

Chapter 11: Priority Preservation Area

This Priority Preservation Area Element, a new plan chapter added to the comprehensive plan, is consistent with Somerset County’s future vision statement.

“Somerset County’s rich history and traditions, along with its tidal bays, farm fields, lush woodland, and seafood bounty will be preserved. Affordable housing, meaningful employment opportunities, and emphasis on technical and higher education will help ensure an excellent quality of life for residents in the years to come.”

In addition, an overarching goal of Somerset County’s Priority Preservation Area is to:

“Support and sustain a strong, diversified agricultural community through implementation of preservation and development mechanisms that are balanced and maintains the rural character of Somerset County.”

11.1 Maryland’s Certification of Local Agricultural Preservation Programs

Maryland’s Certification of Local Agricultural Preservation Programs, known as the Certification Program, encourages development of county agricultural preservation programs, which complement the [Maryland Agricultural Land Preservation Foundation’s \(MALPF\)](#) preservation efforts. The Certification Program also employs agricultural land preservation as a tool to manage growth. The Maryland Department of Planning (Planning) and MALPF jointly administer the Program for the Certification of County Agricultural Land Preservation Programs.

The Maryland Agricultural Land Preservation Foundation (MALPF) was one of the first created in the United States and has become one of the nation's leaders in agricultural land preservation by preserving more agricultural land than any other state in the country. For purposes of the Program, agricultural land includes both farm and forest. Most of Maryland's farms include some forested areas.

Participation in the Certification Program by interested counties is **voluntary**. One of the benefits for Somerset County to establish a **Priority Preservation Area (PPA)** and to

**Excerpt from the 2024 Maryland Statutes
Agriculture Title 2 - Department of Agriculture
Subtitle 5 - Maryland Agricultural Land
Preservation Foundation
Section 2-518 - Priority Preservation Areas**

MD AGRICULTURE CODE § 2-518

A county may include a priority preservation area element in the county’s comprehensive plan. A county that applies for certification or recertification under § 5–408 of the State Finance and Procurement Article shall include a priority preservation area element in the county’s comprehensive plan.

A priority preservation area shall:

- Contain productive agricultural or forest soils; or
- Be capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking.

Be governed by local policies, ordinances, regulations, and procedures that:

- Stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources; and
- Support the ability of working farms in the priority preservation area to engage in normal agricultural activities; and,
- Be large enough to support normal agricultural and forestry activities in conjunction with the amount of development permitted by the county in the priority preservation area, as represented in its adopted comprehensive plan.

A priority preservation area may:

- Consist of a single parcel of land, multiple connected parcels of land, or multiple unconnected parcels of land; and,
- Include rural legacy areas.

A county’s acreage goal for land to be preserved through easements and zoning within an area shall be equal to at least 80% of the remaining undeveloped land in the area, as calculated at the time of application for State certification of an area.

participate in the Certification Program is the retention of 75% of its locally generated agricultural transfer tax revenue that results from certification, as compared to the County’s present retention of 33%.

- To qualify for and retain certified status, counties are required to designate a **Priority Preservation Area (PPA)**. Counties concentrate their preservation efforts and program funding into their PPAs in order to preserve large contiguous blocks of agricultural and wooded land.
- The increase in participating counties’ share of the agricultural land transfer tax helps to support and enhance their preservation programs in ways that best meet **local goals and needs**.
- All retained revenue must be spent or encumbered for qualifying land preservation expenditures within six years of collection, otherwise those collected funds revert to **MALPF**.

Certified counties must establish **Priority Preservation Areas (PPAs)** in their **comprehensive plans** and set a farmland preservation acreage goal for the PPA. In addition to preserving land through MALPF, certified counties have typically also preserved land through private land trusts, Maryland Environmental Trust (MET), Rural Legacy Program, and Federal land protection programs.

Source: Certification Program: [MD AGRICULTURE CODE § 2-518](#)
Office of Planning. Chapter 08. Guidelines for the Certification of County Agricultural Land Preservation Programs.

11.2 Preserved Land in Somerset County by Program

At present, the total protected land in Somerset County is 81,758 acres across various land preservation programs. The first MALPF easement for Somerset County was purchased in 1987, and as of 2022, MALPF has permanently protected 7,266 acres in Somerset County. Somerset County's total area is 610.35 square miles or 390,624 acres. Of that, 319.75 square miles is land or about 204,640 acres. Table 11-1 provides each program type along with acreage total of preserved land, indicating that 40% of land in Somerset County is currently within a protected lands program. Map 11-1 shows these existing protected lands by category.

Agricultural Easements

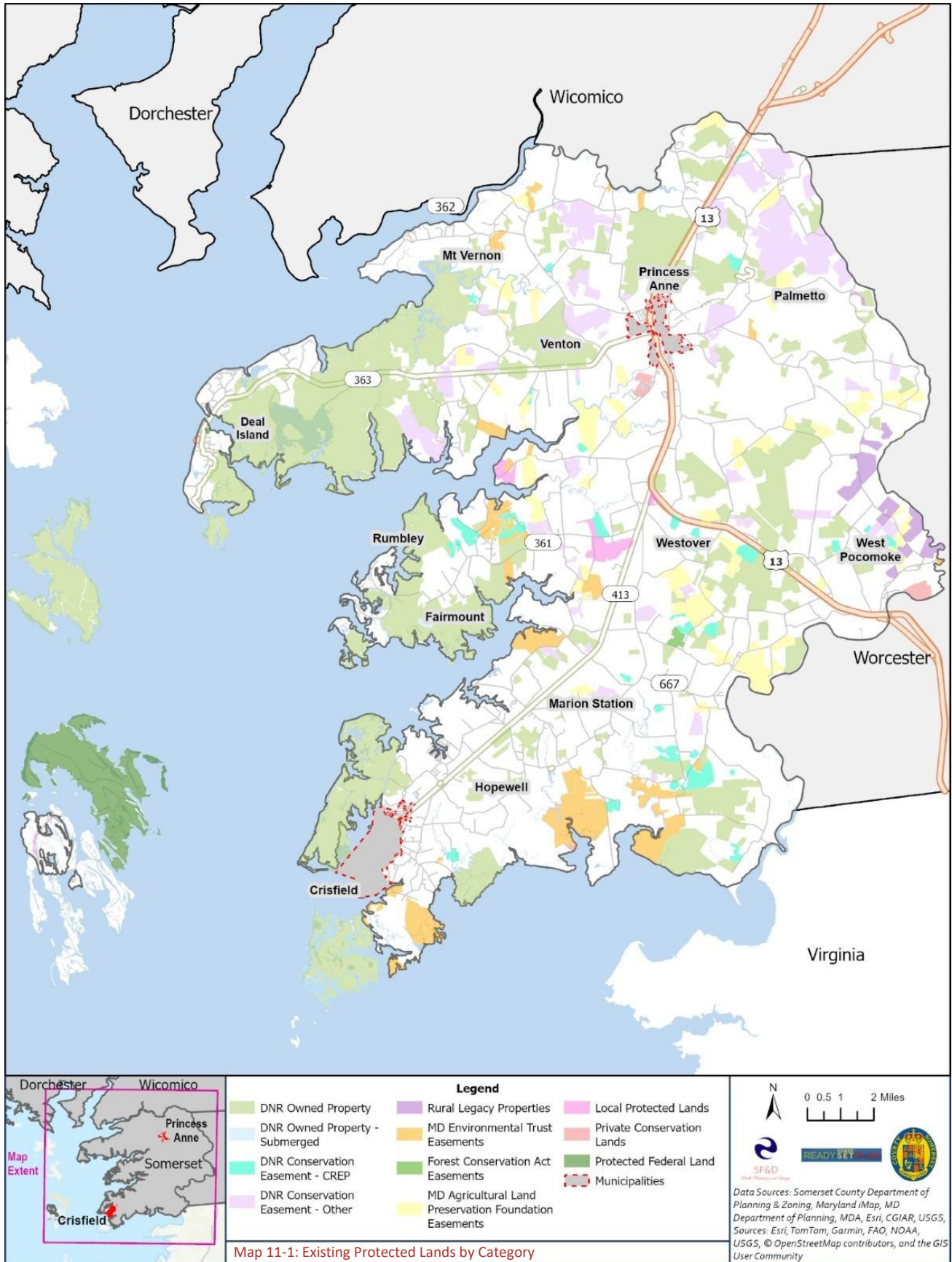
An agricultural conservation easement, as defined by the American Farmland Trust, “is a deed restriction that landowners voluntarily place on their property to restrict development and keep the land available for farming.” Land under easement remains in private ownership. The owner has voluntarily sold the right to develop his land to programs like MALPF, Rural Legacy, county purchase of development rights programs, etc., and usually uses the funds to invest in the farm or pay down debt. The landowner can still farm the land, harvest timber, build farm buildings, engage in certain compatible non-agricultural activities, and sell the land. However, except for a strictly limited number of houses that may be allowed by the preservation program, development is prohibited in perpetuity.

Source: [Maryland Protected Lands Dashboard](#)

Table 11-1.

Protected Land in Somerset County by Protected Lands Category (Best Available Data as of September 4, 2024)	
Protected Lands Category	Acres
DNR State Land Inventory	50,823
POS Statewide Conservation Easement	8,116
Maryland Agricultural Land Preservation Foundation	7,266
Maryland Environmental Trust (as of Dec 2021)	6,058
Federal Park & Conservation	4,431
ISTEA/Forest Legacy/CREP/FRPP-ACEP	2,419
Rural Legacy	1,813
County Recreation & Parks	632
Private Conservation Organizations	200
Total Preserved Acres:	81,758

Source: [Maryland Protected Lands Dashboard](#)



Map 11-1: Existing Protected Lands by Category

11.3 Existing Agricultural Activities

Somerset County is the southernmost county in Maryland's Eastern Shore. According to the [University of Maryland Extension](#) only 26% of the land-base is classified as agricultural, however, agriculture is the largest industry in the County. Approximately 286 farm businesses encompass 65,212 acres of farmland with the average farm size of 228 acres. Production of corn, soybeans, broilers, vegetables and livestock rank Somerset County as third in agriculture value for the State of Maryland. Somerset County ranks #1 in the state for broiler production, making it a leader in broiler poultry production.



11.4 Establishing Priority Preservation Area (PPA)

Establishing a PPA does not explicitly hinder or restrict development but rather encourages preservation. An initial step in the process of establishing the PPA for Somerset County included review of areas outside of existing and future growth. Areas with existing and future growth include Primary Growth Areas, Municipalities, Priority Funding Areas, and Priority Funding Comments Areas, shown in Chapter 10 Land Use, Map 10-8.

Review of Map 10-2 Existing Land Use depicts underdeveloped resource land in green, which includes rural land, single-family residential parcels greater than or equal to 20 acres in size, and undeveloped portions of urban parcels. Undeveloped resource land is the remaining land not covered under another existing land use category.

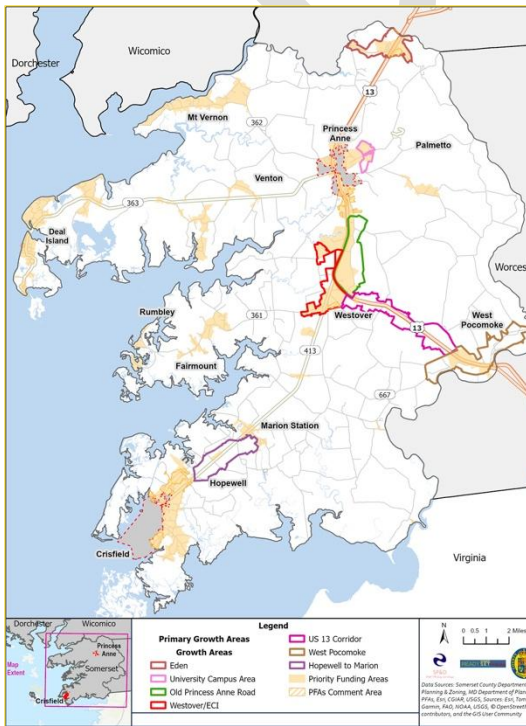


Figure 11-1 Primary Growth Areas, see Map 10-8.

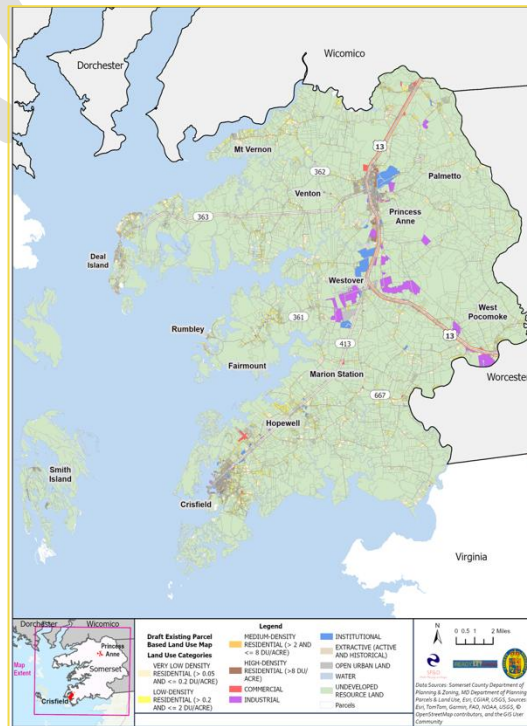


Figure 11-2 Existing Land Use, see Map 10-2.

Note: This review process and subsequent establishment of the PPA resulted in further refinement of the primary growth areas, Map 10-8.

11.4.1 Priority Preservation Areas Identification - Prime Agriculture Soils

Following the initial step, an evaluation was completed for parcels with prime agricultural soils, or prime farmland. This evaluation did not include farmland of statewide importance.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. The slope ranges mainly from 0 to 6 percent.

Table 11-2.

Somerset County Prime Farmland Soils				
mukey	Mapunit Symbol	Mapunit Name	Farm Class	
1407963	IgA	Ingleside sandy loam, 0 to 2 percent slopes	All areas are prime farmland	
1599031	MdB	Manokin silt loam, 2 to 5 percent slopes		
1599556	HnA	Hammonton sandy loam, 0 to 2 percent slopes		
1600232	KpA	Keyport silt loam, 0 to 2 percent slopes		
1612317	WodA	Woodstown loam, 0 to 2 percent slopes, Northern Tidewater Area		
1599008	DoA	Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area		
1599009	DodB	Downer sandy loam, 2 to 5 percent slopes, Northern Tidewater Area		
1407954	HbB	Hambrook sandy loam, 2 to 5 percent slopes		
1599012	HcA	Hambrook loam, 0 to 2 percent slopes		
1407956	HmAd	Hammonton loamy sand, 0 to 2 percent slopes, Northern Tidewater Area		
1407964	IgB	Ingleside sandy loam, 2 to 5 percent slopes		
1599018	MdA	Manokin silt loam, 0 to 2 percent slopes		
1599019	QbB	Queponco loam, 2 to 5 percent slopes		All areas are prime farmland
1407994	QeA	Queponco silt loam, 0 to 2 percent slopes		
1407995	QeB	Queponco silt loam, 2 to 5 percent slopes		
1408012	WddA	Woodstown sandy loam, 0 to 2 percent slopes, N. Tidewater Area		
1408013	WddB	Woodstown sandy loam, 2 to 5 percent slopes, N. Tidewater Area		

Source: Soil Data Access (SDA) Prime and other Important Farmlands- In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

mukey: A non-connotative string of characters used to uniquely identify a record in the Mapunit table.

Mapunit_SYM: The symbol used to uniquely identify the soil mapunit in the soil survey.

Mapunit_Name: Correlated name of the mapunit (recommended name or field name for surveys in progress).

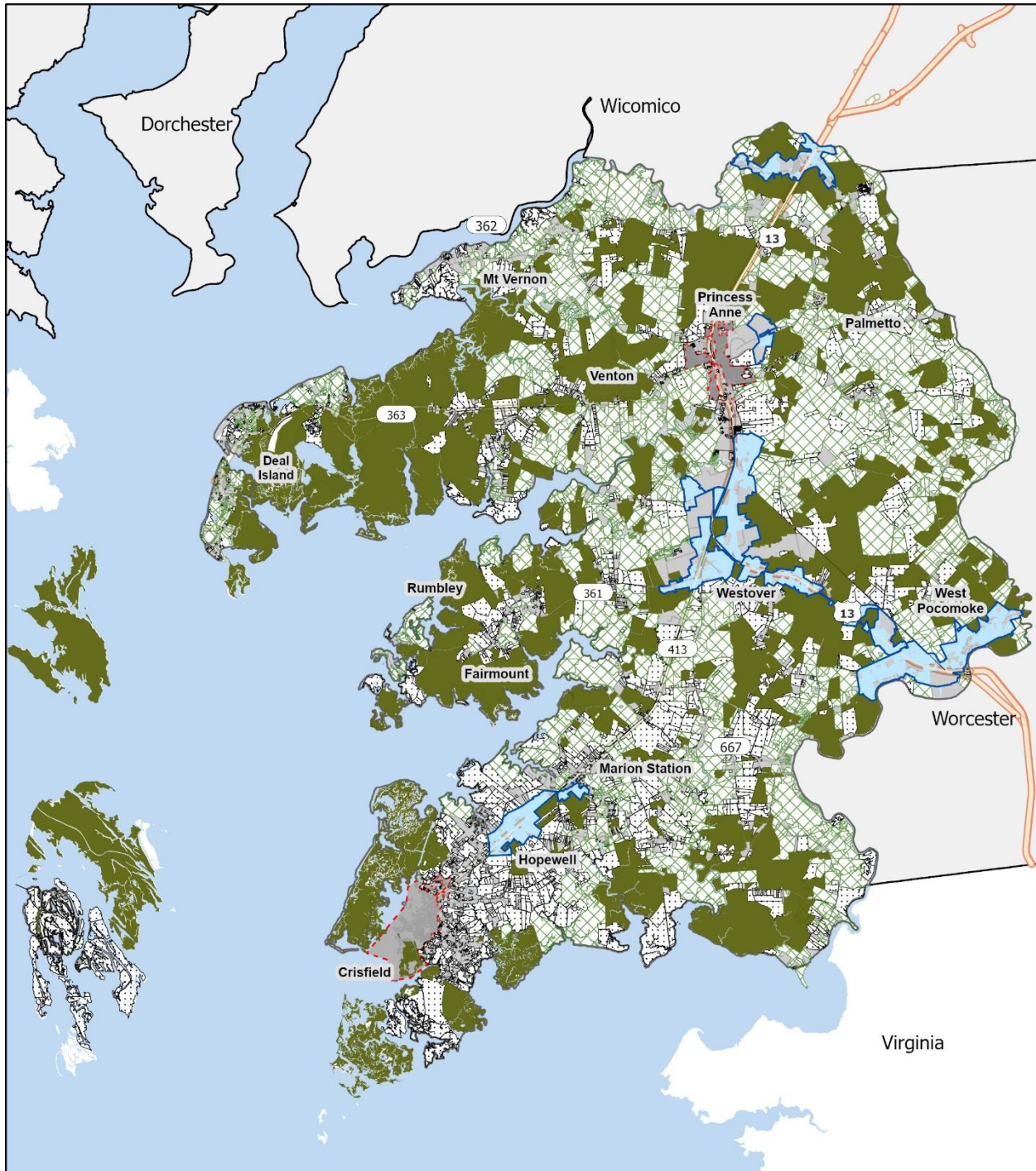
In some areas, land that does not meet the criteria for prime or unique farmland is considered to be **farmland of statewide importance** for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

The evaluation included:







- Selection of all existing land use parcels with a designated land use category of undeveloped resource land located outside of existing and future growth areas.
- Removal of undeveloped resource land parcels that are designated as protected land by one of the protected land programs.
- Selection of those undeveloped resource land parcels not currently within a protected land program that intersect with prime agriculture soils.

Results of the evaluation indicate that undeveloped resource land parcels containing prime agriculture soils totals 1,683 parcels comprised of 60,217 acres. These parcels are not included in preservation programs and are at-risk to being converted to non-agricultural uses like urban development. To mitigate potential land conversion, these parcels have been selected as Priority Preservation Area (PPA) by Somerset County. Map 11-2 includes existing protected lands, newly established PPA and remaining undeveloped resources land. Remaining underdeveloped resource land parcels, which do not include prime agriculture soils located outside of the proposed PPA, total 3,473 parcels containing 39,024.15 acres. This total includes Agriculture Residential (AR) zoning district with 1,496 parcels containing 24,494.90 acres and Conservation (CO) zoning district with 130 parcels containing 6,982.64 acres of undeveloped resource land. Remaining zoning districts with undeveloped resource land include 1,847 parcels totaling 7,546.61 acres.

Note: While agriculture is the focus, the PPA includes forested land, as well as sensitive areas such as wetlands, floodplains, and green infrastructure networks.



Legend

 Proposed Priority Preservation Areas	 Future Land Use
 Existing Protected Lands	 Primary Growth Areas
 Remaining Undeveloped Resource Land	 General Urban Development

N
0 0.5 1 2 Miles

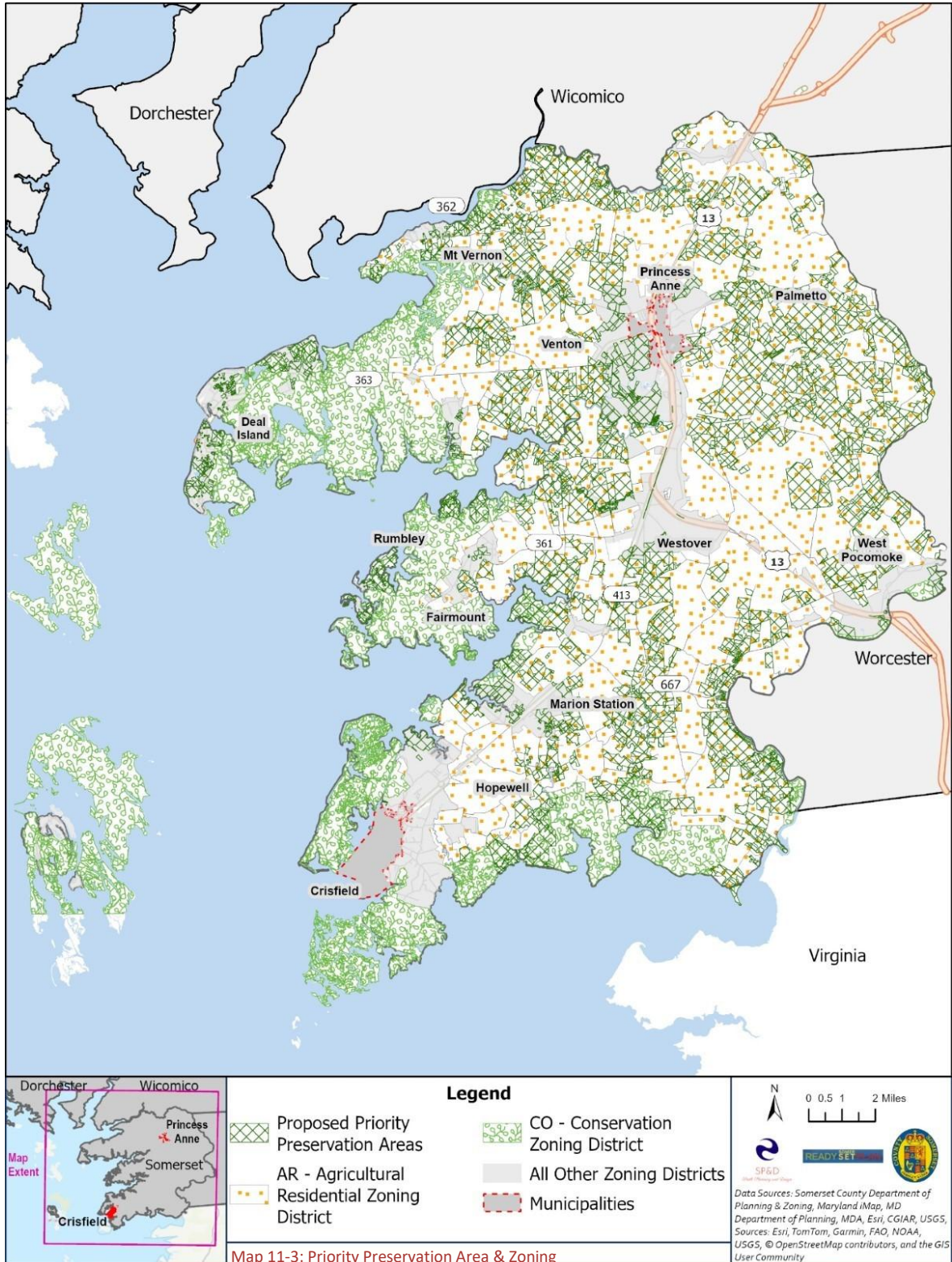
SF&D
READY SET GO

Data Sources: Somerset County Department of Planning & Zoning, Maryland iMap, MD Department of Planning, MDA, Esri, CGIAR, USGS, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Map 11-2: Existing Protected Land and Priority Preservation Area

11.4.2 Priority Preservation Area & Zoning

The Priority Preservation Area (PPA) has only been established within the Agriculture Residential (AR) and Conservation (CO) zoning districts, Map 11-3.



11.4.3 Utility Scale Solar Energy Facility Floating District (SEF)

Somerset County land use and zoning involve the regulation of use and development of property. The unincorporated area of Somerset County is divided into zoning districts, one of which is the Floating Zone – Utility Scale Solar Energy Facility Floating District (SEF). The purpose of the utility scale solar floating zone is to allow for the orderly development of utility scale solar energy facilities typically generating more than two (2) megawatts in electricity (AC) that are appropriately sited and sized.

Furthermore, it is **intended that utility scale solar energy facilities are not placed on prime agricultural lands**, are aesthetically attractive, are placed so as to protect the commercial viability of the US Route 13 and MD Route 413 corridors and are compatible with the surrounding neighborhood.

Utility scale solar energy facilities will only be considered on parcels designated as ‘**Agricultural Residential’ (AR)** or ‘**General Industrial’ (I-2)**. The General Industrial District (I-2) is not included in the PPA. Parcels within the AR zoning district are included, specifically those parcels with prime agriculture soils. Remaining parcels within the AR zoning district not designated as PPA may be applicable for utility scale solar energy facilities.

11.5 Land Preservation, Parks, & Recreation Plan

Both the 2017 and the 2022 Land Preservation, Parks, and Recreation Plan (LPPRP) recommended that the County create a Priority Preservation Area with the goal of preserving 25,000 acres of agricultural land. Approximately 14,948 acres of agricultural lands in the County is preserved through 3 programs, according to 2022 LPPRP. However, updated data indicates that 15,164 acres of agricultural lands in the County are preserved in the following three programs.

- Maryland Environmental Trust - 6,058
- Rural Legacy - 1,813
- MALPF 7,266

Programs with yellow highlight (right) were used to calculate data total in the LPPRP. Additional protected lands are included under the various other protected land programs previously discussed and listed on the right.

The remaining acres needed to reach the goal of the 2022 LPPRP is 9,836.

11.6 Somerset County Priority Preservation Area

Protected lands in Somerset County total 81,758 acres, or 40% of the total land area. PPA established and shown on Maps 11-2 and 11-3 total 60,217 acres. Results of the evaluation of undeveloped resource land parcels containing prime agriculture soils and designated as PPA total 1,683 parcels containing 60,217 acres, while remaining underdeveloped resources land parcels, which do not include prime agriculture soils and, as such, have not been included in the PPA total 39,024.15 acres. The remaining underdeveloped land in the Agriculture Residential (AR) and Conservation (CO) zoning districts total 31,477.54 acres, while all other zoning districts total 7,546.61 acres.

- MET
- MALPF
- Private
- Conservation Orgs.
- Rural Legacy
- ISTEA/ Forest
- Legacy/CREP/FRPP-ACEP
- POS Stateside
- Conservation Easement
- County Rec & Parks
- DNR State Land Inventory
- Federal Park & Conservation

Chapter 11: Priority Preservation Area Goals & Implementation Strategies

Goal 11.1

Apply for Maryland’s Certification of Local Agricultural Preservation Programs, known as the Certification Program.

A county’s acreage goal for land to be preserved through easements and zoning within an area shall be equal to at least 80% of the remaining undeveloped land in the area, as calculated at the time of application for State certification of an area.

Strategies

- A. Demonstrate that the County’s current protected lands at 81,758 acres, along with the 60,217 acres of Priority Preservation Area, and the Conservation (CO) zoning district with 6,982.64 acres constitute 73% of the County’s total land. That being said, the total undeveloped resource lands in both the Conservation (CO) and Agriculture Residential (AR) zoning districts total 39,024.15 acres, and when combined with protected lands and PPA, results in 88% of the remaining undeveloped land in Somerset County.
- B. Review the zoning categories to identify ways to stabilize and maximize preservation of agricultural land through zoning.
- C. Concentrate preservation efforts and program funding in the PPA to preserve large contiguous blocks of agricultural and forested land.

Goal 11.2

Encourage and promote the exploration of agricultural preservation and practices.

Strategies

- A. Work with the local land trusts and nonprofit organizations to increase their role in preserving land in the PPA.
- B. Explore tools to support agriculture as a way to increase locally grown produce and provide new market opportunities for farmers in the PPA.
- C. Promote local agribusiness (equipment, seed, fertilizer, buildings, labor, and other farm services).
- D. Supports agritourism, such as corn mazes, wineries, and other educational/recreational activities on an active farm.
- E. Promote the benefits of Agricultural Land Preservation in Somerset County.

Goal 11.3

Pursue options for establishing a transfer of development rights (TDR) program that can maintain property owners’ development rights.

Strategies

- A. Establishment of a density transfer ‘sending areas’ in which development rights are created and from which they can be sold.
- B. Designation of density transfers ‘receiving areas’ where the land and public services are capable of absorbing additional density.

Goal 11.4

Consider including the economic viability of farm and forest enterprises as a vital part of their overall economic development strategy.

Strategies

- A. Continue to support the Soil Conservation District’s effort to address the concerns of farmers regarding the challenges of maintaining productive farmland, which will further promote agricultural resource enterprise.