



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Charles Glass, Deputy Secretary

February 25, 2020

The Honorable Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Information – Senate Bill 864 - Department of Natural Resources - Acquisition of Land, Water, or Easements in Garrett and Allegany Counties - Subdivision of Property

Dear Chair Pinsky and Committee Members:

Senate Bill 864 states that for certain areas of water, land, or easements that have been subdivided in Garrett County or Allegany County, the Department of Natural Resources may not acquire the area if the acquisition, when added to the acreage of any other areas or easements the Department has acquired from that subdivision over the previous 5 years exceeds 100 acres.

Established in 1969, Program Open Space (POS) symbolizes Maryland's long-term commitment to conserving natural resources while providing exceptional outdoor recreation opportunities. Program Open Space Stateside preserves natural areas for public recreation and watershed and wildlife protection across Maryland through the purchase of fee-simple and easement acquisitions from willing sellers. Fee simple purchases are managed by the department as State Parks, Forests, and Wildlife and Fisheries Management Areas. The department currently is required to obtain approval from Garrett or Allegany County for acquisitions over 100 acres in those counties.

Property owners subdivide their property for various reasons including tax purposes, estate planning, income generation, and to retain ownership of a portion while selling the rest. Senate Bill 864 will limit the property the department can purchase from willing sellers in Garrett and Allegany counties in certain circumstances when the property has been previously subdivided. This could result in property owners not being able to sell or donate their property in fee or by easement to the department for at least five years. It could also result in the department not purchasing property that would otherwise meet program criteria by conserving natural resources and/or providing outdoor recreation opportunities for the public.

Respectfully submitted,
James W. McKitrick
Director, Legislative and Constituent Services