



POSITION STATEMENT

Informational

Bill: HB 1511 Forest Conservation Act – Modifications

Position: Support with Amendments

Date: March 12, 2024

Contact: Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear Chair Marc Korman and Vice Chair Regina T. Boyce,

The Maryland-National Capital Park and Planning Commission (M-NCPPC or “the Commission”) has voted to support this bill with amendments. The Commission respectfully requests that the Environment and Transportation committee consider this information and include it in the record.

What this bill Does. This bill requires the Department of Natural Resources to update a certain model local government ordinance and adopt certain regulations relating to forest conservation on or before certain dates. This bill also further delays the dates on which certain provisions of the Forest Conservation Act will apply to certain solar voltaic facilities and forest conservation plans by two years which seriously delays moving existing forest mitigation banking plans forward.

Section 5-1610.1 Natural Resources. The Commission is concerned about certain provisions of this bill and the impact it would have on both Montgomery and Prince George’s Counties which is significant and, we believe, unintended. The current effective date to move forest mitigation banking efforts forwards is July 2024. However, this bill as written could delay the Commission’s ability to conserve existing forests through mitigation banks. Montgomery Planning is completely out of

mitigation banks and has a waiting list of applicants who are ready to create existing forest mitigation banks in July when the law goes into effect. This delay jeopardizes those efforts.

Proposed Amendments to Existing Forest Mitigation Banking Provisions: The Commission suggests that the sponsor amend the language of the bill to keep the section referencing mitigation banks effective in July 2024. If this bill passes in its current form, it could **seriously hinder** the Commission’s ability to conserve forests if we cannot use existing forest banks for another two years.

For these reasons, the Commission requests the Committee take these important amendments in consideration and vote favorable with amendments on HB 1511.