

SB0086-DNR_LOI_ENT_3-23-22.pdf

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Position: INFO



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

Bill Number: Senate Bill 86

Short Title: Department of Natural Resources - Lease Agreements-Trail Access Provision

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources (DNR) provides the following information on SB 86.

Senate Bill 86 requires DNR to include the following requirements in all leases of state-owned property: lessees must (1) maintain a border around the property sufficient to allow unobstructed access to trail heads by trail users and first responders; and (2) ensure that the border remains free of obstructions.

The bill has a meaningful fiscal and operating impact on the Maryland Park Service and DNR's overall mission. On many of our public lands, DNR staff mow around agricultural field edges to facilitate public access. However, mowing is done carefully and strategically to prevent unintended consequences such as eliminating habitat for ground nesting animals at critical times. These decisions are even more critical within Maryland Wildlands, which are areas of state-owned land that are designated by the Maryland General Assembly because they include unique ecological features or contain rare or vanishing species of plant or animal life. Maryland Wildlands are specifically managed to retain their wilderness character.

SB 86 would also potentially reduce the acreage available to lessees and require that lessees conduct oversight and maintenance tasks, such as bush hogging / mowing, to maintain an unobstructed border. This will reduce revenues to Maryland Park Service and also limit our ability to manage lands appropriately.

Maryland Park Service lease revenues are expected to decrease due to less acreage being available for agriculture and lessee's being required to conduct additional oversight and maintenance on leased property. We estimate that 100 agricultural leases (12,000 acres) are impacted by the bill and the bill reduces lease revenue by \$1,000 per lease due to reduced acreage being available for agriculture and additional maintenance requirements. Maryland Park Service revenues are estimated to decrease by \$100k annually. There would also be an increase in DNR workload associated with ensuring these requirements are met by lessees. The bill

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impacts primarily small agricultural businesses, to the extent to which it decreases the acreage available for agriculture and requires additional maintenance to be completed on leased property.

The bill also has a meaningful fiscal and operating impact on the Maryland Forest Service. It will decrease the lease value on over 200 hunting leases on the Chesapeake Forest Lands as well as cause a negative impact on the state forests. An untold number of acres of forests and other vegetation around the leased property will need to be removed to create the borders on hunting leased lands. This will be a tremendous burden for the lessees. There will also be an operational impact to the Maryland Forest Service as staff would have to be redirected from state forest land management to inspection of the borders.

Finally, SB 86 requires submission of a report of all leases executed by DNR; however, DNR is already submitting this report.

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