Wildlife Service pertaining to resident goose control measures. Farm Bureau further recommends that MD DNR allow year round open hunting seasons with no bag limits for resident Canada goose control. The Farm Bureau further recommends that a statewide program be implemented to "round up" resident geese in the spring of each year when the geese are flightless and the geese should be donated to feed the hungry and homeless of the state. (FEDERAL & STATE)

10. EMINENT DOMAIN

The Farm Bureau believes the actions by the Supreme Court regarding the case of Eminent Domain violates the basic principles and standards for what constitutes a public use and taking of land. Farm Bureau believes that eminent domain, when used for private economic development purposes, is wrong and should not be allowed.

The Farm Bureau also believes that the government owns enough land and can end the use of Eminent Domain statewide. In the future the property the state would wish to own can be purchased in the open market as needed. The county Farm Bureau is not supportive of the "Legacy Open Space" program of the Montgomery County Park and Planning Commission. All property acquisition must be on a voluntary basis and fair compensation paid for any property acquired. The Farm Bureau believes that Park and Planning has not demonstrated good stewardship of the property it owns and should not acquire additional property in Montgomery County. (FEDERAL, STATE & COUNTY)

11. OPPORTUNITIES FOR RENEWABLE FUELS/ENERGY INDEPENDENCE

The Farm Bureau supports a continued research and development effort and use of renewable fuels including ethanol and biodiesel. The expanded use of these alternative fuels can provide future benefits for improving air quality and also help to reduce our dependence on fossil fuels.

12. AD HOC AGRICULTURAL POLICY WORKING GROUP

Farm Bureau supports a county based growth management policy. All proposals that might potentially impact the agricultural community should have strong support from the traditional groups that represent agriculture. Farm Bureau recommends that the County Council adopt the recommendations of the Ad Hoc Agricultural Policy Working Group.