



SENATE BILL 681: Agency Policy Directives/2019-2020, Sec. 7.4: Conservation Grant Fund Changes

2019-2020 General Assembly

Committee:		Date:	October 29, 2020
Introduced by:		Prepared by:	Jeff Cherry
Analysis of:	Sec. 7.4 of S.L. 2020-78		Staff Attorney

OVERVIEW: *Sec. 7.4 of S.L. 2020-78 makes various changes to the statutes governing the Conservation Grant Fund (Fund), including changes that allow: (i) additional uses for the Fund, to include acquisition of conservation properties and easements and to steward properties held by deed or conservation easement by the State; and (ii) grant eligibility for a conservation property that has been previously restored, or is a high-quality preservation (in addition to properties that are "reasonably restorable," which were previously eligible).*

This section became effective July 1, 2020.

CURRENT LAW: The purpose of the Conservation Grant Fund is to stimulate the use of conservation easements, and to otherwise promote conservation opportunities through private nonprofit land trust organizations, real estate related professionals, and landowners. The Fund is administered by the Department of Environmental Quality.

BILL ANALYSIS: Sec. 7.4 of S.L. 2020-78 revises the statutes governing the Conservation Grant Fund (Fund) for clarity and provides additional flexibility to use the Fund for the cost to steward lands that are donated in fee simple or for which DEQ holds an easement. The section makes the following changes:

- Revises the purposes of the Conservation Grand Fund and the allowable uses of the Fund to include the stewarding of properties and easements held by the State.
- Allows the Fund to be used for the acquisition of conservation properties and easements, provided that with respect to the Fund's endowment account, only investment income can be used for acquisition.
- Expands grant eligibility from the Fund to include conservation properties that are previously restored or a high-quality preservation. Previously, only properties that were currently "reasonably restorable" were eligible. Also expands eligibility to include lands useful for watershed improvement (previously limited only to properties useful for "watershed protection") and lands that are purchased on behalf of or assigned in perpetuity to the State, a local government or a charitable conservation organization.
- Permits DEQ to accept gifts and assignments of conservation properties and easements.

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Legislative Drafting
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