

ITEMS REQUIRING DNR ACTION

LEGISLATION

SB 163 – Program Open Space - Use of Funds - Indoor or Outdoor Recreational Facilities

Action Items: Evaluate the degree to which State goals for recreation, parks, open space, and land acquisition are being effectively addressed through the local side Program Open Space process. Report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee on the evaluation, as well as any recommended statutory or administrative changes.

Staff: Maryland Department of Planning, in consultation with DNR Land Acquisition and Planning, and local governments

Due Date: October 1, 2010

SB 175 / HB 103 - Department of Natural Resources – Shell Dredging – Permit Application

Action Item: Apply to the Maryland Department of the Environment and the U.S. Army Corps of Engineers for permits to dredge buried oyster shells, upon recommendation of the application by the Oyster Advisory Commission.

Staff: DNR Fisheries Service

Due Date: July 1, 2009

SB 212 / HB 154 - Environment – Green Building Council

Action Items: Extension of existing council and membership of DNR’s Secretary or designee. Expansion of reporting requirements to include recommendations on how to expand green building in the State

Appointments: Made

Staff: Maryland Department of General Services

Due Date: Annually by November 1

SB 271 / HB 312 - Aquaculture - Shellfish – Leasing

Action Items: In consultation with the Oyster Advisory Commission, adopt regulations that establish public shellfish fishery areas in the Chesapeake Bay, based on commercial harvesting activity for the last three years. Hold a public hearing in all counties immediately adjacent to the proposed location of an AEZ prior to adopting regulations. In consultation with MDE and the Wetlands Administrator of the Board of Public Works (BPW), adopt regulations that establish Aquaculture Enterprise Zones (AEZ) in the Chesapeake Bay for aquaculture leasing and submerged land aquaculture leases. Until June 1, 2011, set aside 25% of each AEZ for leasing to tidal

fish licenses holders who actively used their license during the last three years.

Staff: DNR Fisheries Service (DNR lead), Boating Administration, and NRP; in consultation with the Oyster Advisory Commission, MDE, and BPW Wetlands Administrator

Due Date: October 1, 2009

Action Item: In consultation with BPW, adopt regulations streamlining the processing of water column leases that do not apply in an Aquaculture Enterprise Zone

Staff: Maryland Department of the Environment in consultation with the BPW

Due Date: October 1, 2009

Action Items:

- Maintain a record of aquaculture leases.
- Transfer any funds derived from the aquaculture development surcharge to the Maryland Department of Agriculture.
- Continue to monitor the abundance and health of submerged aquatic vegetation (SAV) in the Atlantic Coastal Bays with the intent of reevaluating the appropriate baseline level of SAV for establishing the SAV Protection Zone in the Atlantic Coastal Bays.

Staff: DNR Fisheries Service (DNR lead) and Resource Assessment Service

Due Date: Ongoing

SB 549 - Sustainable Forestry Act of 2009

Action Item: Develop a strategy that better coordinates the State's urban tree canopy efforts and report on those strategies to the Governor.

Staff: DNR Forest Service in coordination with the Chesapeake Bay Trust and other appropriate entities

Due Date: December 1, 2009

Action Item: Report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee of the General Assembly on strategies to facilitate the state's compliance with the 2007 Forestry Conservation Initiative.

Staff: Forest Conservancy District Boards & the University of Maryland Cooperative Extension

Due Date: December 1, 2009

Action Item: Report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee of the General Assembly on the use of funds credited to the Woodland Incentives Fund (WIF), including an identification of, and the reasons for, those revenues derived from forestry practices on designated land owned and managed by DNR that were not credited to WIF.

Staff: DNR Forest Service (DNR lead)

Due Date: Annually by June 30

Action Item: Develop creative, tax-related strategies to promote the retention and improved management of privately owned forest land for General Assembly consideration during the 2010 and 2011 legislative sessions.
Staff: DNR Forest Service (DNR lead) , in consultation with other appropriate units of State government and representatives from the Partnership for Sustainable Forestry
Due Date: By the 2010 and 2011 legislative sessions

Action Items: - Monitor forest retention and restoration by encouraging local jurisdictions to report specified geospatial data to the State with the geospatial location of forest retained or restored and, if funding is required to acquire that data, to use funds in WIF.
- Work with Maryland's forest products industry to determine procedures and time lines for advising the industry regarding individual timber harvests that require approval by the DNR and restrictions related to planned silvicultural activities prior to their implementation.
Staff: DNR Forest Service
Due Date: Ongoing

SB 666 - Natural Resources - No Net Loss of Forest Policy - Forest Conservation Act

Action Items: Work with forestry-related stakeholder groups to determine the meaning of no net loss of forests for the purposes of any State policy and to develop proposals for creating a State policy on no net loss of forests. Report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee of the General Assembly on proposals for the development of statutory, budgetary, and regulatory policies to achieve no net loss of forests in the State.
Staff: DNR Forest Service
Due Date: December 1, 2011

SB 810 / HB 177 - Natural Resources - Oyster Shell Purchase Program - Fair Market Value

Action Item: Determine the fair market value that the Department pays for fresh oyster shells, and transportation and placement of fresh oyster shells.
Staff: DNR in consultation with the Oyster Advisory Commission and the Tidal Fisheries Advisory Commission
Due Date: Annually

HB 595 - State Government - Recycling Program - Aluminum, Glass, Paper, and Plastic

Action Item: Implement a recycling plan that includes recycling aluminum, glass, paper and plastic in all state-owned or operated office buildings.
Staff: Maryland Department of General Services (lead), in cooperation with other State agencies
Due Date: Ongoing by January 1, 2012

HB 1355 - Natural Resources - Tidal Fish Licenses and Authorizations - Enforcement

Action Item: Adopt regulations, in consultation with the Tidal Fisheries and Sport Fisheries Advisory Commissions, relating to the suspension and revocation of licenses and authorizations that include: a schedule of points that corresponds to certain convictions and provides the maximum suspension period associated with the number of points accumulated by a license holder; and enhanced penalties for repeated violations of the Fisheries Title and for violations relating to species in need of special protection, including striped bass, blue crabs, menhaden, and oysters.

Staff: DNR Fisheries Service (DNR lead) and NRP

Due Date: January 1, 2010

HB 1419 - Department of Natural Resources - Fish and Fisheries Laws Violations - Penalties

Action Item: Adopt regulations that establish a schedule of resource values for individual species

Staff: DNR Fisheries Service

BUDGET AMENDMENTS/NARRATIVE

Below are reporting requirements as a result of Budget Committees Narrative in the [Joint Chairmen's Report](#) (JCR). Following a listing of these required reports are instructions for submission of reports.

Action: Report on alternative proposals for mitigating financial impact from black bear damage

Item: JCR Operating Budget Committee Narrative (page 5 of this report)

Staff: DNR Wildlife Service, along with the Maryland Legislative Sportsmen's Foundation

Due Date: November 1, 2009

Action: Report on alternative funding sources for the Civic Justice Corps program

Item: JCR Operating Budget Committee Narrative (pages 5-6 of this report)

Staff: DNR Park Service, along with the Department of Juvenile Services and the Maryland State Department of Education

Due Date: December 1, 2009

Action: Five-year plan for funding capital development projects

Item: JCR Operating Budget Committee Narrative (page 6 of this report)

Staff: DNR Engineering and Construction

Due Date: July 1, 2009

Action: Report on the projects funded with Chesapeake Bay 2010 Trust Fund revenue
Item: JCR Operating Budget Amendment (pages 7-8 of this report)
Staff: DNR Watershed Services
Due Date: 45 days prior to the expenditure of the FY10 allocation from the Chesapeake Bay 2010 Trust Fund
Note: This makes expenditure of FY10 money through the Chesapeake Bay 2010 Trust Fund contingent upon submission of this report

Action: Report on the schedule of contracts and interagency agreements related to Chesapeake Bay restoration
Item: JCR Operating Budget Committee Narrative (pages 8-9 of this report)
Staff: DNR Finance and Administrative Services (DNR lead), along with the Maryland Departments of Agriculture, Environment, and Planning
Due Date: With submission of Governor's FY11 budget

Agency Instructions Responding to Restricted Appropriations or Report Requests

DBM and Governor's Legislative Office Initial Review: As has been the administrative policy for many years, BOTH the Department of Budget and Management (DBM) and the Governor's Legislative Office (GLO) must have an opportunity to review these reports prior to submission to the General Assembly. To assure appropriate review, please submit your draft report at least ten working days before the report is due to the GLO (Joe Bryce and Lisa Jackson) and the appropriate DBM budget analyst (usually Veda Hunter).

Budget Committees and DLS Submission: The *Joint Chairmen's Report* (JCR) lists each action adopted by the General Assembly in the budget bill, including reductions and budget bill language, with explanations. Budget language may, among other things, restrict funding pending the submission of a report or other action. The JCR also includes committee narrative adopted by the budget committees, which is generally used to request reports or additional information.

Restricted Appropriations: Where all or a portion of an appropriation is restricted, approval to release restricted funds should be requested from the budget committees, with a copy sent to the agency's budget analyst at the Department of Legislative Services (DLS). Each request should include a cover letter addressed to the budget committee chairs and should identify the agency, the amount restricted, the fund source, and should specifically note that the release of restricted funds is being requested. Failure to copy the DLS analyst may result in delays in processing release of fund requests. See "Submission Procedures" below for specific direction for all items. Please note that some restricted items have a specific due date. If a due date cannot be met, an agency should submit a letter to the budget committees and DLS to request an extension. If a time extension for any item is needed, please send correspondence indicating why an extension is needed (and the anticipated submission date) to the budget committee chairmen. Please copy Cathy Kramer and the DLS analyst.

Reports: Budget language or committee narrative may request an agency to complete an extensive study, status report, or other actions. All reports requested via committee narrative have a specific due date. Copies of all items should also be sent to the individual budget committee members and DLS using the procedures outlined under “Submission Procedures.” An extension should be requested for any item where submission may exceed the designated due date.

Submission Procedures: All agency reports and studies submitted in response to committee narrative or budget bill language are required to be submitted both in electronic form and hard copy:

- **Electronic copies should be sent via email only to Cathy.Kramer@mlis.state.md.us.** The naming convention for each item should include the session year of the JCR, the page in the JCR in which the item appears, an agency abbreviation, and the title of the report (e.g., 2007_p95_DNR_Dredging Report). DLS will distribute electronic copies to the Office of Policy Analysis staff and members of the budget committees. Electronic documents may **EITHER** use Adobe Acrobat 8 **OR** Microsoft Word software, with tables and charts in either Word or through use of embedded (not linked) Excel files. (Word 2003 and Excel 2003 are preferred, but DLS can convert older versions.) **NOTE: if files to be emailed are larger than 10 MB, they cannot be sent via email. Contact David Juppe at David.Juppe@mlis.state.md.us for instructions for posting large files on the DLS FTP site; and**
- Per Section 2-1246 of the State Government Article, **five hard copies should be mailed to the legislative library:**
 - Sarah Albert**
 - DLS Library and Information Services**
 - 90 State Circle**
 - Annapolis, Md. 21401-1991**