

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

Revised

House Bill 65 (Delegate Owings. *et al.*)

Environmental Matters

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Soil Conservation Districts - Funding

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This bill alters the procedure for implementing a fee system to cover the reasonable cost of reviewing grading and sediment control plans by local soil conservation districts. Soil conservation districts will be required, each year, to assess the reasonable cost of reviewing these types of plans for the succeeding year. The fee system is then submitted to the local government for approval. The local government has 90 days to either: (1) enact the fee system; or (2) enact a different fee system or otherwise provide funding. If the local government fails to accept or modify the final fee system recommended by the soil conservation district, the fee system submitted by the soil conservation district takes effect.

The provisions of the bill may not be construed to affect a public local law or ordinance in effect before July 1, 1998 that relates to the review of grading and sediment control plans by a soil conservation district and that establishes a mechanism for annual review of fees and provisions to amend the fee schedule.

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Fiscal Summary

**State Effect:** None. The bill would not directly affect State finances.

**Local Effect:** Potential minimal effect in local government expenditures.

**Small Business Effect:** None.

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## **Fiscal Analysis**

**State Effect:** This bill does not affect State finances in that the Department of Agriculture (MDA) is not currently involved in the review of grading and sediment control plans. While MDA does provide funding to some of the 24 soil conservation districts it does not provide funds to cover the cost of reviewing these plans. Soil conservation districts receive funding from a variety of sources including the federal government, the State, and the county government in the county being served by the soil conservation district. Any enforcement activities that are currently being carried out by the Maryland Department of the Environment (MDE) will continue.

**Local Effect:** Currently, fee systems recommended by soil conservation districts can only take effect upon enactment by the local government. This bill provides local governments the option of providing funding or enacting a fee system of its own. However, if the local government does not accept or modify the original fee system within 90 days, the fee system proposed by the soil conservation district will take effect.

Local government expenditures could increase by a minimal amount for those jurisdictions which choose to provide funding rather than enact a fee system. On the other hand, it would seem that a local government that currently provides funding could reduce expenditures by implementing a fee system. The bill specifies that fee systems are to be supplementary to county and State funds already received and may not be used to reduce county or State funds and shall not exceed the cost of reviewing the grading and sediment control plans.

Prince George's, Queen Anne's, and St. Mary's counties advise that the local soil conservation districts already have fee systems in place. Fees for reviewing grading and sediment control plans vary depending on the amount of land in the plan. In Queen Anne's County the fee for a single family home is \$25. In St. Mary's County the fee for a single family home (standard plan - " acre) is \$20. For larger pieces of land, St. Mary's County charges a \$100 application fee and \$125 for each of the first 10 acres involved and \$50 for each additional acre over 10. Harford County does not have a fee system in place but does provide funding to cover the cost of reviewing grading and sediment control plans.

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**Information Source(s):** Department of Agriculture; Maryland Department of the Environment; Cecil, Harford, Prince George's, Queen Anne's, and St. Mary's counties; Department of Legislative Services

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