



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

February 12, 2025

**BILL NUMBER: House Bill 717 – First Reader**

**SHORT TITLE: Natural Resources - Public Lands - Acquisition, Staffing, Operations, and Funding**

**DEPARTMENT'S POSITION: Support with Amendments**

### **EXPLANATION OF DEPARTMENT'S POSITION**

The Department supports HB 717 because it will improve the Department's ability to operate, manage, and acquire state parks, forests, and wildlife management areas for all citizens by making several key fiscal and operational changes. The changes include setting a formula for the Department requesting additional positions as acres are acquired, and increasing funding opportunities for operations including authorizing the Department to create affiliated foundations and utilize limited funding from the Program Open Space (POS) Stateside land acquisition fund balance in certain circumstances. These provisions will increase the long-term sustainability of the Department to manage existing lands and continue acquiring lands to meet state land conservation goals and the continued demand for public access from citizens. The bill also provides local jurisdictions with increased flexibility to spend their POS Local funds on either acquisition or development projects if they have met their land acquisition goals which ensures protected lands provide meaningful access to Marylanders

The Department requests the Committee's consideration of amendments to address comments received from the State Ethics Commission, clarify the positions requested for acres acquired only applies to fee simple acquisitions and not conservation easements, ensure that the Department's land exchange authority doesn't apply to conservation easements, incorporate the Maryland Association of Counties' amendment to allow the POS Local provision to apply to unencumbered balances and FY 2026 allocations, remove the limitation on how much POS Local funds a local government may spend on eligible capital renewal projects, and a technical correction. These amendments are the result of communications and feedback among affected stakeholders.

### **BACKGROUND INFORMATION**

#### **STAFFING**

The Department currently owns over 504,000 acres statewide that are managed as part of state parks, state forests, wildlife management areas, and fisheries management areas. As the Department has acquired an additional 135,000 acres of land over the past 20 years, the number of authorized positions within the land management units actually decreased through FY 2023. The Great Maryland Outdoors Act provided additional positions for the Maryland Park Service in FY 2024 which brought total DNR land management unit positions back to the FY 2003 staffing levels (see charts below). This impacts the Department's ability to effectively manage existing lands and to acquire new lands for public open space and recreation to meet the high demand for these spaces across the state since staff are already stretched thinly.

Contact: Emily Wilson, Director, Legislative and Constituent Services (Acting)  
emilyh.wilson@maryland.gov ♦ 410-260-8426 (office) ♦ 443-223-1176 (cell)

## **FUNDING**

Transfer tax revenues fund the Department's land conservation and recreation programs and operations. When transfer tax revenues are low, the Forest and Park Reserve Fund does not receive sufficient funding from the transfer tax to maintain level funding for operations and maintenance. When transfer tax revenues are high, Program Open Space Stateside receives more funding than program activity in a given fiscal year based on staff capacity and project schedules resulting in program balances that carry over from year to year. Over the past three years, the POS Stateside project pipeline has averaged \$90 million. While maintaining a POS Stateside fund balance is critical to allow us to continue acquisitions in years with low funding, the language in HB 717 ensures that DNR has funds available to continue POS Stateside acquisitions needed to meet the 40x40 land conservation goal and the high demand for public access while providing additional operating funds for safe, clean, user-friendly, and operable Maryland public lands.

## **SECTION 1-109**

HB 717 codifies the Department's authority to use an easement valuation system. The Board of Public Works has approved DNR using an easement valuation system (EVS) for POS Stateside and Conservation Reserve Enhancement Program permanent conservation easements. This section would update the statute to reflect current practice based on those BPW approvals.

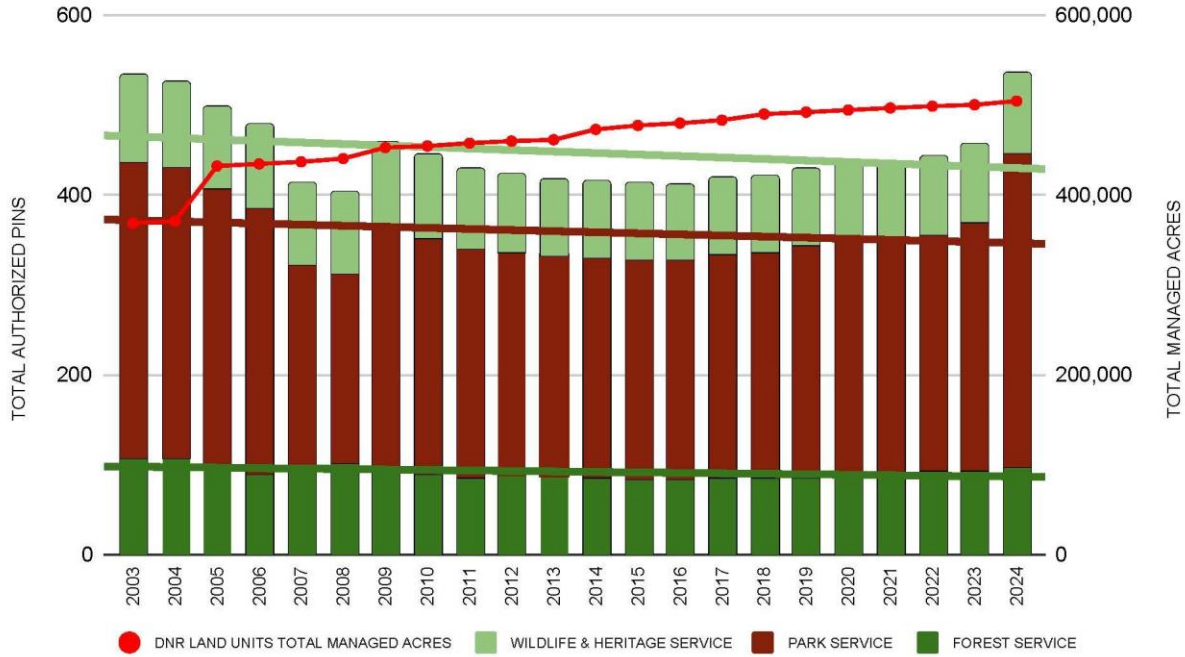
## **BILL EXPLANATION**

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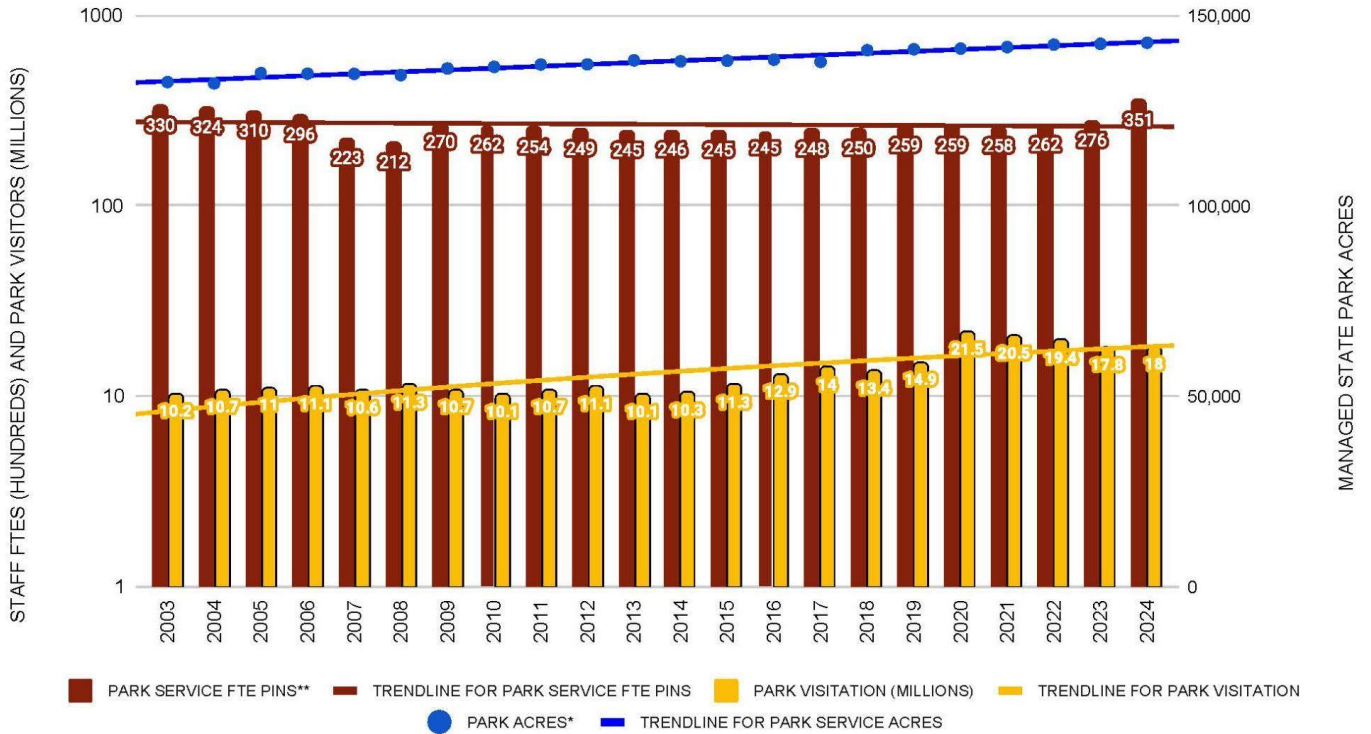
### **HB 717:**

1. Authorizes the Department to create affiliated foundations in support of our public lands and operations
2. Requires the Department to request new positions to manage newly acquired lands based on a specific formula (at least one new position per 400 acres of new land acquired),
3. Authorizes the Governor to transfer a portion of the Program Open Space Stateside fund balance for operational needs when it has *at least* \$80 million in unencumbered funds *and* existing fund sources are insufficient to cover current staffing and operational needs.
4. Codifies the Land and Property Management Program established in the Department to process real property transactions that involve property owned by the Department including housing leases in accordance with the Department's Residential Housing Policy.
5. Increases the amount of their POS Local allocation counties can use for development projects from 75% to 100% if they have met their land acquisition goals in the most recent Local Land Preservation, Parks, and Recreation Plans (LPPRP).
6. Makes technical updates to the Natural Resources Article as it relates to the definition of "real property interest".
7. Codifies the Department's authority to use an easement valuation system.

DNR LAND UNIT ACRES MANAGED AND AUTHORIZED FTE PINS 2003 to 2024



PARK SERVICE FTE PINS AND PARK ACRES COMPARED WITH VISITATION - 2003 TO 2024



BY:

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 717  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “exempting” in line 4 down through “Law;” in line 5; strike in their entirety lines 17 through 21, inclusive; and in line 24, strike “5–905(c)(1)” and substitute “5–905(c)(1), (d), and (e)”.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 13 on page 2 through line 12 on page 8, inclusive.

On page 8, in line 25, and on page 9, in lines 2 through 3, in each instance, strike “REAL PROPERTY” and substitute “FEE SIMPLE”; and on page 8, in line 29, strike “REAL PROPERTY” and substitute “FEE SIMPLE INTEREST”.

On page 9, in line 26, after “paragraphs” strike “(2) and (3)” and substitute “(2), (3), AND (4)”.

On page 10, after line 28, insert:

**“(4) THE DEPARTMENT MAY NOT DISPOSE OF CONSERVATION EASEMENT INTERESTS UNDER SUBSECTION (F) OF THIS SECTION.”**

On page 15, strike beginning with “provided” in line 26 down through “subtitle” in line 28; and in line 29, strike the opening bracket; and in the same line before “Except” insert an opening bracket.

On page 16, strike beginning with “its” in line 2 down through “renewal” in line 4 and substitute “ITS:”

**A. APPORTIONMENT NOT YET ENCUMBERED AS OF JULY 1, 2025;**

**B. FISCAL YEAR 2026 APPORTIONMENT; AND**

**C. FUTURE ANNUAL APPORTIONMENT.**

**2. A LOCAL GOVERNING BODY MAY USE THE APPORTIONMENT IN SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH**"; and after line 21, insert:

“(d) If land is donated to local governing bodies during the fiscal year, 75 percent of the appraised value the Department approves may be applied as a portion of, or all of, the local governing body's share of the project's cost for the projects referred to in [§ 5-904 of this subtitle] SUBSECTION (C) OF THIS SECTION.

“(e) If federal funds are received for any approved local project after it was funded by the State in accordance with [subsection] SUBSECTIONS (b) AND (C) of this section [or § 5-904 of this subtitle], the applicant shall reimburse the State in an amount equal to the federal contribution. The reimbursement shall be reserved for other projects approved for the applicant up to the limit of the share allocated to the local governing body.”.