



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **Senate Bill 974**

Department of Natural Resources' Real Property – Exchange With Private Real Property – Requirement

Date: March 16, 2022

Position: **OPPOSE**

To: Budget and Taxation

From: Doug Myers, Maryland Senior Scientist

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Chesapeake Bay Foundation (CBF) **OPPOSES** SB 974 which requires the Department of Natural Resources to exchange real property owned by the Department with private real property of equal or lesser value upon request of an adjacent private property owner.

There are certain circumstances where an exchange of property between adjacent private property owners and the state may facilitate the consolidation of parcels necessary to achieve state goals for natural resource management. For example, CBF encourages the consolidation and even swapping of state and private lands if the net environmental effect is positive.

DNR is currently developing a Blue Carbon Project Plan with The Nature Conservancy and other partners that could depend on the acquisition of conservation easements from private property owners adjacent to DNR holdings. These easements would secure a “marsh migration corridor” on slightly higher elevation properties currently under private ownership to allow tidal wetlands to migrate as sea levels rise in future decades while maintaining some control and revenue production for the landowner. Such arrangements are necessary to provide the certainty to carbon offset markets that the carbon sequestration benefit they are paying for will not reverse as the state-owned tidal wetlands portion of the project begin to subside or erode. However, SB 974 requires a transfer of property initiated simply by the request of the adjacent private property owner with no regard to the state’s goals to manage those lands in the public trust.

**CBF urges the Committee’s UNFAVORABLE report on SB 974.** For more information, please contact Robin Clark, Maryland Staff Attorney at [rclark@cbf.org](mailto:rclark@cbf.org) and 443.995.8753.

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*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*