



ASSOCIATION OF FOREST INDUSTRIES, INC.

P.O. Box 501
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House Bill 507 CLEAN WATER COMMERCE ACT OF 2021

February 10, 2021

SUPPORT WITH SPONSOR AMENDMENTS

The Association of Industries (AFI) and the Maryland Forests Association (MFA) – Maryland’s two leading voices for the forest products industry, inclusive of landowners, sawmills, loggers, and primary/secondary manufacturers – support this enhanced Bay clean-up funding effort, but only with the amendments being proposed by the sponsor which recognize the importance of sustainable forestry management to the health of the Chesapeake Bay. *A healthy forest is a healthy Chesapeake.* As introduced, silviculture, was not eligible as an “agricultural practice”; but, the sponsor’s amendments, if adopted, do include silviculture.

Maryland’s nationally acclaimed *Sustainable Forestry Act of 2009*, aka Chapter 175, declared the nexus between a healthy forest and a healthy watershed as evidenced by these two excerpts from the Act’s Preamble:

https://mgaleg.maryland.gov/2009rs/chapters_noln/ch_175_sb0549t.pdf

WHEREAS, This Act will help Maryland to meet its commitment under the 2010 goals of the Chesapeake 2000 Agreement and the 2007 Forestry Conservation Initiative by improving and sustaining the health and ecological diversity of Chesapeake forests; encouraging retention of privately owned forest lands; protecting and expanding forests in urban areas; increasing public appreciation for the value of Chesapeake forests; measuring Chesapeake forest conditions in the future; and promoting new markets in the field of renewable energy emanating from the use of woody biomass; and

WHEREAS, By enacting this Act, Maryland will continue its leadership by demonstrating its commitment of ensuring that Chesapeake forests, including the 2.6 million acres of forests within the State, are conserved and managed through a sustainable forestry policy worthy of emulation by the other signatories to the Chesapeake 2000 Agreement and the 2007 Forestry Conservation Initiative;

Within this landmark forestry Act, the General Assembly defined “silviculture” via § 5–101 of the Natural Resources Article as follows:

(F) “FORESTRY” OR “SILVICULTURE” means the science, art and practice of creating, managing, using and conserving forests and associated resources for human benefit and in a sustainable manner to meet desired goals, including goals for (1) clean air and water; (2) biodiversity; (3) wildlife habitat; (4) fiber production; and (5) recreation.

Embodied within House Bill 507 is a definition of “environmental outcome” which is consistent with and responsive to the intent of the *Sustainable Forestry Act of 2009*. Maryland has declared forestry as its preferred land use under this Act because of forests’ unrivaled ability to reduce runoff of phosphorous, nitrogen and sedimentation.

(4) “ENVIRONMENTAL OUTCOME” MEANS ANY OF THE FOLLOWING QUANTITATIVE OUTCOMES THAT CAN BE DIRECTLY MEASURED OR MODELED AT THE EDGE OF TIDE USING THE CHESAPEAKE BAY PROGRAM WATERSHED MODEL OR ANY OTHER METHOD OR MODEL IN A QUANTIFICATION PLAN: (I) NITROGEN LOAD REDUCTION; (II) PHOSPHORUS LOAD REDUCTION; OR (III) SEDIMENT LOAD REDUCTION.



IN THE FINAL ANALYSIS, Maryland’s efforts to restore the Chesapeake Bay will cost billions of taxpayer dollars. At one point, the estimated/reported costs were \$14.4 billion by 2025. What makes the *Sustainable Forestry Act of 2009* so notable is for the first time in State law, the importance of the nexus between sustainable forestry management and a healthier watershed was declared for reasons not inconsistent with the definition of “environmental outcome” within House Bill 507. If Maryland is to ever meet its 2025 TMDL goals, it cannot do so without promoting sustainable forestry management. The sponsor’s amendments accomplish this purpose in a new and timely creative way as the EPA-mandated 2025 deadline approaches. And, for the record, forests do so very much more – read the 2009 Act.

Respectfully submitted,

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