

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 591 (Senators Derr and Ferguson)
(Frederick County Senators)
Economic and Environmental Affairs

Forest Conservation - Afforestation Requirements - Exemption in Frederick County

This bill provides that the afforestation requirements of the Forest Conservation Act do not apply to commercial and industrial use areas in Frederick County.

Fiscal Summary

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

Local Effect: Potential minimal impact on Frederick County finances.

Small Business Effect: Potential meaningful impact on small businesses in Frederick County as discussed below.

Fiscal Analysis

Background: The Forest Conservation Act requires that before an application for sediment and erosion control or subdivision is approved, a local jurisdiction approve a forest conservation plan for the site. This plan, and its accompanying forest stand delineation, identifies and protects any forests located in sensitive areas, including stream buffers, steep slopes, and floodplains. The amount of forest retained on the site must be consistent with the established land use, or provisions must be made to plant elsewhere or to pay into a local fund for reforesting sensitive areas.

Local Effect: A local forest conservation program has been adopted and implemented in Frederick County. While there could be a decrease in workload due to a decrease in reviewing afforestation activities, it is expected that any freed resources would be dedicated to other functions. To the extent that any fees in lieu would be charged for such activities, revenues would decrease. Any such impact is assumed to be minimal.

Small Business Effect: Under this bill, businesses would not have to expend money to mitigate the loss of forest land when they build in an area zoned commercial or industrial in Frederick County. This would most directly impact those small businesses engaged in building and development activities in these areas. It cannot be estimated at this time, however, how many small businesses would be directly impacted. In addition, small businesses that locate in these areas could pay lower purchase or rental prices.

Depending upon the level of savings realized, competing businesses in other counties could be put at a competitive disadvantage.

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

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