



HoCoClimateAction.org
Howard County, Maryland

Testimony in OPPOSITION of HB991 – Forest Mitigation Banks - Qualified Conservation

Hearing Date: March 31, 2021

Bill Sponsor: Delegate Gilchrist

Committee: Education, Health, and Environmental Affairs

Submitting: Howard County Climate Action

Position: Opposition

[HoCo Climate Action](#) -- a [350.org](#) local chapter and a grassroots organization representing more than 1,450 subscribers, and a member of the Howard County Climate Collaboration -- opposes HB991, Forest Mitigation Banks - Qualified Conservation.

We have been educating ourselves and others in Howard County about the climate crisis for over 13 years. We are very concerned this bill will result in loss of more forests, which are vital for absorbing carbon and helping to avert our climate crisis. Maryland loses about 3,000 acres of forest every year, harming our health and environment. On average, one acre of new forest can sequester about 2.5 tons of carbon annually.

This legislation would allow counties to use preservation of existing trees in a forest mitigation bank to get around the replanting requirements for trees razed for development under the Forest Conservation Act. This runs contrary to the attorney general's opinion in October 2020. The attorney general's office concluded that the preservation of existing trees would not qualify as mitigation banking under the Forest Conservation Act. This legislation also undermines a major provision of the Climate Solutions Now Act, which requires the planting of 5 million trees.

In 2019, SB 729 was passed by the General Assembly to direct a technical study for forest mitigation banking. That analysis, which has not yet been completed, is critical in identifying the appropriate definition of mitigation banks. The study needs to be completed before lawmakers consider this or similar bills.

While a comprehensive overhaul and improvement of the Forest Conservation Act is needed to fix its problems and loopholes, this bill is flawed. It will only hasten the loss of forests to development in Maryland. We urge you to wait for the comprehensive study mandated in SB 729 before updating the Forest Conservation Act.

For these reasons, we strongly urge an UNFAVORABLE report on HB 991.

HoCo Climate Action

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Submitted by Liz Feighner, Steering and Advocacy Committee, Columbia MD

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