SENATE BILL 29

M1 7lr0452 (PRE–FILED)

By: Senator Pinsky

Requested: July 27, 2016

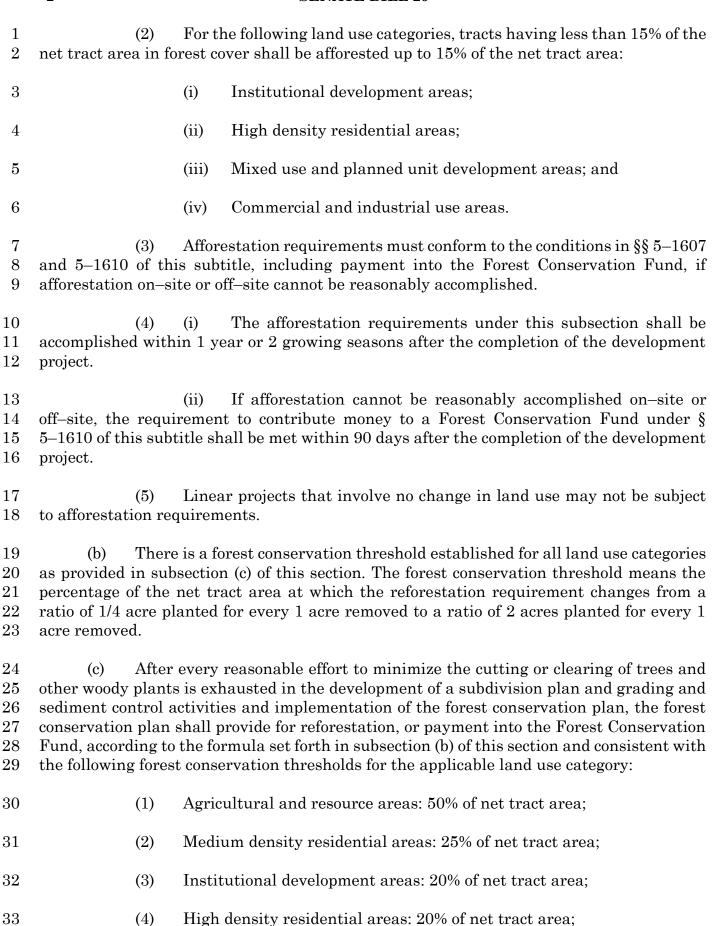
Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1	AN ACT concerning
2 3	Natural Resources – Forest Conservation Act – Forest Conservation Thresholds and Reforestation Requirements
4 5 6 7 8	FOR the purpose of clarifying the authority of certain units of local government to adopt certain forest conservation thresholds and reforestation requirements that are more stringent than certain forest conservation thresholds and reforestation requirements in State law; and generally relating to forest conservation thresholds and reforestation requirements under the Forest Conservation Act.
9 10 11 12 13	BY repealing and reenacting, with amendments, Article – Natural Resources Section 5–1606 Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement)
14 15	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
16	Article - Natural Resources
17	5–1606.
18 19	(a) (1) For the following land use categories, tracts having less than 20% of the net tract area in forest cover shall be afforested up to 20% of the net tract area:
20	(i) Agriculture and resource areas; and
21	(ii) Medium density residential areas.





- 1 (5) Mixed use and planned unit development areas: 15% of net tract area; 2 and
- 3 (6) Commercial and industrial use areas: 15% of net tract area.
- 4 (d) (1) Subject to the provisions of paragraph (2) of this subsection, for all existing forest cover measured to the nearest 1/10 acre cleared on the net tract area above the applicable forest conservation threshold, the area of forest removed shall be reforested at a ratio of 1/4 acre planted for every 1 acre removed.
- 8 (2) Each acre of forest retained on the net tract area above the applicable 9 forest conservation threshold shall be credited against the total number of acres required 10 to be reforested under paragraph (1) of this subsection.
- 11 (e) For all existing forest cover measured to the nearest 1/10 acre cleared on the 12 net tract area below the applicable forest conservation threshold, the area of forest removed 13 shall be reforested at a ratio of 2 acres planted for every 1 acre removed.
- 14 (f) (1) The reforestation requirements under this section shall be 15 accomplished within 1 year or 2 growing seasons after completion of the development 16 project.
- 17 (2) If reforestation cannot be reasonably accomplished on–site or off–site, 18 the requirement to contribute money to a Forest Conservation Fund under § 5–1610 of this 19 subtitle shall be met within 90 days after completion of the development project.
- 20 (G) A UNIT OF LOCAL GOVERNMENT WITH PLANNING AND ZONING 21**AUTHORITY** MAY **ADOPT FOREST** CONSERVATION **THRESHOLDS** AND 22REFORESTATION REQUIREMENTS AS PART OF ITS LOCAL FOREST CONSERVATION 23 PROGRAM THAT ARE MORE STRINGENT THAN THE FOREST CONSERVATION 24THRESHOLDS AND REFORESTATION REQUIREMENTS IN THIS SECTION.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.