

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 35 (Delegate Stup)
Environmental Matters

**Forest Conservation Act - Limited Exemption -
Commercial or Industrial Zoning Districts**

This bill exempts land classified in a commercial or industrial zoning district as of January 1, 1997 from the requirements of the Forest Conservation Act.

Fiscal Summary

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

Local Effect: Indeterminate decrease in revenues and expenditures.

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

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: Although there would be a decrease in workload due to a decrease in reviewing forest conservation plans, it is expected that any freed resources would be dedicated to other functions. Additional minimal expenditures could be incurred due to the need to track land classified in a commercial or industrial zoning district as of January 1, 1997.

Local revenues would decrease due to a loss of fee revenues for review, inspection, and reforestation.

Small Business Effect: The bill exempts industrial or commercial property from the provisions of the Forest Conservation Act. This would eliminate the need for the submission and approval of forest stand delineations and forest conservation plans with applications for sediment and erosion control or subdivision. Since the costs of complying with the Forest Conservation Act can vary widely depending upon the site layout and local requirements, any cost savings cannot be reliably estimated at this time.

There are approximately 700 businesses engaged in nonresidential building operations in the State. A large number of these operations would qualify as small businesses. In 1995, the total value of nonresidential building construction contracts in Maryland was \$1.8 billion.

Information Source(s): Department of Natural Resources; Carroll, Frederick, Washington, Kent and Queen Anne's counties; Department of Fiscal Services

Fiscal Note History: First Reader - March 3, 1997

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