

SB0694_DNR_SUP_B&T_3-9-23.pdf

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Position: FAV



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
Allan Fisher, Deputy Secretary

March 9, 2023

BILL NUMBER: Senate Bill 694 – First Reader

SHORT TITLE: Department of Natural Resources' Real Property - Exchange With Private Real Property

DEPARTMENT'S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT'S POSITION:

The Department owns and manages approximately 500,000 acres of land statewide that has been acquired over time since the early 1900s. There are instances where a land exchange is beneficial to the Department, such as improving boundary line management and addressing a small encroachment. SB 694 will improve efficiency and streamline the land exchange process in certain circumstances provided the Department determines the land exchange is consistent with Department goals and objectives. Completing these smaller land exchanges in a timely manner will also assist the Department's land managing units since it can improve boundary line management. All land exchanges would continue to be subject to Board of Public Works approval, and exchanges over five acres would continue to go through the process required in the State Finance and Procurement Article.

BACKGROUND INFORMATION:

The Department owns and manages approximately 500,000 acres of land statewide. The majority of the lands owned by the Department were purchased with Program Open Space funds which preserves natural areas for public recreation and watershed and wildlife protection across Maryland through the purchase of fee-simple and easement acquisitions. Other Department owned lands were purchased with federal grants, which have specific grant requirements that must be met and can limit the Department's ability to dispose of those lands. As the owner of the property, the Department makes the determination whether land is appropriate for disposal and/or exchange. Any proposal that includes the disposal and/or exchange of Department-owned property is reviewed to determine consistency with Department goals and objectives. An interdisciplinary review is completed which results in a recommendation to approve or not. If it is determined that the property does not meet operational and/or management needs by the Department, including public recreation and watershed and wildlife protection, the property may be considered for disposal and/or exchange.

Currently, Section 1-109 of the Natural Resources Article provides the Department with the authority to complete land exchanges in accordance with Title 5, Subtitle 3 and Title 10, Subtitle 3 of the State

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Finance and Procurement Article. The requirements in the State Finance and Procurement Article can take more than a year to complete and include many steps.

BILL EXPLANATION:

The bill authorizes the Department of Natural Resources to exchange real property owned by the Department with private real property under certain circumstances. If the property to be exchanged is less than five acres and the landowner in certain circumstances covers certain costs, the land exchange process would be exempt from the requirements. All land exchanges would continue to be subject to Board of Public Works approval.