

Portions of parks slated for sale

Md. natural resource officials designate thousands of acres; Ehrlich administration called for list; To raise state revenue, land could go into private hands

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The state Department of Natural Resources is considering the sale of thousands of acres in and around some of Maryland's most scenic parks and forestland, fulfilling an Ehrlich administration directive to streamline government and raise money.

Targeted parcels include land that appears attractive to developers, such as 16 acres inside Deep Creek Lake State Park in Garrett County, a popular tourist destination where property values are soaring.

Other land that that might sold includes 151 acres in Patapsco Valley State Park, 33 acres on Chesapeake Bay islands off Baltimore County, and Harford County property near the state's second- highest waterfall.

Environmentalists and former state natural resources officials said they were shocked by the scope of the list, which contains sizable chunks of state forests and other natural resources areas.

"We're both stunned and baffled by this list. We've never seen anything like it," said George Maurer, senior planner at the Chesapeake Bay Foundation. "This is not just a matter of selling off the small oddball parcel here and there.

"This list really creates the appearance of a list to create income or profit for the state, and we don't think land owned by the state should be treated as disposable income."

State officials refused to provide details Friday on how parcels were selected for the list, which contains roughly 3,000 acres of land in every region of the state. It is not clear when and how the land might be sold.

DNR Secretary C. Ronald Franks said this week that he reviewed the document earlier this year and gave it to a deputy chief of staff to Gov. Robert L. Ehrlich Jr.

The information was released this week in response to a public records request by The Sun, amid mounting concern that Ehrlich is embarking on a program to quietly sell public land to private interests.

Fraction of state's land

In an e-mail message, DNR communications director Stephan Abel said the properties represented a tiny fraction of the state's holdings and would not undermine access to parks and natural areas.

Ehrlich spokesman Henry Fawell called the governor's request for land inventories smart management, but he referred all questions to the agency.

After Ehrlich took office, "DNR reviewed over 430,000 acres of state-owned lands and identified 2,900 acres [less than 1 percent] that presented management challenges," Abel wrote. "Many parcels were isolated or detached from the main parcels, had a marginal resource value and/or had a relative high cost of management considering the level of public interest."

"Be assured that DNR remains committed to protecting Maryland's open space and providing recreational opportunities for Maryland's citizens," Abel said.

Grant Dehart, who directed the department's Open Space program from 1991 to 2001 and retired as a policy director in July, said he was amazed to learn that 215 acres of Rocks State Park in Harford, near the state's second-highest waterfall, could end up in private hands.

A decade ago, the state tried to buy the waterfall and 23 acres surrounding it but couldn't meet the owner's price. Determined to save it, high school students raised \$34,000 to make up the difference.

"If the state is going to send that to a private property owner, that is an outrage," Dehart said. "And the students who raised that money are going to come back to haunt the governor."

Concern over the sale of preservation land has swelled in recent weeks amid disclosures that the Ehrlich administration had secretly negotiated to buy and immediately sell an 836-acre St. Mary's County forest to construction magnate Willard J. Hackerman.

Critics questioned why Hackerman would not be paying market value. The 86-year old CEO of Whiting-Turner Contracting Co. pledged to preserve most of the land but would not provide a written guarantee.

Documents released this week showed he intended to rezone the property and possibly build houses. He has withdrawn from the deal.

Del. Peter Franchot, a Montgomery County Democrat who is examining the land deal, said former state officials have told him that a list of surplus land existed, but high-ranking administration officials complained that it did not contain enough large, marketable parcels of land.

It was unclear from documents provided by the agency whether private owners would be the most likely buyers of the 3,000 acres, which do not include the St. Mary's land.

For several parcels, state officials note the "potential for conveyance to county or municipal government for open space/conservation use."

Federal restrictions

Some of the land was purchased with federal funds, with tight restrictions attached. Approval from Washington would be needed before a sale, and federal law requires that some land be replaced with "equivalent" property.

Sale of preservation land to counties could amount to a financial shell game, said Robert J. Barrett, Baltimore County's recreation and parks director.

The county would likely be interested in buying the 33-acre portion of Hart, Miller and Pleasure Islands State Park on the list, but it could use state funds for the purchase.

"I don't know why the state would want to give something like that up," Barrett said.

Shortly after his election, Ehrlich asked for an inventory of state assets, including land. There was talk of selling the William Donald Schaefer Tower office building and the World Trade Center in Baltimore to raise money for the budget.

Schaefer, the state comptroller, warned at the time against such a fire sale.

"If they try to sell parkland, they will run into a double buzz saw," he said in a December 2002 Sun interview. "They will have a big fight on their hands and I would oppose it, too."

Schaefer is a close ally of Hackerman and has supported the St. Mary's land deal.

The DNR list includes 584 acres that form a buffer zone around Deep Creek Lake in Garrett County.

It also includes 16 acres in a nearby state park. Barbara Dowell, a biologist who bought a 40-acre Garrett County farm in 1991, has noticed landowners selling off increasingly smaller parcels to a public that wants to be near Western Maryland's lake.

"They're not going to make more land. And land that you sell now, if it's divided up, you can never replace it," Dowell said. "It's a poor way to raise money."

Thomas Deming, a DNR attorney for two decades who is now in private practice, said he had never heard of the department generating an excess property list. He said the department did not sell large tracts of state parks or forest during his tenure.

Deming said he's not sure the state can make much money unloading parklands. By law, proceeds from parkland sale must return to the land-buying program they came from or go into a fund reducing state debt.

"The question is, what is their motivation in assembling it?" Deming said. "The idea that they're going to cash out doesn't make a lot of sense."

Several people familiar with the list said few within the agency knew what was on it.

John Norbeck, who manages DNR's Central Region, said Friday that he was not aware that nearly 1,000 acres from his district were on the list. In Harford, where several hundred acres could be sold, county parks and recreation Director Joseph Pfaff said he learned of the list only through news reports.

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