



*Larry Hogan, Governor*  
*Boyd K. Rutherford, Lt. Governor*  
*Jeannie Haddaway-Riccio, Secretary*  
*Allan Fisher, Deputy Secretary*

**Bill Number:** Senate Bill 651

**Short Title:** Natural Resources - Forest Mitigation Banks and the Forest Conservation Fund - Alterations

**Department's Position:** Letter of Information

**Explanation of Department's Position**

The Maryland Department of Natural Resources (DNR) provides the following information on SB 651. Senate Bill 651 revises the definition of qualified conservation to include forest mitigation banks that conserve existing forest and that are approved by state or local forest conservation programs. Since the late 1990s, conservation of existing forest has been a highly successful tool within forest mitigation programs. It has resulted in the conservation and protection of over 5,365 acres in large blocks of existing forest, which is a priority for retention, in participating counties statewide. This forest retention mitigation banking tool has also been important in increasing the amount of green space statewide without additional tax payer dollars. While many tree planting programs exist, there are few programs that protect mature forests.

The bill also extends the time that the department has to accomplish the required mitigation plantings, afforestation or reforestation, for which the forest conservation funds were deposited from 2 years or 3 growing seasons to 5 years and 6 growing seasons. If the plantings are not accomplished within this time frame the funds may be returned. The increased timeline accurately reflects the reality of a tree planting project in contracting and post-planting care. Tree plantings are generally planned at least one fiscal year before the planting is to occur. For large plantings, there is often a 12- month procurement cycle. This, coupled with seasonal limitations for the site preparation, planting, and maintenance, can easily take more than two years from start to finish. To maximize operational efficiencies, the Maryland Forest Service prefers to contract multiple mitigation plantings at one time, which can increase the time between planning and planting. The change to the forest conservation fund language will allow this practice to continue and supports assurance that trees have survived critical early years.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.

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