



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: SB 791

Short Title: Natural Resources-Land Conservation-Establishment of Goals and Programs (Maryland the Beautiful Act)

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources provides the following information on SB 791.

Local Land Trust Revolving Loan Program

SB 791 would establish a new revolving loan program, administered by the Maryland Environmental Trust (MET), to provide loans to local land trusts in Maryland to assist the land trust to purchase property. The loans would be made on a rolling basis, and a land trust that receives a loan from the program would repay the loan after the property has been placed under easement or transferred to a state or local government entity. It is important to note that both state and local easement and fee-simple acquisition programs have both statutory and programmatic requirements that need to be met before proceeding with a fee-simple or easement acquisition. Any property proposed to be placed under easement or transferred to a state or local government entity would be contingent on review, due diligence work, appraised value, and other criteria for evaluation. If a land trust purchases property with funds from the Local Land Trust Revolving Loan Program it does not require the state or local government entity to accept an easement or transfer. It is not clear from this legislation how the loan gets repaid if an easement is not placed on the property or if the property is not transferred to a state or local government entity.

Administering the revolving loan fund program at the level proposed in SB 791 would be a considerable undertaking, for which MET does not currently have the necessary staff. MET has determined that it would need at least two additional full-time permanent staff to set up and administer this new program. SB 791 is not explicit as to the source of funding to pay the costs of administering this program and clarification would be needed to determine whether the cost for additional staff can be paid from the loan fund.

Land Conservation Goal

While DNR believes that the goals established under the legislation are obtainable, it is important to note that acres preserved in FY 2022 through FY2040 by programs administered by DNR (Program Open Space Stateside, Program Open Space Local, Rural Legacy Program, and Maryland Environmental Trust) will depend on a number of factors. These factors include the availability of future funding, willing landowners, and per-acre costs for projects approved by the Board of Public Works.

Greenspace Equity Program

SB 791 establishes a Greenspace Equity Program administered by DNR to implement projects to preserve, create, and enhance community greenspace. In order to fulfill DNR's responsibilities under the bill, new permanent positions with associated funding to administer the program would be required.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.