



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

March 25, 2025

BILL NUMBER: House Bill 717 – Third Reader

SHORT TITLE: Natural Resources - Public Lands - Acquisition, Staffing, Operations, and Funding

DEPARTMENT'S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports the third reader version of HB 717 because it will improve the Department's ability to operate, manage, and acquire state parks, forests, and wildlife management areas for all citizens by making several key fiscal and operational changes. The changes include setting a formula for the Department requesting additional positions as acres are acquired, and increasing funding opportunities for operations including authorizing the Department to create affiliated foundations and utilize limited funding from the Program Open Space (POS) Stateside land acquisition fund balance in certain circumstances. These provisions will increase the long-term sustainability of the Department to manage existing lands and continue acquiring lands to meet state land conservation goals and the continued demand for public access from citizens. The bill also provides local jurisdictions with increased flexibility to spend their POS Local funds on either acquisition or development projects if they have met their land acquisition goals which ensures protected lands provide meaningful access to Marylanders

BACKGROUND INFORMATION

STAFFING

The Department currently owns over 504,000 acres statewide that are managed as part of state parks, state forests, wildlife management areas, and fisheries management areas. As the Department has acquired an additional 135,000 acres of land over the past 20 years, the number of authorized positions within the land management units actually decreased through FY 2023. The Great Maryland Outdoors Act of 2022 (CH39) provided additional positions for the Maryland Park Service in FY 2024 which brought total DNR land management unit positions back to the FY 2003 staffing levels (see charts below). This impacts the Department's ability to effectively manage existing lands and to acquire new lands for public open space and recreation to meet the high demand for these spaces across the state since staff are already stretched thinly.

FUNDING

Transfer tax revenues fund the Department's land conservation and recreation programs and operations. When transfer tax revenues are low, the Forest and Park Reserve Fund, a special fund which helps fund the Maryland Park Service as well as the Maryland Forest Service, does not receive sufficient funding from the transfer tax to maintain level funding for operations and maintenance. When transfer tax revenues are high, POS Stateside receives more funding than program activity in a given fiscal year based on staff capacity and project schedules

Contact: Emily Wilson, Director, Legislative and Constituent Services (Acting)
emilyh.wilson@maryland.gov ♦ 410-260-8426 (office) ♦ 443-223-1176 (cell)

resulting in program balances that can carry over from year to year. Over the past three years, the POS Stateside project pipeline - projects in various stages of negotiation - has averaged \$90 million. While maintaining a POS Stateside fund balance is critical to allow us to continue acquisitions and active negotiations in years with low funding, the language in HB 717 ensures that DNR has funds available to continue POS Stateside acquisitions needed to meet the legislatively required 40x40 land conservation goal and the high demand for public access while providing additional operating funds for safe, clean, user-friendly, and operable Maryland public lands.

EASEMENT VALUATIONS

HB 717 codifies the Department's authority to use an easement valuation system (EVS). The Board of Public Works has approved DNR using an EVS for POS Stateside and Conservation Reserve Enhancement Program permanent conservation easements. This section would update the statute to reflect current practice based on those BPW approvals. Additionally, the Department has been using an EVS, per statute, for the Rural Legacy Program since its inception in 1997. This will provide for operational consistency and parity among the easement programs in the Department's Land Acquisition and Planning Unit.

POS LOCAL PROVISIONS

POS Local allocations are provided to all 23 counties and Baltimore City based on a long-standing formula. The locals are required to prepare a Land Preservation, Parks, and Recreation Plan (LPPRP) every five years in order to continue to be eligible for POS Local allocations. These LPPRPs map out a county's land conservation and recreation plans and strategies for each of the next five years, taking into consideration any gaps in these services and planning to address any deficiencies in open space and recreational development for the counties' citizens. Setting an acquisition goal for open space is a part of the LPPRP, and if a county has met their acquisition goal then they can use a larger percentage (currently 75% for most counties, except in Garrett and Allegany Counties where it is 100%) of their POS Local allocation for recreation development.

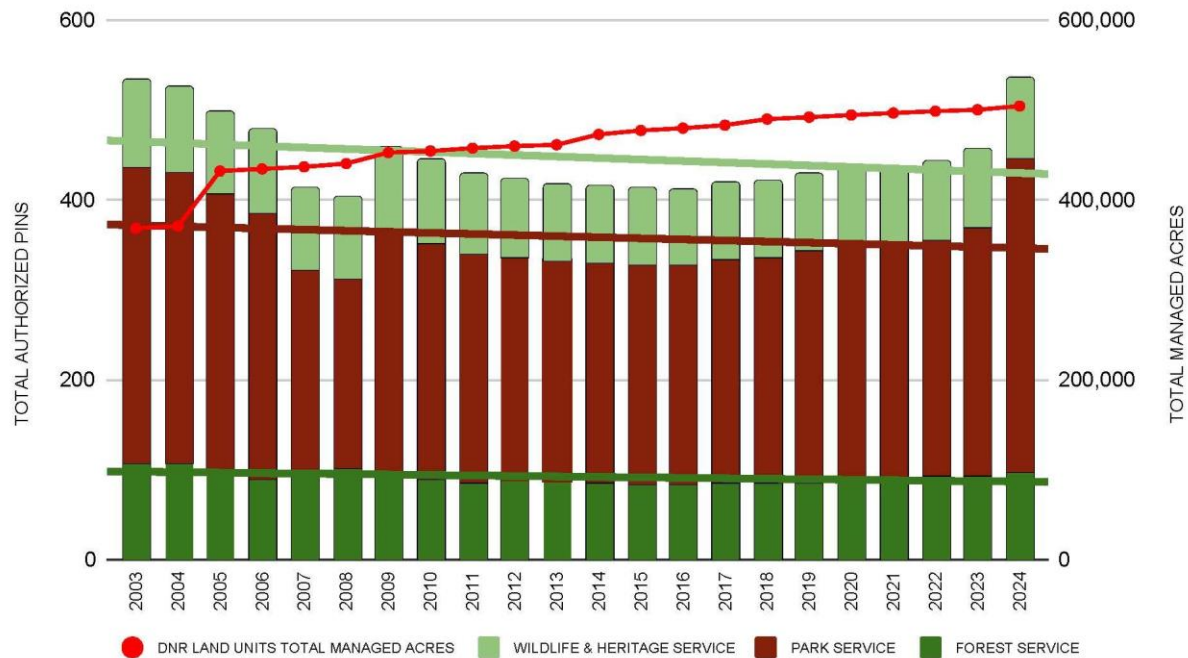
BILL EXPLANATION

HB 717:

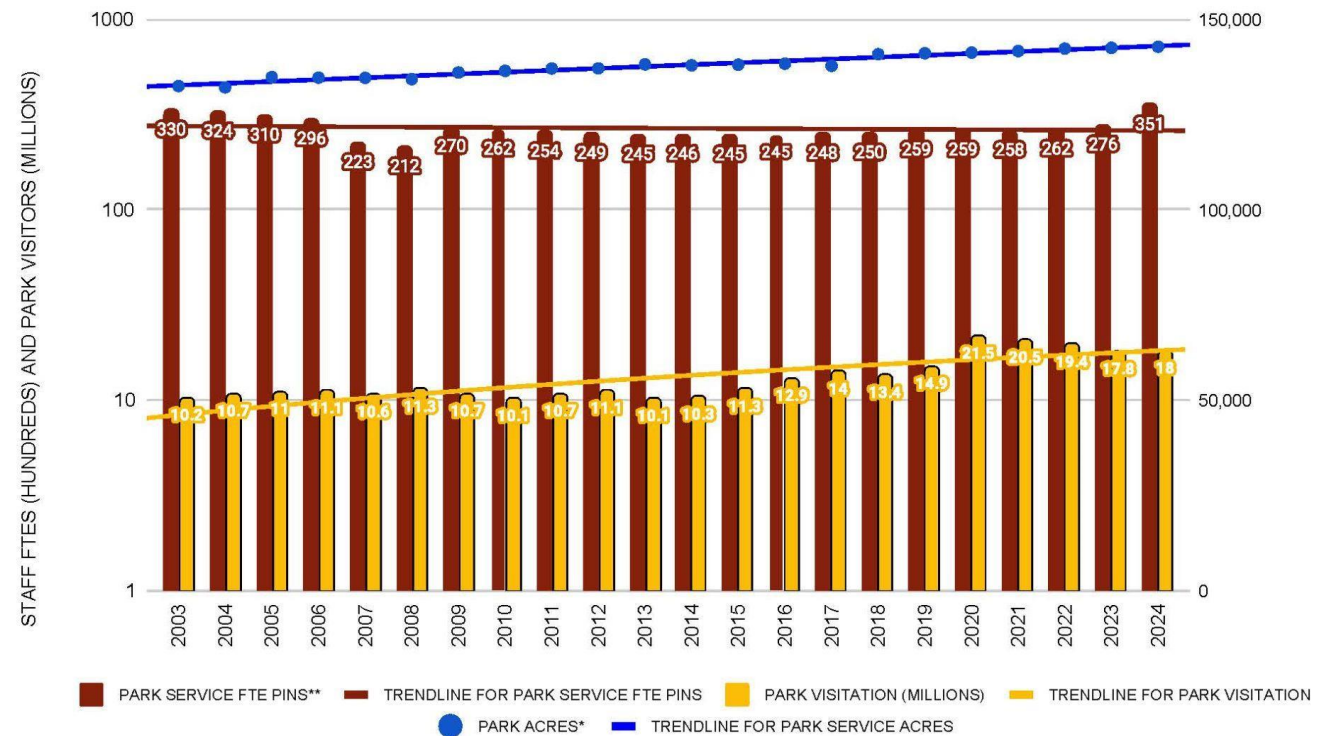
1. Authorizes the Department to create affiliated foundations in support of our public lands and operations, and the Natural Resources Police.
2. Requires the Department to *request*, through the regular budget process with the Department of Budget and Management, new positions to manage newly acquired lands based on a specific formula (at least one new position per 400 acres of new land acquired in fee-simple). This ratio was recommended from a Department of Legislative Services study completed as part of the Great Maryland Outdoors Act. The legislation *does not require* the positions be approved or created.
3. Authorizes the Governor to transfer a portion of the Program Open Space Stateside fund balance for operational needs when it has *at least* \$80 million in unencumbered funds *and* existing fund sources are insufficient to cover current staffing and operational needs.
4. Codifies the Land and Property Management Program established in the Department to process real property transactions that involve property owned by the Department including housing leases in accordance with the Department's Residential Housing Policy.
5. Increases the amount of POS Local allocation counties may use for recreational development projects from 75% to 100% if they have met their land acquisition goals in the most recent Local Land Preservation, Parks, and Recreation Plans (LPPRP), and removes the limitation on how much POS Local funding a local government may spend on eligible capital renewal projects. This will provide for more efficient expenditures of county POS Local allocations.
6. Changes the matching fund requirement from the total project cost to the POS Local grant amount when other state or federal grants are provided for a project.

7. Allows local governments to request up to \$125,000 for each LPPRP update instead of up to \$25,000 each fiscal year.
8. Makes technical updates to the Natural Resources Article as it relates to the definition of “real property interest”.
9. Codifies the Department’s authority to use an easement valuation system.

DNR LAND UNIT ACRES MANAGED AND AUTHORIZED FTE PINS 2003 to 2024



PARK SERVICE FTE PINS AND PARK ACRES COMPARED WITH VISITATION - 2003 TO 2024



MANAGED STATE PARK ACRES