



Maryland Forests Association, Inc.

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Maryland's voice for forest, wildlife, and natural resource management

February 23, 2022

The Honorable Kumar Barve, Chair
The Honorable Dana Stein, Vice-Chair
Maryland Environment & Transportation Committee
House Office Building
Annapolis, Maryland 21401

Re: HB884- State Land Conservation- Old Growth Forests-Protection

Dear Chairman Barve, Vice-Chair Stein, and Members of the Committee,

The Maryland Forests Association (MFA) opposes the passage of HB884

Maryland Forests Association, Inc. (MFA) is a non-profit 501 c(3) membership-driven organization established in 1976, we represent the entire forest community statewide. Our membership includes private landowners, foresters, recreational groups, and industry stakeholders. We are a conservation-minded group that wants to see forests remain forests. Our industry and goals are often misunderstood and confused with land clearing and land-use change. A recent study by the Harry Hughes Center for Agroecology showed that many Marylanders do not understand forest management and the benefits it provides to both the environment and the economy.

HB 884, is intended to protect "old growth" forests on state-owned lands as well as private lands under a conservation easement. One of the biggest issues is that there is no consensus on what constitutes "old-growth" timber within the forestry and scientific community. The threshold requirement in the legislation that old-growth includes trees that have reached half their maximum attainable age is only an invitation to controversy, given the wide range of opinions and no scientific consensus on what this might be for individual tree species.

Here are the issues with this legislation as it applies to state forestland:

1. State forest lands are managed in accordance with their annual work plans. These plans identify old-growth areas, as well as other areas with significant conservation values and, include provisions for their protection. Public input is encouraged and used to shape the plans.
2. State forest land is dual certified (FSC & SFI) to ensure that management is in accordance with internationally recognized standards for long-term ecological, social, and economic sustainability. Annual 3rd party audits are performed to make certain the standards have been met.
3. According to the latest [DNR Forest Action](#) plan a quarter of Maryland's forests are publically owned, and over 41% of that forest is considered reserved from forest harvesting. One would assume that if logging is off the table in these areas they will eventually become "old-growth."
4. The same plan also states that over 40% of forests (both public and private) are over 80 years old and natural mortality is increasing.

Here are the issues as the proposed legislation pertains to eased lands:

1. The language seems to be retroactive- meaning if enacted this would be an unprecedented and unlawful taking of property rights. Logging is not development and does not constitute land-use change. Easements are established to keep both farms and forests working. Most easement programs require landowners to have forest management plans and often recognize the benefits of active management.
2. Prohibiting logging on eased lands could deter applicants from applying and have a negative impact on conservation goals.
3. While this bill might intend to protect very rare and special places as currently written it encompasses a tremendous part of the state. See chart below:

	All Forests	Public Forests	Private Forests	Existing Easements on Private Lands	Rural Legacy Acres
Western Maryland	535,582	158,550	377,031	76,840	119,355
Southern Maryland	329,475	41,095	288,379	118,103	193,934
Lower Eastern Shore	505,619	95,059	410,558	259,552	330
	1,370,676	294,704	1,075,968	454,495	313,619

In summary, MFA must oppose this legislation as unnecessary on public lands and a breach of faith with private landowners who have or might consider conservation easements. We respectfully ask for an UNFAVORABLE report on HB884. Feel free to contact me via email at beth@mdforests.org with any questions or concerns

Sincerely,



Elizabeth D. Hill
 Executive Director
 Maryland Forests Association