

**BRIAN E. FROSH**  
*Attorney General*



**ELIZABETH F. HARRIS**  
*Chief Deputy Attorney General*

**CAROLYN QUATTROCKI**  
*Deputy Attorney General*

**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

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**TO:** The Honorable Paul G. Pinsky  
Chair, Education, Health, and Environmental Affairs Committee

**FROM:** Hannibal G. Williams II Kemerer, Chief Counsel, Legislative Affairs  
Office of the Attorney General

**RE:** HB 991 – Natural Resources – Forest Mitigation Banks – Qualified Conservation  
**(Opposed)**

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Chairman Pinsky, Vice Chair Kagan, and distinguished Members of the Education, Health, and Environmental Affairs Committee, the Office of Attorney General urges an unfavorable report on House Bill 991. This legislation would result in greater forest loss associated with development without providing any preservation benefits.

Maryland's Forest Mitigation Act (FCA) was intended to reduce forest loss from development. The FCA includes a planting requirement that ensures any lost trees are offset by newly planted trees. House Bill 991, on the contrary, would authorize forest mitigation banks to offer credit for placing a preservation easement on trees that are already planted, instead of requiring newly planted trees. This will result in development projects removing 100% of the forest on a development site with no corresponding replanting.

Instead of adopting the policy embodied in HB 991, we recommend the Committee await the results of the study required by SB 729 (2019) that passed the General Assembly and required extensive data collection and stakeholder feedback.

For all the foregoing reasons, we urge the Education, Health, and Environmental Affairs Committee to unfavorably report House Bill 991.

**cc:** Members of the Committee