

25 February 2022

The Honorable Kumar Barve  
 Chair, Environment and Transportation  
 Maryland House of Delegates  
 251 Taylor House Office Building  
 6 Bladen Street  
 Annapolis, MD 21401

The Honorable Dana Stein  
 Vice Chair, Environment and Transportation  
 Maryland House of Delegates  
 251 Taylor House Office Building  
 6 Bladen Street  
 Annapolis, MD 21401

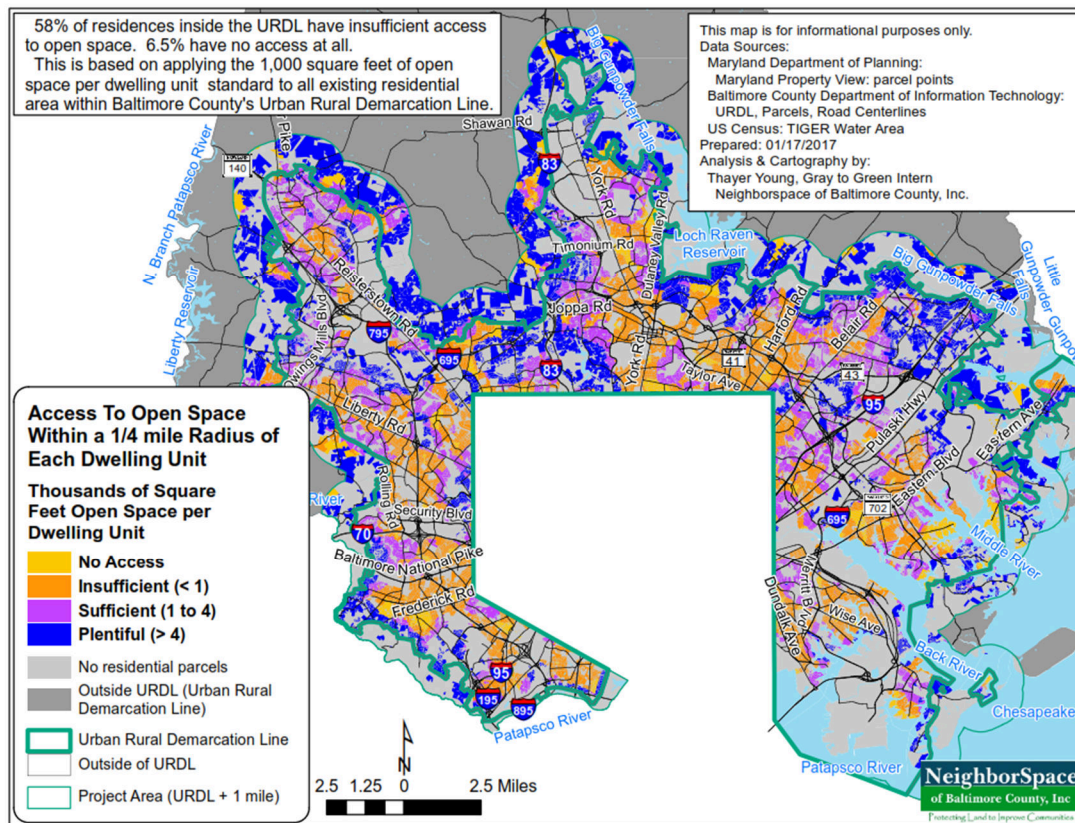
**RE: Maryland the Beautiful Act (HB 1031 / SB 791) SUPPORT WITH AMENDMENTS**

Dear Chairman Barve and Vice Chairman Stein:

We are writing to support the ***Maryland the Beautiful Act with amendments***. I would like to comment on several provisions and amendments that are important to our work as an urban land trust in Baltimore County.

**1. THE CHALLENGE:** *Parks are inaccessible by car AND on foot to a large swath of the population.*

Nationally, 50% of the population is too old, too young, too disabled, or too poor to get in a car and drive to a park. This heightens the importance of being able to get there on foot. But in many places in Baltimore County, that’s not possible. ***Sixty-five percent of residences lack access to adequate open space within a quarter mile walk***, as shown below.



This is the challenge that NeighborSpace seeks to address. Since 2002, we’ve protected 21 sites totaling 100 acres and improved roughly 1/3 of them with small parks, gardens, and trails. In so doing, we’ve ensured that the protected lands

provide important co-benefits, improving human health and well-being through new recreational opportunities, managing stormwater with green infrastructure, and raising surrounding property values.

2. **THE OPPORTUNITY:** *The Maryland the Beautiful Act*

In spite of our successes, our efforts have barely addressed the challenge. A big reason is the cost of urban land and the lack of funding to conserve it. A recent report by the Lincoln Institute for Land Policy, a respected international land use think tank, bears this out. It notes that “[t]he majority of ... resources and funding related to land conservation are dedicated to rural and large landscape conservation ....”<sup>1</sup> The Act would help to address this gap.


3. **AMENDMENTS:** *Make nonprofits who are not land trusts eligible only as land trust partners and broaden the definition of “underserved community.”*

Those of us doing urban land conservation work are requesting several amendments. I’d like to comment on two:

- (i) **Making nonprofits who are not land trusts eligible only as land trust partners.** The rationale is:
  - a. *Land Trusts are nonprofits with specialized expertise in land acquisition and perpetual stewardship that other types of nonprofits lack; they are governed by standards that are inapplicable to other types of nonprofits.* Land transactions are inherently complex. Only land trusts have land conservation in perpetuity as a central mission.<sup>2</sup> In addition, land trusts are held to high standards by the national Land Trust Alliance (LTA), the Md. Environmental Trust (MET), and the Internal Revenue Service (IRS) to ensure the sanctity of this stewardship and the transactions themselves. These same standards are not applicable to other types of nonprofits. Among the standards imposed by the IRS, for example, is that a land trust be able to demonstrate that it has the resources to defend the conservation values of the land it protects, e.g., the resources to prosecute encroachments. NeighborSpace currently meets this requirement by purchasing conservation defense insurance, which is not available for purchase in public markets and is only available to land trusts through a captive insurance company.
  - b. *There is at least a chance that a large nonprofit like a college or university would outcompete a much smaller, urban land trust.*
  - c. *Finally, Rural Legacy, the land conservation program that this program is meant to complement, does not allow nonprofits who are not land trusts to participate.*
- (ii) **Broadening the definition of “underserved community.”** The rational here is that the current definition equates “underserved” with “redlined.” The majority of inner suburbs in the U.S., including those in Baltimore County, were NOT redlined because they did not exist when the Federal Housing Administration (FHA) was created. Rather, funds flowing from the FHA fueled their development. They are old now, devoid of open space, and home to aging and minority populations. A more inclusive definition would, therefore, focus on the presence of “vulnerable populations,” as defined by the Centers for Disease Control.

Thank you for your consideration. Please contact me at 443-377-3760 or at [barbara@neighborspacebaltimorecounty.org](mailto:barbara@neighborspacebaltimorecounty.org) if you have any questions. With kind regards, I am

Sincerely yours



Barbara L. Hopkins, Esq., ASLA  
Executive Director

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<sup>1</sup> K. Wraithwall. *Enhancing Livability Through Urban Land Conservation: NeighborSpace of Baltimore County, Pocket Parks, and Retrofitting the URDL* (Lincoln Institute of Land Policy: September 2020), p. 11 (Available at: <https://landconservationnetwork.org/sites/default/files/Case%20Profile%20on%20NeighborSpace%20%23.pdf>)

<sup>2</sup> R. Brewer. *Conservancy: The Land Trust Movement in America* (Dartmouth College Press: Hanover, NH) (2003), p. 79.

## Requested amendments for Greenspace Equity Program in HB 1031 / SB 791

- 1.) Add an Advisory Board and remove Greenspace Equity Board. Stakeholders believe this is critical for ensuring that representatives of underserved communities have a formal role in reviewing and advising on the grants advanced through this program. This adds another forum to achieve this goal. We scaled back the membership to 8 individuals. Per the current bill, we also added an 'interagency review' of grant applications to allow relevant agencies to review and comment on grant applications.
- 2.) Add in the additional criteria for underserved communities. Stakeholders pointed out that there are non-redlined communities (i.e. inner suburban communities around both the DC and Baltimore Beltways that nevertheless have underserved populations and significantly lack greenspace. Additional criteria would help ensure that underserved communities are not left out of this important program.
- 3.) Add criteria for nonprofits to have a partnership agreement with a qualified land trust. There are two key issues here. A primary purpose of this program is to acquire and conserve land (and steward it in perpetuity). Land trusts are uniquely qualified and have the expertise to do this. Land trusts as defined have to achieve and comply with multiple standards and qualifications to acquire lands. Secondly, there is a risk that large nonprofits (ie Johns Hopkins which is a 501c3) would be eligible for this program and would outcompete smaller community-based nonprofits. The emphasis here needs to be on creating green spaces WITHIN these communities to complement larger parks and trails. Many residents of these communities have various vulnerabilities and lack access to transportation so they need to have readily available green spaces.
- 4.) Add a requirement that at least 75% of the annual appropriation for the program going to grants will be reserved for land acquisition. In current form, the bill would allow all grant funding to pay for stewardship for projects that already exist. Doing otherwise will not expand greenspace in underserved communities.
- 5.) Increase the funding to **\$5 M** in year one and **\$10 M** in each of the following years. We predict that the demand for grants will grow dramatically under this program after a start- up year because of the heightened concerns around equity generally and the historic lack of attention to the open space needs of these communities.
- 6.) Add uncodified text requiring local governing bodies to include greenspace projects in underserved areas if any as a part of their annual (report ) project/funding proposals sent to DNR for approval. Many of the larger jurisdictions have ongoing substantial POS balances and they would be eligible applicants in this program, so this section makes sense and is not prescriptive.

# SENATE BILL 791

M1

2lr1712  
CF HB 1031

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By: **Senator Elfreth**

Introduced and read first time: February 7, 2022

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Land Conservation – Establishment of Goals and Programs**  
3 **(Maryland the Beautiful Act)**

4 FOR the purpose of establishing certain goals and programs related to land conservation;  
5 establishing the Local Land Trust Revolving Loan Program to provide loans to  
6 certain land trusts to purchase land for conservation purposes; establishing the Local  
7 Land Trust Revolving Loan Fund as a special, nonlapsing fund; requiring interest  
8 earnings of the Fund to be credited to the Fund; requiring the Governor, beginning  
9 in a certain fiscal year, to include in the annual budget bill a certain appropriation  
10 to the Mel Noland Woodland Incentives and Fellowship Fund; establishing the  
11 Greenspace Equity Program to enhance the public health and livability of  
12 underserved areas by implementing projects to preserve, create, and enhance  
13 community greenspace; and generally relating to land conservation in the State.

14 BY adding to

15 Article – Natural Resources

16 New part designation “Part I. General Provisions” to immediately precede Section  
17 3–201; Section 3–214 through 3–216 to be under the new part “Part II. Local  
18 Land Trust Revolving Loan Program”; 5–104; and 5–9D–01 through 5–9D–04  
19 to be under the new subtitle “Subtitle 9D. Greenspace Equity Program”

20 Annotated Code of Maryland

21 (2018 Replacement Volume and 2021 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article – Natural Resources

24 Section 5–307(b)

25 Annotated Code of Maryland

26 (2018 Replacement Volume and 2021 Supplement)

27 BY repealing and reenacting, with amendments,

28 Article – Natural Resources

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

**\*sb0791\***

1 Section 5–307(f)  
2 Annotated Code of Maryland  
3 (2018 Replacement Volume and 2021 Supplement)

4 BY repealing and reenacting, without amendments,  
5 Article – State Finance and Procurement  
6 Section 6–226(a)(2)(i)  
7 Annotated Code of Maryland  
8 (2021 Replacement Volume)

9 BY repealing and reenacting, with amendments,  
10 Article – State Finance and Procurement  
11 Section 6–226(a)(2)(ii)144. and 145.  
12 Annotated Code of Maryland  
13 (2021 Replacement Volume)

14 BY adding to  
15 Article – State Finance and Procurement  
16 Section 6–226(a)(2)(ii)146.  
17 Annotated Code of Maryland  
18 (2021 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the new part designation “Part I. General Provisions” be added to immediately  
21 precede Section 3–201 of Article – Natural Resources of the Annotated Code of Maryland.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
23 as follows:

24 **Article – Natural Resources**

25 **3–212. RESERVED.**

26 **3–213. RESERVED.**

27 **PART II. LOCAL LAND TRUST REVOLVING LOAN PROGRAM.**

28 **3–214.**

29 **(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**  
30 **INDICATED.**

31 **(B) “ADVISORY COMMITTEE” MEANS THE LAND PRESERVATION RAPID**  
32 **RESPONSE ADVISORY COMMITTEE.**

1 (C) "BOARD OF TRUSTEES" MEANS THE BOARD OF TRUSTEES OF THE  
2 MARYLAND ENVIRONMENTAL TRUST.

3 (D) "EXECUTIVE COMMITTEE" MEANS THE EXECUTIVE COMMITTEE OF THE  
4 MARYLAND ENVIRONMENTAL TRUST.

5 (E) "FUND" MEANS THE LOCAL LAND TRUST REVOLVING LOAN FUND.

6 (F) "PROGRAM" MEANS THE LOCAL LAND TRUST REVOLVING LOAN  
7 PROGRAM.

8 3-215.

9 (A) THERE IS A LOCAL LAND TRUST REVOLVING LOAN PROGRAM.

10 (B) THE PURPOSE OF THE PROGRAM IS TO:

11 (1) SUPPORT THE EFFORTS OF LOCAL LAND TRUSTS THAT WORK  
12 WITH STATE AND LOCAL GOVERNMENT ENTITIES AND THAT HAVE DIFFICULTY  
13 ACCESSING MONEY FROM EXISTING PROGRAM OPEN SPACE PRESERVATION  
14 PROGRAMS IN A TIMELY MANNER; AND

15 (2) PROVIDE REVOLVING LOANS TO LAND TRUSTS ON A ROLLING  
16 BASIS TO ASSIST THE LAND TRUSTS TO PURCHASE PROPERTY.

17 (C) A LAND TRUST THAT RECEIVES A PROGRAM LOAN TO PURCHASE  
18 PROPERTY IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION SHALL REPAY  
19 THE FUND:

20 (1) AT A RATE TO BE DETERMINED BY THE MARYLAND  
21 ENVIRONMENTAL TRUST, NOT TO EXCEED ONE POINT BELOW THE PRIME INTEREST  
22 RATE; AND

23 (2) AFTER THE PROPERTY IS:

24 (I) PLACED UNDER EASEMENT; OR

25 (II) TRANSFERRED TO A STATE OR LOCAL GOVERNMENT  
26 ENTITY.

27 (D) (1) THE PROGRAM IS ADMINISTERED BY THE MARYLAND  
28 ENVIRONMENTAL TRUST.

1           **(2) THE MARYLAND ENVIRONMENTAL TRUST MAY AUTHORIZE A**  
2 **NONPROFIT ORGANIZATION TO MANAGE AND ADMINISTER THE PROGRAM ON ITS**  
3 **BEHALF.**

4           **(E) (1) THERE IS A LAND PRESERVATION RAPID RESPONSE ADVISORY**  
5 **COMMITTEE.**

6           **(2) THE PURPOSE OF THE ADVISORY COMMITTEE IS TO:**

7                   **(I) REVIEW AND PRIORITIZE PROGRAM LOAN APPLICATIONS**  
8 **FOR FINAL APPROVAL BY THE EXECUTIVE COMMITTEE; AND**

9                   **(II) MAKE RECOMMENDATIONS TO THE EXECUTIVE**  
10 **COMMITTEE ON:**

11                           **1. WHICH PROJECTS TO FUND, WHETHER IN WHOLE OR**  
12 **IN PART; AND**

13                           **2. THE FUNDING TO BE ALLOCATED TO EACH PROJECT.**

14           **(3) THE ADVISORY COMMITTEE CONSISTS OF:**

15                   **(I) A REPRESENTATIVE OF THE DEPARTMENT, SELECTED BY**  
16 **THE SECRETARY; AND**

17                   **(II) THE FOLLOWING MEMBERS, SELECTED BY THE BOARD OF**  
18 **TRUSTEES:**

19                           **1. A REPRESENTATIVE OF THE MARYLAND**  
20 **ENVIRONMENTAL TRUST THAT IS NOT A MEMBER OF THE EXECUTIVE COMMITTEE;**

21                           **2. A REPRESENTATIVE OF A NONPROFIT LAND**  
22 **CONSERVATION ORGANIZATION IN THE STATE;**

23                           **3. A REPRESENTATIVE OF A LOCAL PARKS AND**  
24 **RECREATION DEPARTMENT IN THE STATE; AND**

25                           **4. AN INDIVIDUAL WITH EXPERIENCE IN LOAN**  
26 **UNDERWRITING.**

28           **(A)   THERE IS A LOCAL LAND TRUST REVOLVING LOAN FUND.**



1           **(B) THE PURPOSE OF THE FUND IS TO FINANCE THE LOCAL LAND TRUST**  
2 **REVOLVING LOAN PROGRAM.**

3           **(C) THE MARYLAND ENVIRONMENTAL TRUST SHALL ADMINISTER THE**  
4 **FUND.**

5           **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
6 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

7                   **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**  
8 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

9           **(E) THE FUND CONSISTS OF:**

10                   **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

11                   **(2) INTEREST EARNINGS; AND**

12                   **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**  
13 **THE BENEFIT OF THE FUND.**

14           **(F) IN FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL**  
15 **BUDGET BILL AN APPROPRIATION OF \$10,000,000 TO THE FUND.**

16           **(G) THE FUND MAY BE USED ONLY TO PROVIDE FUNDING FOR THE LOCAL**  
17 **LAND TRUST REVOLVING LOAN PROGRAM.**

18           **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**  
19 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

20                   **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**  
21 **THE FUND.**

22           **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**  
23 **WITH THE STATE BUDGET.**

24           **(J) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS**  
25 **SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT**  
26 **OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

27 **5-104.**

1           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3                   (2) “CONSERVE” MEANS TO PERMANENTLY PROTECT LAND FROM  
4 DEVELOPMENT THROUGH PURCHASE, DONATION, A PERPETUAL CONSERVATION OR  
5 AN OPEN SPACE EASEMENT, OR FEE OWNERSHIP IN ORDER TO PRESERVE THE  
6 CULTURAL, HISTORICAL, ECOLOGICAL, OR AGRICULTURAL VALUE OF THE LAND.

7                   (3) “SMART GROWTH SUBCABINET” MEANS THE SUBCABINET  
8 ESTABLISHED UNDER § 9-1406 OF THE STATE GOVERNMENT ARTICLE.

9           (B) (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

10                   (I) BY 2030, 30% OF LANDS IN THE STATE ARE CONSERVED;  
11 AND

12                   (II) BY 2040, 40% OF LANDS IN THE STATE ARE CONSERVED.

13                   (2) THE CONSERVATION GOALS ESTABLISHED UNDER PARAGRAPH  
14 (1) OF THIS SUBSECTION SHALL BE ACCOMPLISHED THROUGH MULTIPLE EFFORTS  
15 INCLUDING:

16                   (I) WORKING WITH LOCAL COMMUNITIES, COUNTIES,  
17 MUNICIPALITIES, AMERICAN INDIAN COMMUNITIES, AND PRIVATE LANDOWNERS TO  
18 CONSERVE NATURAL PLACES AND RESOURCES;

19                   (II) IMPROVING ACCESS TO NATURE FOR ALL INDIVIDUALS IN  
20 THE STATE, INCLUDING COMMUNITIES OF COLOR AND ECONOMICALLY  
21 DISADVANTAGED COMMUNITIES;

22                   (III) SEQUESTERING CARBON AND GREENHOUSE GAS EMISSIONS  
23 IN THE LANDS AND WATERS OF THE STATE;

24                   (IV) INCREASING PUBLIC INCENTIVES FOR PRIVATE  
25 LANDOWNERS TO VOLUNTARILY CONSERVE AND PROTECT AREAS OF  
26 DEMONSTRATED CONSERVATION VALUE AND AREAS THAT HAVE A HIGH CAPACITY  
27 TO SEQUESTER CARBON AND GREENHOUSE GAS EMISSIONS;

28                   (V) FOCUSING CONSERVATION WORK AT A LARGE LANDSCAPE  
29 SCALE THAT IS BIOLOGICALLY AND ECOLOGICALLY MEANINGFUL;

30                   (VI) PREVENTING THE EXTINCTION OF NATIVE PLANT AND  
31 ANIMAL SPECIES BY RECOVERING AND RESTORING THE SPECIES;

1                   **(VII) STABILIZING ECOSYSTEMS AND ECOSYSTEM SERVICES,**  
2 **RESTORING DEGRADED ECOSYSTEMS, AND MAINTAINING ECOLOGICAL FUNCTIONS;**  
3 **AND**

4                   **(VIII) INCREASING ECONOMIC OPPORTUNITIES FOR FARMERS,**  
5 **RANCHERS, FISHERS, AND FORESTERS.**

6           **(C) (1) IN ORDER TO MEET THE CONSERVATION GOALS ESTABLISHED**  
7 **UNDER SUBSECTION (B) OF THIS SECTION, THE SMART GROWTH SUBCABINET, IN**  
8 **COORDINATION WITH RELEVANT STAKEHOLDERS, SHALL:**

9                   **(I) COORDINATE THE ACTIONS OF STATE AGENCIES, LOCAL**  
10 **GOVERNMENTS, AND NONGOVERNMENTAL PARTNERS;**

11                   **(II) ON OR BEFORE JULY 1, 2023, DEVELOP AND PUBLISH A**  
12 **PLAN TO MEET THE STATE'S CONSERVATION GOALS AND UPDATE AS NEEDED AND**  
13 **NOT LESS THAN EVERY 5 YEARS THEREAFTER; AND**

14                   **(III) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER**  
15 **1 THEREAFTER, REPORT TO THE SENATE EDUCATION, HEALTH, AND**  
16 **ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENT AND**  
17 **TRANSPORTATION COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE**  
18 **GOVERNMENT ARTICLE, ON THE STATE'S PROGRESS TOWARD MEETING THE**  
19 **CONSERVATION GOALS.**

20                   **(2) THE SMART GROWTH SUBCABINET SHALL MAKE THE ANNUAL**  
21 **REPORT REQUIRED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION AVAILABLE ON**  
22 **ITS WEBSITE.**

23 5-307.

24           (b) There is a Mel Noland Woodland Incentives and Fellowship Fund in the  
25 Department.

26           (f) (1) The Fund consists of:

27                   (i) As provided in § 13-306 of the Tax – Property Article, up to  
28 \$200,000 annually of the proceeds of the tax imposed by § 13-302 of the Tax – Property  
29 Article that are attributable to the taxation of instruments of writing that transfer title to  
30 parcels of land that are entirely woodland;

31                   (ii) Revenues collected by the Department from the payment of  
32 charges imposed for Department assistance in implementation of an approved practice;

1 (iii) Money distributed from the Chesapeake and Atlantic Coastal  
2 Bays 2010 Trust Fund under § 8–2A–04 of this article;

3 (iv) Subject to approval by the Secretary and the Board of Public  
4 Works, a portion of the revenues derived from the forestry practices on designated lands  
5 owned and managed by the Department, that are conducted in accordance with applicable  
6 State law and regulation; and

7 (v) Money appropriated to the Fund under paragraph (2) of this  
8 subsection.

9 (2) (I) For fiscal [year] YEARS 2021 [and each fiscal year thereafter]  
10 THROUGH 2023, the Governor shall include in the annual budget bill an appropriation of  
11 \$50,000 to the Fund.

12 (II) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR  
13 THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN  
14 APPROPRIATION OF \$1,000,000 TO THE FUND.

15 **SUBTITLE 9D. GREENSPACE EQUITY PROGRAM.**

16 **5–9D–01.**

17 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
18 INDICATED.

19 (B) ~~“BOARD” MEANS THE GREENSPACE EQUITY BOARD.~~

20 (C) (1) “COMMUNITY GREENSPACE” MEANS A COMMUNITY SPACE THAT  
21 ENHANCES THE PUBLIC HEALTH AND LIVABILITY OF A COMMUNITY.

22 (2) “COMMUNITY GREENSPACE” INCLUDES:

23 (I) A COMMUNITY GARDEN;

24 (II) A COMMUNITY GATHERING OPEN SPACE AREA;

25 (III) A COMMUNITY WOODLAND;

26 (IV) A GREEN NETWORK;

27 (V) A PARK;

1 (VI) A TRAIL; AND

2 (VII) AN URBAN FARM.

3 (D) “ELIGIBLE APPLICANT” MEANS:

4 (1) A LAND TRUST LOCATED OR WORKING IN AN UNDERSERVED AREA  
WHERE PROJECT IS PROPOSED TO BE IMPLEMENTED

5 (2) A ~~LAND TRUST OR OTHER~~ NONGOVERNMENTAL ORGANIZATION  
~~6 LOCATED OR IN AN UNDERSERVED AREA WHERE A PROJECT IS PROPOSED~~  
7 ~~TO BE IMPLEMENTED WORKING UNDER A PARTNERSHIP AGREEMENT WITH A~~  
QUALIFIED LAND TRUST IN AN UNDERSERVED AREA WHERE A PROJECT IS  
PROPOSED TO BE IMPLEMENTED; OR

8 (3) A COUNTY OR MUNICIPALITY.

9 (4) “LAND TRUST” MEANS A CONSERVATION ORGANIZATION THAT:

10 (I) IS AN ORGANIZATION ESTABLISHED IN ACCORDANCE WITH §  
170(H)(3); THAT

11 (II) HAS EXECUTED A COOPERATIVE AGREEMENT WITH THE  
MARYLAND ENVIRONMENTAL TRUST

12 (E) “GREEN NETWORK” MEANS A SYSTEM OF GREENSPACES THAT ARE  
13 INTERCONNECTED BY LINEAR CORRIDORS THAT FACILITATE THE MOVEMENT OF  
14 PEOPLE AND WILDLIFE.

15 (F) “PROGRAM” MEANS THE GREENSPACE EQUITY PROGRAM.

16 (G) (1) “STEWARDSHIP” MEANS ACTIVITIES UNDERTAKEN TO MAINTAIN  
17 THE CONSERVATION VALUES AND PUBLIC USE OF A PROPERTY.

18 (2) “STEWARDSHIP” DOES NOT INCLUDE THE OPERATING EXPENSES  
19 OF A GRANT RECIPIENT.

20 (H) (1) “UNDERSERVED AREA” HAS THE MEANING INDICATED IN § 8-1911 OF  
THIS ARTICLE.

21 (2) A HOUSING PROJECT AS DEFINED IN SECTION 12-101 OF THE HOUSING  
AND COMMUNITY DEVELOPMENT ARTICLE

22 (3) AN AREA THAT HAS A HIGH CONCENTRATION OF VULNERABLE  
POPULATIONS AS DEFINED AND UPDATED FROM TIME TO TIME BY THE US  
CENTER OF DISEASE CONTROL’S SOCIAL VULNERABILITY INDEX



1 (III) PROVIDE TECHNICAL ASSISTANCE TO PROGRAM  
2 APPLICANTS; AND

3 (IV) ~~RECOMMEND GRANT AWARDS TO THE BOARD. MAKE GRANT  
AWARDS SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC  
WORKS,~~

4 ~~(D) IN CARRYING OUT THE PURPOSE ESTABLISHED IN SUBSECTION (B) OF  
5 THIS SECTION, THE BOARD SHALL:~~

6 (1) ~~ADVISE THE DEPARTMENT ON THE ADMINISTRATION OF THE  
7 PROGRAM; AND~~

8 ~~(2) APPROVE GRANT AWARDS.~~

9 (D) AN APPLICATION SUBMITTED TO THE DEPARTMENT FOR THE PROGRAM  
10 SHALL INCLUDE EVIDENCE OF SUPPORT FROM THE LOCAL GOVERNMENT AND THE  
11 UNDERSERVED COMMUNITY IN WHICH THE PROJECT WILL BE LOCATED.

12 (E) (1) BEGINNING IN FISCAL YEAR 2024, THE DEPARTMENT SHALL  
13 MAKE GRANTS TO ELIGIBLE APPLICANTS FOR GREENSPACE EQUITY PROJECTS IN  
14 UNDERSERVED AREAS.

15 (2) A GRANT RECEIVED UNDER THIS SUBSECTION MAY BE USED FOR:

16 (I) LAND ACQUISITION, APPRAISALS, ENVIRONMENTAL  
17 ASSESSMENTS, SITE DEVELOPMENT, AND OTHER EXPENSES AND MATERIALS  
18 RELATED TO PLANNING AND IMPLEMENTING A PROJECT, INCLUDING  
19 DEVELOPMENT OR MAINTENANCE OF THE SITE FOR PUBLIC USE;

20 (II) ADMINISTRATIVE COSTS IN AN AMOUNT NOT MORE THAN  
21 3% OF THE TOTAL PROJECT COST, OR \$15,000, WHICHEVER IS GREATER; OR

22 (III) STEWARDSHIP OF A PROJECT THAT PREVIOUSLY RECEIVED  
23 A GRANT UNDER THE PROGRAM OR A PROJECT THAT WOULD QUALIFY FOR A GRANT  
24 UNDER THE PROGRAM BUT EXISTED BEFORE JULY 1, 2023.

25 (3) IN AWARDING GRANTS UNDER THIS SUBSECTION, THE  
26 DEPARTMENT SHALL CONSIDER:

27 (I) THE EXTENT TO WHICH THE PROJECT ENGAGES AND IS  
28 SUPPORTED BY RESIDENTS, ORGANIZATIONS, AND BUSINESSES LOCATED IN THE  
29 UNDERSERVED AREA IN WHICH THE PROJECT WILL BE LOCATED;

1 (II) THE AMOUNT OF FINANCIAL OR IN-KIND CONTRIBUTIONS  
2 FOR IMPLEMENTATION OF THE PROJECT, IF APPLICABLE; AND

3 (III) THE DEGREE TO WHICH THE PROJECT ENHANCES THE  
4 PUBLIC HEALTH, LIVABILITY, AND COMMUNITY OPEN SPACE IN THE UNDERSERVED  
5 AREA.

6 (4) THE DEPARTMENT SHALL RESERVE AT LEAST 50% OF THE  
7 ANNUAL APPROPRIATION TO THE PROGRAM FOR GRANTS TO LOCAL LAND TRUSTS  
8 ~~AND OTHER OR TO~~ NONGOVERNMENTAL ORGANIZATIONS ~~WORKING WITH LAND~~  
~~TRUSTS UNDER A PARTNERSHIP AGREEMENT.~~

(5) THE DEPARTMENT SHALL RESERVE AT LEAST 75% OF THE ANNUAL  
APPROPRIATION TO THE PROGRAM FOR GRANTS TO FUND ELIGIBLE ACTIONS UNDER  
SUBSECTION (E) (2) I AND II.

9 5-9D-03.

10 ~~(A) — THERE IS A GREENSPACE EQUITY BOARD IN THE DEPARTMENT. THERE IS~~  
~~A GREEN SPACE EQUITY ADVISORY BOARD IN THE DEPARTMENT TO CONSULT~~  
~~WITH THE DEPARTMENT ON THE IMPLEMENTATION AND ADMINISTRATION OF~~  
~~THE PROGRAM~~

11 ~~(B) — THE PURPOSE OF THE BOARD IS TO ADMINISTER THE GREENSPACE~~  
12 ~~EQUITY PROGRAM. THE MEMBERSHIP OF THE ADVISORY BOARD SHALL INCLUDE:~~  
13 (1) ONE MEMBER OF THE SENATE APPOINTED BY THE PRESIDENT OF THE  
SENATE

14 (2) ONE MEMBER OF THE HOUSE APPOINTED BY THE SPEAKER OF THE  
HOUSE

15 (3) THE GOVERNOR SHALL APPOINT THE OTHER MEMBERS OF THE  
BOARD AS FOLLOWS:

16 (I) A REPRESENTATIVE OF A LOCAL GOVERNMENT DEPARTMENT  
PARKS AND RECREATION

17

18

19 (II) A REPRESENTATIVE OF A LAND TRUST WORKING IN AN  
UNDERSERVED AREA

20 (V) FOUR MEMBERS WHO ARE RESIDENTS OF UNDERSERVED



**AREAS AND REFLECT THE DIVERSITY OF THE STATE**

21 (C) EXCEPT FOR THE GENERAL ASSEMBLY MEMBERS, EACH ADVISORY BOARD  
MEMBER SHALL SERVE FOR AN INITIAL TERM OF FOUR YEARS AND MAY BE  
APPOINTED FOR A SECOND FOUR YEAR TERM.

22 (D) THE ADVISORY BOARD SHALL CONSULT WITH THE DEPARTMENT IN THE  
IMPLEMENTATION AND ADMINISTRATION OF THE PROGRAM, INCLUDING:

23 (I) DEVELOPING THE PROJECT GRANT APPLICATION AND OTHER  
ELEMENTS OF THE PROGRAM

24 (II) OUTREACHING THROUGH THEIR RESPECTIVE NETWORKS AND  
PUBLICATIONS ABOUT THE PROGRAM

25 (III) REVIEWING AND COMMENTING ON GRANT APPLICATIONS,  
INCLUDING COMMENTS RECEIVED FROM STATE AND LOCAL GOVERNMENTS  
UNDER SECTION 5-9D-04

26 (F) THE SECRETARY SHALL PROVIDE STAFF TO SUPPORT THE ADVISORY  
BOARD IN CARRYING OUT THEIR DUTIES AND RESPONSIBILITIES

27 ~~(C) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:~~

14 ~~(1) THE SECRETARY OF AGRICULTURE, OR THE SECRETARY'S~~  
15 ~~DESIGNEE;~~

16 ~~(2) THE SECRETARY OF NATURAL RESOURCES, OR THE~~  
17 ~~SECRETARY'S DESIGNEE;~~

18 ~~(3) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,~~  
19 ~~OR THE SECRETARY'S DESIGNEE;~~

20 ~~(4) THE SECRETARY OF PLANNING, OR THE SECRETARY'S DESIGNEE;~~  
21 ~~AND~~

22 ~~(5) TWO MEMBERS APPOINTED BY THE GOVERNOR, WHO:~~

23 ~~(I) HAVE EXPERIENCE IN PROVIDING RECREATIONAL AND~~  
24 ~~GREENSPACE OPPORTUNITIES IN UNDERSERVED AREAS; AND~~

25 ~~(II) ARE REPRESENTATIVE OF THE DIVERSITY OF THE STATE.~~

26 ~~(D) THE SECRETARY OF NATURAL RESOURCES SHALL SERVE AS CHAIR OF~~  
27 ~~THE BOARD.~~

~~1 (E) (1) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE  
2 STAFF FOR THE BOARD.~~

~~3 (2) THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF  
4 HOUSING AND COMMUNITY DEVELOPMENT, AND THE DEPARTMENT OF PLANNING  
5 MAY PROVIDE STAFF FOR THE BOARD.~~

6 **5-9D-04. INTERAGENCY REVIEW OF GRANT APPLICATIONS**

7 **(A) THE DEPARTMENT SHALL PROVIDE COPIES OF EACH GRANT APPLICATION  
RECEIVED FOR REVIEW AND COMMENT , IF ANY TO:**

8 **(I) THE FOLLOWING STATE AGENCIES: AGRICULTURE, HOUSING  
AND COMMUNITY DEVELOPMENT, PLANNING, AND HEALTH**

9 **(II) THE COUNTY OR MUNICIPALITY WITHIN WHICH THE PROJECT  
WOULD BE LOCATED UNLESS THE LOCAL GOVERNMENT IS THE APPLICANT**

10 **5-9D-05**

7 **THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL THE  
8 FOLLOWING APPROPRIATIONS TO THE PROGRAM:**

9 **(1) \$5,000,000 IN FISCAL YEAR 2024; AND**

10 **(2) AND \$10,000,000 IN FISCAL YEAR 2025 AND EACH FISCAL YEAR  
11 THEREAFTER.**

12 **Article – State Finance and Procurement**

13 **6-226.**

14 **(a) (2) (i) Notwithstanding any other provision of law, and unless  
15 inconsistent with a federal law, grant agreement, or other federal requirement or with the  
16 terms of a gift or settlement agreement, net interest on all State money allocated by the  
17 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
18 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
19 Fund of the State.**

20 **(ii) The provisions of subparagraph (i) of this paragraph do not apply  
21 to the following funds:**

22 **144. the Health Equity Resource Community Reserve Fund;**

23 **[and]**

24 **145. the Access to Counsel in Evictions Special Fund; AND**

25

**146. THE LOCAL LAND TRUST REVOLVING LOAN FUND.**

26

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect

27

October 1, 2022.