

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 128 (Senator Ellis)
Education, Health, and Environmental Affairs

Charles County - Program Open Space - Waldorf Core Zone

This bill requires the Charles County Board of Commissioners, for fiscal 2023 through 2032, to submit, by July 1 each year, an annual program of proposed acquisition and development projects under Program Open Space (POS) Local to the Maryland Department of Planning (MDP) for review and to the Department of Natural Resources (DNR) for approval. All proposed projects and any revisions submitted by the Charles County Board of Commissioners, including acquisitions made through a local advance option and purchase fund or a local land trust grant fund, must be located in the “Waldorf Core Zone.” **The bill takes effect June 1, 2022, and terminates June 30, 2032.**

Fiscal Summary

State Effect: DNR and MDP can implement the bill with existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not change the amount of POS Local funding allocated to the counties overall or individually. However, while the Waldorf Core Zone may benefit by being newly eligible for funding under the program, POS Local funding allocated to Charles County may not be used outside that zone for a 10-year period.

Small Business Effect: None.

Analysis

Bill Summary: “Waldorf Core Zone” means the area in Charles County located south of Mattawoman Creek, west of Maryland Route 5, north of Billingsley Road, and east of Bensville Road.

Current Law: DNR administers POS, which acquires and improves outdoor recreation and open space areas for public use. POS consists of a State and local component. Under the local component, DNR allocates funds among local governing bodies (*i.e.*, the Maryland National Capital Park and Planning Commission and the governing body of any county or Baltimore City) for local conservation acquisitions and development of public outdoor recreational sites, facilities, and open space. A municipal corporation may submit an annual program through its local governing body.

To participate in the grant process, a local governing body must prepare a local Land Preservation and Recreation Plan every five years. By May 1 of each year, DNR must notify each local governing body of its allocation of local acquisition and development funds for the next fiscal year. Each participating local governing body must also submit an annual program of proposed acquisition and development projects to DNR and the MDP by July 1. The annual program is the basis for total allocations to each local governing body. Additionally, local governing bodies must submit either a consolidated application for funding for the acquisition or development projects or individual applications for each project.

A local governing body must use part of its acquisition funds for a local advance option and purchase fund. The funding level of the local advance option and purchase fund must be determined on an annual basis and submitted as part of the annual program. The fund may be used to obtain any parcel of land identified as facing intense development pressure within that county in advance of purchase or to purchase specific tracts of land.

A local governing body may use part of its acquisition funds for a local land trust grant fund, which may be used to (1) make matching or reimbursable grants to land trusts for the acquisition of interests or rights in real property for recreational or open space purposes or (2) acquire, under an agreement with a land trust, title to, or an interest or right in property owned by a land trust or property on which the land trust holds an option or a contract to purchase. A project may not receive funds from a local land trust grant fund unless the project is approved in the local governing body's grant agreement, or DNR and the Board of Public Works approve the project, as specified.

Additional Comments: Waldorf is an unincorporated community in Charles County.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Charles County; Department of Natural Resources; Maryland Department of Planning; Board of Public Works; Department of Legislative Services

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