



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: HB 1031

Short Title: Natural Resources-Land Conservation-Establishment of Goals and Programs (Maryland the Beautiful Act)

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources (DNR) provides the following information on HB 1031.

Local Land Trust Revolving Loan Program

HB 1031 would establish a new revolving loan program, administered by the Maryland Environmental Trust (MET), to provide loans to local land trusts in Maryland to assist the land trust to purchase property. The loans would be made on a rolling basis, and a land trust that receives a loan from the program would repay the loan after the property has been placed under easement or transferred to a state or local government entity. It is important to note that both state and local easement and fee-simple acquisition programs have both statutory and programmatic requirements that need to be met before proceeding with a fee-simple or easement acquisition. Any property proposed to be placed under easement or transferred to a state or local government entity would be contingent on review, due diligence work, appraised value, and other criteria for evaluation. If a land trust purchases property with funds from the Local Land Trust Revolving Loan Program it does not require the state or local government entity to accept an easement or transfer. **It is not clear from this legislation how the loan gets repaid if an easement is not placed on the property or if the property is not transferred to a state or local government entity.**

Administering the revolving loan fund program at the level proposed in HB 1031 would be a considerable undertaking, for which MET does not currently have the necessary resources to meet this initiative. HB 1031 is not explicit as to the source of funding to pay the costs of administering this program and clarification would be needed to determine whether the cost for additional staff can be paid from the loan fund.

Land Conservation Goal

While DNR believes that the goals established under the legislation are obtainable, it is important to note that acres preserved in FY22 through FY40 by programs administered by DNR (Program Open Space Stateside, Program Open Space Local, Rural Legacy Program, and Maryland Environmental Trust) will depend on a number of factors, including availability of future funding, willing landowners, and per-acre costs for projects approved by the Board of Public Works.

Greenspace Equity Program

HB 1031 establishes a Greenspace Equity Program administered by DNR to implement projects to preserve, create, and enhance community greenspace. DNR does not have the resources to meet the goals proposed in this legislation. The department currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently. Any additional legislatively-mandated program or regulation, such as this, will likely hamper our efficiency, force us to divert resources away from current core competencies and likely disrupt customer service and/or diminish services.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.