

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 783 (Delegate Cane, *et al.*)
Environmental Matters

Environment - Sediment Control Plans for Forest Harvest Operations - Term

This bill provides that sediment control plans for forest harvest operations are valid for three years from the date of approval unless specifically extended or renewed by the sediment control plan approval agency.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources.

Local Effect: Local approval authorities could have an increased workload. Most local governments work with a two-year time frame for related permits; by changing the sediment control plan approval term for forest harvest operations to three years, the bill could cause conflicts with current local development procedures. Revenues to local approval authorities from sediment control plan permit fees would decrease minimally as fees for forest harvest operations would be collected every three years instead of every two years. Permit fees vary by approval authority but are generally no more than \$50 per approval.

Small Business Effect: Minimal.

Analysis

Current Law: The Maryland Department of the Environment (MDE) is responsible for the implementation and supervision of the Erosion and Sediment Control Program. Approval authority for sediment control plans generally lies with: (1) the appropriate local soil conservation district; (2) any municipality not within a soil conservation

district; and (3) MDE, if a State or federal plan. Approved sediment control plans, in general, are valid for two years from the date of approval unless specifically extended or renewed by the approval authority.

Background: Maryland's forest products industry is approximately a \$2 billion industry. According to the Association of Forest Industries, the current two-year term for sediment control plans has proven problematic for forest products operators. A three-year permit duration would allow greater flexibility to address fluctuating weather and market conditions; coincide with Critical Area Harvest Plans, which are valid for three years; and be consistent with the duration of most timber contracts.

According to MDE, about 18,000 sediment control approvals are issued each year; of those, approximately 700 are for forest harvest operations. MDE reports that, statewide, only about 25 requests for renewals or extensions are made each year for approvals relating to forest harvest operations. According to the Maryland Association of Soil Conservation Districts, a request for an extension has never been denied.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Maryland Association of Soil Conservation Districts, Anne Arundel County, Garrett County, Association of Forest Industries, Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2004
mh/ljm

Analysis by: Lesley Cook

Direct Inquiries to:
(410) 946-5510
(301) 970-5510