SENATE BILL 29

M17 lr 0 452CF HB 617 (PRE-FILED) By: Senator Pinsky Requested: July 27, 2016 Introduced and read first time: January 11, 2017 Assigned to: Education, Health, and Environmental Affairs Committee Report: Favorable with amendments Senate action: Adopted Read second time: January 31, 2017 CHAPTER AN ACT concerning Natural Resources - Forest Conservation Act - Forest Conservation Thresholds and Afforestation and Reforestation Requirements FOR the purpose of clarifying the authority of certain units of local government to adopt certain forest conservation thresholds and afforestation and reforestation requirements that are more stringent than certain forest conservation thresholds and reforestation requirements in State law; and generally relating to forest conservation thresholds and afforestation and reforestation requirements under the Forest Conservation Act. BY repealing and reenacting, with amendments, Article – Natural Resources Section 5–1606 Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Natural Resources 5-1606.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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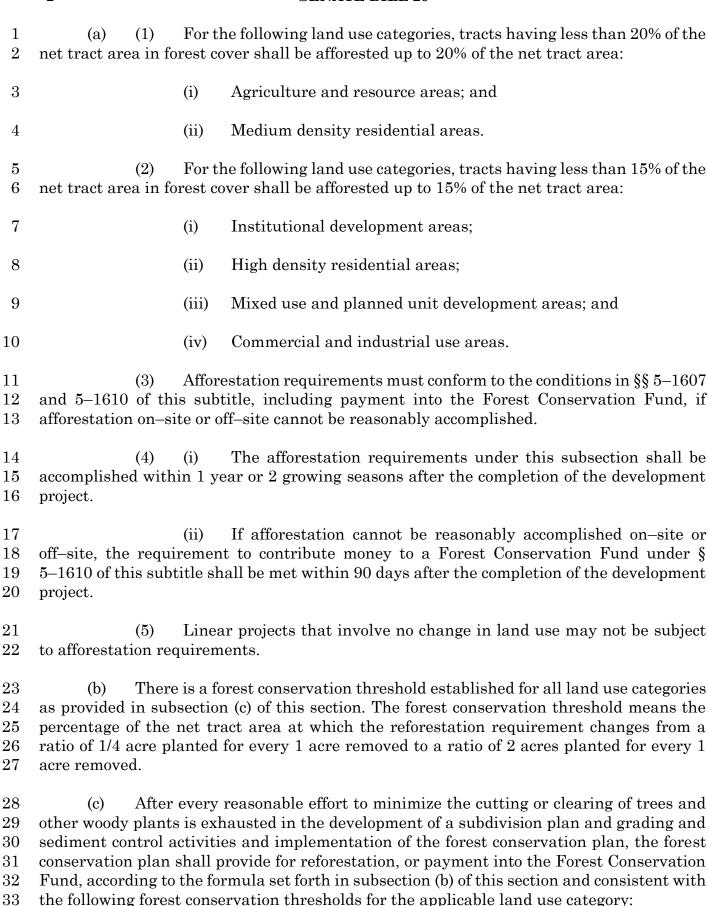
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





- 1 Agricultural and resource areas: 50% of net tract area; (1) 2 Medium density residential areas: 25% of net tract area; (2) 3 (3)Institutional development areas: 20% of net tract area; 4 (4) High density residential areas: 20% of net tract area; Mixed use and planned unit development areas: 15% of net tract area; 5 (5)6 and 7 (6) Commercial and industrial use areas: 15% of net tract area. 8 (d) Subject to the provisions of paragraph (2) of this subsection, for all (1) 9 existing forest cover measured to the nearest 1/10 acre cleared on the net tract area above the applicable forest conservation threshold, the area of forest removed shall be reforested 10 11 at a ratio of 1/4 acre planted for every 1 acre removed. 12 (2)Each acre of forest retained on the net tract area above the applicable 13 forest conservation threshold shall be credited against the total number of acres required to be reforested under paragraph (1) of this subsection. 14 15 For all existing forest cover measured to the nearest 1/10 acre cleared on the 16 net tract area below the applicable forest conservation threshold, the area of forest removed 17 shall be reforested at a ratio of 2 acres planted for every 1 acre removed. 18 (f) The reforestation requirements under this section (1)19 accomplished within 1 year or 2 growing seasons after completion of the development 20 project. 21(2)If reforestation cannot be reasonably accomplished on-site or off-site, 22the requirement to contribute money to a Forest Conservation Fund under § 5–1610 of this 23subtitle shall be met within 90 days after completion of the development project.
- 24(G) A UNIT OF LOCAL GOVERNMENT WITH PLANNING AND ZONING 25**AUTHORITY** MAY **ADOPT FOREST CONSERVATION THRESHOLDS AND** 26 AFFORESTATION AND REFORESTATION REQUIREMENTS AS PART OF ITS LOCAL 27FOREST CONSERVATION PROGRAM THAT ARE MORE STRINGENT THAN THE FOREST 28CONSERVATION THRESHOLDS AND AFFORESTATION AND REFORESTATION REQUIREMENTS IN THIS SECTION. 29
- 30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 31 1, 2017.