

HOUSE BILL 470

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2002 Regular Session
2lr0068

By: **Chairman, Environmental Matters Committee (Departmental - Natural Resources)**

Introduced and read first time: January 30, 2002

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2002

CHAPTER _____

1 AN ACT concerning

2

Forest Conservation

3 FOR the purpose of altering a certain notice requirement after submission of a forest
4 conservation plan; requiring the State to develop certain provisions relating to
5 the development of a forest conservation program; requiring the deposit of
6 certain funds in the Forest Conservation Fund; and generally relating to forest
7 conservation.

8 BY repealing and reenacting, with amendments,

9 Article - Natural Resources

10 Section 5-1605(d), 5-1607(e), and 5-1610(c)

11 Annotated Code of Maryland

12 (2000 Replacement Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15

Article - Natural Resources

16 5-1605.

17 (d) Within 45 days from receipt of the forest conservation plan, the
18 Department or local authority shall notify the applicant whether the forest
19 conservation plan is complete [and approved]. If the Department or local authority
20 fails to notify the applicant about the forest conservation plan within 45 days, the
21 plan shall be treated as complete and approved. The Department or local authority
22 may require further information or provide for an extension of this deadline for an

1 additional 15 days for extenuating circumstances. In addition, at the request of the
2 applicant, the State or local authority may extend this deadline for extenuating
3 circumstances.

4 5-1607.

5 (e) (1) As part of the development of a forest conservation program, [a] THE
6 STATE OR local government shall develop provisions for:

7 (i) Preservation of areas described in subsections (c) and (d)(1) and
8 (3) of this section;

9 (ii) Retention as forest of all land forested, afforested, or reforested
10 under this subtitle; and

11 (iii) Limitation of uses of forest to those that are not inconsistent
12 with forest conservation, such as recreational activities and forest management under
13 subsection (f) of this section.

14 (2) The provisions required in paragraph (1) of this subsection may
15 include protective agreements for areas of forest conservation, including conservation
16 easements, deed restrictions, and covenants.

17 5-1610.

18 (c) Money collected by the State or a local authority under § 5-1608(c) OR §
19 5-1612 of this subtitle for noncompliance with this subtitle or regulations adopted
20 under this subtitle, or for noncompliance with a forest conservation plan or the
21 associated 2-year management agreement shall be deposited in the Forest
22 Conservation Fund.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
24 effect October 1, 2002.