

Department of Legislative Services  
 Maryland General Assembly  
 2008 Session

**FISCAL AND POLICY NOTE**

House Bill 93 (Delegate Weir, *et al.*)  
 Environmental Matters

**Natural Resources - Scenic and Wild Rivers Program**

This bill adds Back River to the list of rivers included in the Scenic and Wild Rivers Program administered by the Department of Natural Resources. The bill also modifies the definition of “scenic river” to mean a free-flowing river whose shoreline and related land are predominantly forested, agricultural, grassland, marshland, or swampland with a minimum of development for at least two *cumulative* miles of the river length.

**Fiscal Summary**

**State Effect:** General fund expenditures could increase by \$67,700 in FY 2009 and \$22,000 in FY 2010 for DNR to develop a river management plan. No effect on revenues.

(in dollars)	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	67,700	22,000	0	0	0
Net Effect	(\$67,700)	(\$22,000)	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Baltimore County would experience an increase in workload; however, any such increase would likely not require additional staff and would likely be accommodated by reallocating existing resources.

**Small Business Effect:** Small businesses could potentially be affected by preservation/conservation measures identified in the river management plan developed as a result of the designation. Prior to the development of the plan, however, any impact cannot be reliably estimated.

## Analysis

**Current Law:** The following rivers (and associated tributaries) are included in the Scenic and Wild Rivers Program: Anacostia, Deer Creek, Monocacy, Patuxent, Pocomoke, Potomac (in Montgomery and Frederick counties), Severn, Wicomico (in Charles County), and Youghiogheny. A “scenic river” is defined as a free-flowing river whose shoreline and related land are predominantly forested, agricultural, grassland, marshland, or swampland with a minimum of development for at least two miles of the river length.

The policy of the State is to preserve and protect the natural values of these rivers, enhance their water quality, and fulfill vital conservation purposes through wise use of resources within their surrounding environment. The Secretary of Natural Resources is directed to formulate and implement a program to carry out that policy for each designated river. The program must include the preparation of a management plan. Upon completion of the plan, the Secretary must submit the plan, with any appropriate recommendations, to the governing body of every county where the affected river is located for its approval and recommendations.

The Scenic and Wild Rivers Review Board, which reviews all inventories, studies, plans, rules, and regulations concerning the Scenic and Wild Rivers Program, must appoint, with the advice and consent of the appropriate local governing body, a local scenic and wild river advisory board for each designated river. A local board is directed to review inventories, studies, plans, and regulations and make recommendations to its local governing body and the Scenic and Wild Rivers Board regarding any proposed inventory, study, or plan. Upon completion of an approved management plan, the local governing body may establish a permanent scenic river advisory board for each designated river within its jurisdiction to make recommendations to the appropriate local governing body.

**State Expenditures:** General fund expenditures could increase by an estimated \$67,666 in fiscal 2009, which accounts for the bill’s October 1, 2008 effective date. This estimate reflects the cost of hiring two contractual natural resource planners to prepare a river management plan. It includes salaries, fringe benefits, and ongoing operating expenses.

Salaries and Fringe Benefits	\$66,151
Operating Expenses	<u>1,515</u>
<b>Total FY 2009 State Expenditures</b>	<b>\$67,666</b>

Fiscal 2010 expenditures reflect • 4.4% annual increases in salaries and 6.8% employee turnover; and • 2% annual increases in ongoing operating expenses. DNR anticipates that the river management plan will take roughly one year to complete. Accordingly, the  
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fiscal 2010 estimate assumes that expenditures would be incurred only through October 1, 2009. To the extent more than one year is needed to complete the plan, fiscal 2010 expenditures would be higher.

**Local Fiscal Effect:** DNR advises that Baltimore County would need to provide staff assistance in preparing the river management plan and to support the local scenic and wild river advisory board. The Baltimore County Department of Environmental Protection and Resource Management anticipates an increase in workload to support the local advisory board; however, any such increase would likely not require an additional full-time position and would likely be accomplished by reallocating resources devoted to current projects. The county Office of Planning and Department of Recreation and Parks do not anticipate a significant impact from the bill.

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### **Additional Information**

**Prior Introductions:** HB 713 of 2004 was introduced, but was later withdrawn.

**Cross File:** SB 70 (Senator Stone, *et al.*) – Education, Health, and Environmental Affairs.

**Information Source(s):** Department of Natural Resources, Baltimore County, Department of Legislative Services

**Fiscal Note History:** First Reader - January 21, 2008  
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