

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 744 (Senator Colburn)
Economic and Environmental Affairs

Forest Conservation - Alterations

This bill makes various changes to the Forest Conservation Act. It authorizes a local jurisdiction with a local forest conservation program to establish a forest mitigation banking program and allows a licensed land surveyor or property line surveyor to prepare forest stand delineations. It also provides that the State or a local government may not require a minimum number of species to be utilized in the forest conservation plan.

The bill reduces the forest conservation thresholds and eliminates the threshold for commercial and industrial areas; commercial and industrial areas may only be regulated if they are in environmentally sensitive areas. Off-site retention may be credited against reforestation on a per-acre basis. The State or local authority may not require a preferred sequence for afforestation and reforestation; the preferred sequence may be determined by the applicant.

Fiscal Summary

State Effect: None. The bill would not directly affect State finances.

Local Effect: Potential indeterminate increase in revenues and expenditures.

Fiscal Analysis

Background: The Forest Conservation Act provides that before an application for sediment and erosion control or subdivision is approved, a forest conservation plan must be approved for the site. This plan identifies and protects any forests located in sensitive areas on the site, including stream buffers, steep slopes, and floodplains. The forest conservation plan also provides for forest retention on the site consistent with the established land use; or through payment made into a local fund for reforesting sensitive areas.

Local Effect: Administrative expenditures could increase for those local governments which create forest mitigation banks; these increases could be offset by a “brokerage fee” to cover these services. In addition, altering standards such as conservation thresholds could require amendments to local ordinances. Local governments could incur costs due to amendment reviews, advertisements, and public hearings. However, these expenditures could be reduced if other changes were to be made at the same time, such as through a review of the jurisdiction’s comprehensive plan.

Information Source(s): Department of Natural Resources; Baltimore City; Allegany, Prince George’s, Wicomico, and Talbot counties; Department of Fiscal Services

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