



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

March 12, 2024

BILL NUMBER: House Bill 1511 – First Reader

SHORT TITLE: Forest Conservation Act - Modifications

DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports the passage of HB1511 as it will delay the dates on which certain provisions of the Forest Conservation Act that were passed in 2023 (SB526/HB723) will go into effect. The Department is currently working on amendments with the various stakeholders and the sponsor to further alleviate concerns.

BACKGROUND INFORMATION

Last year’s SB526/HB723 codified the most significant changes to the Forest Conservation Act since it was enacted in 1991. While administered by the state-level, the FCA is primarily implemented by jurisdictions that have local ordinances reviewed and approved by the Department. However, the deadlines allowed for in SB526/HB723 do not grant adequate time for the Department to issue the necessary guidance and technical specifications for local government entities to comply with state law.

A prime example of how this incongruity manifests is with the deadline for the Department to publish a technical manual by 12/31/24. This technical manual cannot be completed without the Department first developing and then incorporating a new set of regulations, definitions, calculations, standards and exemptions. And yet, many of the provisions in SB526/HB723, which local programs would have to comply with, are promulgated six months earlier, on 7/1/24.

BILL EXPLANATION

HB1511 extends the dates on which certain provisions go into effect from July 1, 2024 to July 1, 2026. It also adds deadlines for the Department to publish an updated model ordinance by July 1, 2025 and updated regulations by July 1, 2026.

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