

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 765

(Delegate Cardin, *et al.*)

Environmental Matters

Natural Resources - Land Available for Tree Planting - Database

This bill requires the Department of Natural Resources (DNR) to establish a database providing specified information about public and private land appropriate for tree planting in the State. The database must be available to the public at no cost. DNR is required to establish a tree planting program for land recorded in the database, prioritizing planting in sensitive areas; record State lands under DNR jurisdiction in the database; solicit the addition of other specified lands into the database; plant trees on the land recorded in the database to the maximum extent possible; and solicit others to fund, support, or implement tree planting projects on land recorded in the database, giving priority to specified landowners. DNR is authorized to adopt implementing regulations.

Fiscal Summary

State Effect: General fund expenditures increase by \$269,100 in FY 2010 for positions and equipment necessary to develop the database. Future year expenditures reflect additional positions, vehicles, and equipment as well as annualization and inflation. No effect on revenues.

(in dollars)	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	269,100	734,500	643,600	672,600	703,200
Net Effect	(\$269,100)	(\$734,500)	(\$643,600)	(\$672,600)	(\$703,200)

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

Local Effect: The bill does not have a significant impact on local operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: The database must classify land by county and watershed and identify the location and acreage of the following sensitive areas: (1) 100-year floodplains; (2) intermittent and perennial streams and other waterways and the accompanying buffers; (3) steep slopes; (4) critical habitat areas; (5) the Chesapeake and Atlantic Coastal Bays critical area; (6) contiguous forest that connects existing forest tracts; and (7) areas adjacent to existing forest land.

Current Law: There is no applicable current law.

Background: Trees and forests provide a host of ecological services to the citizens of Maryland. They provide clean air, clean water, recreational opportunities, wildlife habitat, and raw materials for natural resource-based industries. They are the most beneficial land cover in regards to water quality. The continued expansion of Maryland's population and the concurrent need for development has resulted in Maryland now having only approximately 41% forest cover.

Numerous actions have been taken to address this loss of forest land. In December 2007, the Chesapeake Executive Council signed a directive that committed the bay states to permanently protect an additional 695,000 acres of forest from conversion by 2020; accelerate reforestation and conservation in urban/suburban areas and riparian forest buffers by 2020; work with local governments, legislative delegations, land trusts, or other stakeholders to create or augment dedicated sources of local funding by 2010; and by 2009, establish and implement a mechanism to track and assess forest land cover change. Under the directive, Maryland has committed to protecting an additional 250,000 acres by 2020. Approximately 724,000 acres of forest lands in the State are already protected.

In addition, a No Net Loss of Forest Task Force was established by Chapter 176 of 2008 to (1) develop a specific plan, including programs and other necessary actions, to achieve and maintain no net loss of forests; and (2) draft legislation for the 2009 session to ensure that there is a process to achieve a no net loss of forest in the State beginning in 2010. The task force submitted a final report containing findings and recommendations in January 2009.

DNR implements several tree planting and recognition programs. For example, for each \$40 contribution from the public, the TREE-MENDOUS MARYLAND program plants a native tree on State public land. DNR also operates the John S. Ayton Tree Nursery that sells millions of tree and shrub seedlings each year for reforestation and other plantings across Maryland and Delaware. People Loving and Nurturing Trees (PLANT) is a statewide awards program that recognizes communities for tree planting and tree care

efforts. DNR's Excellence in Forest Conservation and Land Development awards are presented to developers whose projects exemplify and exceed Forest Conservation Act requirements.

State Expenditures: DNR has completed a significant amount of State land resource mapping as part of the GreenPrint effort. GreenPrint is a State mapping tool that reflects lands and watersheds of high ecological value identified as conservation priorities. It provides a land conservation framework for the State and its partners who include private landowners, local governments, federal agencies, land trusts, and other natural resource interest groups. GreenPrint may provide a useful foundation of information and experience for the proposed database.

DNR general fund expenditures increase by \$269,145 in fiscal 2010, which accounts for the bill's October 1, 2009 effective date. This estimate reflects the cost of three geographic information system experts to develop, refine, and update data. It includes salaries, fringe benefits, mapping software (including ArcIMS, ArcInfo, and ArcEditor), one-time start-up costs, and ongoing operating expenses.

Positions	3
Salaries and Fringe Benefits	\$148,037
Mapping Software	100,000
Equipment and Operating Expenses	<u>21,108</u>
DNR FY 2010 Expenditures	\$269,145

Future year expenditures reflect software maintenance and updates, salaries for six foresters to conduct on-the-ground proofing in the field, six vehicles, full salaries with 4.4% annual increases, 3% employee turnover, and 1% annual increases in ongoing operating expenses.

While not reflected in this estimate, DNR advises that new satellite imagery that may cost up to \$1.0 million is periodically required to update the database. These costs may be shared with other DNR programs.

Since DNR has several programs and some existing funds for tree planting, this estimate does not include potential expenditures associated with the development and implementation of a new tree planting program. Instead, it assumes existing budgeted funds can be used for these purposes.

Small Business Effect: Plant and tree nurseries that are small businesses may benefit from an increased demand for trees.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Carroll and Montgomery counties, City of Havre de Grace, Department of Natural Resources, Maryland Department of Planning, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2009
mcp/ljm

Analysis by: Amanda Mock

Direct Inquiries to:
(410) 946-5510
(301) 970-5510