

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

House Bill 864 (Delegates Bates and Miller)  
Environmental Matters

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**Forest Conservation - Application**

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This bill provides that any construction activity undertaken for residential, institutional, or nonprofit use that is conducted on a single lot under specified existing conditions is exempt from the State's forest conservation law.

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**Fiscal Summary**

**State Effect:** The bill would not materially affect State operations or finances.

**Local Effect:** Local revenues and expenditures relating to the permit review process could decrease, but any such decrease is not anticipated to significantly affect local finances.

**Small Business Effect:** Unknown. Specified construction activities could become exempt from the State's forest conservation law; this would reduce costs associated with compliance for landowners but would also reduce revenues of land development firms that currently handle this work. Because future construction activity cannot be predicted, a reliable estimate of the impact on small businesses cannot be made at this time.

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**Analysis**

**Current Law:** The Forest Conservation Act provides that, before an application for a sediment and erosion control permit or a subdivision plan is approved, a forest conservation plan must be approved for the site. Several activities are exempt, including any activity conducted on a single lot of any size or a linear project, provided that the activity does not result in the cutting, clearing, or grading of more than 40,000 square feet

of forest and the activity will not result in the cutting, clearing, or grading of any forest that is subject to the requirements of a previous forest conservation plan. Current State regulations limit this exemption to residential activities.

Local forest conservation regulations may vary; according to the Department of Natural Resources, local regulations must be at least as stringent as the State regulations.

**Local Fiscal Effect:** Local revenues from permit fees and local administrative expenditures relating to the permit review process could decrease as a result of a reduction in the number of construction projects that would need to go through the full permit review process. Although a reliable estimate of any impact cannot be made at this time, it is not anticipated to be significant.

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### **Additional Information**

**Prior Introductions:** Identical legislation was introduced as HB 740 of 2005. The House Environmental Matters Committee held a hearing on the bill, but the bill was subsequently withdrawn.

**Cross File:** None.

**Information Source(s):** Department of Natural Resources, Montgomery County, Harford County, Prince George's County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 23, 2006  
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