

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 386 (Senator Derr) (Frederick County Delegation)
Economic and Environmental Affairs

Forest Conservation Act - Exemption

This bill exempts from the requirements of the Forest Conservation Act any county that has and maintains at least 100,000 acres of its land in forest cover and has at least 60% of its land areas zoned as agricultural and resource areas.

Fiscal Summary

State Effect: Indeterminate decrease in special fund revenues, with a commensurate decrease in special fund expenditures.

Local Effect: Indeterminate decrease 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.

State Effect: The Department of Natural Resources (DNR) reports that 12 or 13 counties currently have more than 100,000 acres of forest area. However, information on how many of these counties meet the 60% land use requirement is not currently available.

In localities that do not have a forest conservation plan, the State oversees these activities. Special fund revenues due to reforestation payments made by developers would decrease by an indeterminate amount; expenditures made on reforestation activities would decrease by the same amount. There would be a decrease in workload at the Department of Natural Resources due to a decrease in reviewing such activities; however, it is expected that any freed resources would be dedicated to other forestry activities.

Local Effect: In jurisdictions with a local forest conservation program, revenues due to reforestation payments made by developers would decrease by an indeterminate amount; expenditures made on reforestation activities would decrease by the same amount. There would be a decrease in workload due to a decrease in reviewing such activities, however, it is expected that in some counties any freed resources would be dedicated to other forestry or permitting activities. In other counties with dedicated personnel, local expenditures could potentially decrease by \$20,000 to \$65,000. Revenues could decrease by an indeterminate but minimal amount due to the elimination of review fees for certain permits.

Information Source(s): Department of Natural Resources, Department of Fiscal Services

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