



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB 723 – Natural Resources – Forest Preservation and Retention**

Chair Barve, Vice Chair Stein, Members of ENT:

In 2019 this body passed legislation, led by Delegate Healey, which required a technical study of changes in Maryland’s forest cover and tree canopy. This study was published by the Harry R. Hughes Center for Agro-Ecology of the University of Maryland and was released in late 2022. It is from this study that we formed HB 723.

The Study states:

Forests represent one of Maryland’s most important natural resources, critical to its economy, sustainability, health and identity. They are vitally important for water filtration, stormwater mitigation, air pollution removal, climate resilience and carbon sequestration. Forest conservation and tree planting have been identified as a central strategy to achieve the goals laid out in the 2014 Chesapeake Bay Agreement. Forests have been recognized as an important climate adaptation strategy, offering protection against storm surges, floods, sea level rise and extreme temperatures. Trees outside forests, including urban trees, serve important functions, mitigating the urban heat island effect, improving air quality, providing natural heating and cooling factors and benefiting human mental and physical health. Tree cover is an important component of “green infrastructure,” and serves a critical environmental justice role in low income and other disadvantaged communities.<sup>1</sup>

**MARYLAND IS LOSING FOREST AND TREE CANOPY**

The study found that Maryland experienced a net statewide forest loss of more than 19,000 acres from 2013 through 2018. Losses to development and forest fragmentation remain significant.

**CURRENT LAW IS INSUFFICIENT**

Maryland's Forest Conservation Act, passed in 1991, introduced a minimum floor for mitigation when forests are cleared for development. But these standards are not equipped to address today's challenges to climate and clean water. An unbalanced reforestation ratio of a quarter acre planted for each acre cleared, combined with other credits, means that nearly two-thirds of a forested site can be felled with no replanting required at all. And without clear definitions and protections for the state's most valuable priority forests, too many are left fragmented and vulnerable to degradation.

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<sup>1</sup> <https://agmr.umd.edu/research/research-and-education-centers-locations/harry-r-hughes-center-agro-ecology>

### **HB 723 WILL:**

- Update forest goals and definitions to provide clarity and reflect new data
- Protect and conserve more forest land and tree canopy
- Give local governments significantly greater flexibility to pursue solutions that meet local needs and advance equity

### **FOREST GOALS AND DEFINITIONS – A gain in forest, with clear metrics.**

- Affirms the Hughes Study potential for a net gain in forest cover
- Sets a companion goal for net gain of tree canopy (*This allows progress in ALL areas, not just suburban and rural areas with better access to large forested areas.*)
- Favors directional goals over numeric thresholds – make forest gain a performance standard
- Makes definitions consistent with state/regional accountability framework

### **FOREST CONSERVATION ACT – A more protective & equitable standard, with added flexibility.**

- Protects priority forest and reduces fragmentation
- Calibrates the replanting ratio and accommodates local priorities and innovation
- Fills gaps & rebalances mitigation banking
- Narrows utility generation exemption to reflect modern and growing energy sources

### **FOREST MANAGEMENT PLANS – Equitable access for suburban & urban forests.**

- Makes certain smaller forested areas eligible for forest management plans and associated incentives

I respectfully request a favorable report on HB 723.