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**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

March 20, 2025

BILL NUMBER: HOUSE BILL 1470 – First Reader

SHORT TITLE: Prince George’s County – Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Cutting or Clearing Trees

COMMISSION’S POSITION: FAVORABLE WITH DELEGATION AMENDMENTS

EXPLANATION OF COMMISSION’S POSITION

The Critical Area Commission (the Commission) is favorable to HB 1470 with the amendments adopted by the Montgomery County and Prince George’s County’s Delegations. The Commission is solely focused on ensuring that any amendments to the Critical Area Law still allow for consistent application of the enforcement provisions within the County’s program and across all Critical Area jurisdictions. The amendments adopted by the Delegations, including a sunset date and provisions limiting applicability, address a unique enforcement scenario in Prince George’s County while also ensuring consistency.

BACKGROUND INFORMATION

The Critical Area Law was enacted in 1984 to establish a Resource Protection Program for the Chesapeake Bay and its tributaries by fostering more sensitive development activity for certain shoreline areas to minimize damage to water quality and natural habitats. The General Assembly established the Critical Area program to be implemented on a cooperative basis between state and local governments, with local governments implementing their programs in a “consistent, uniform, and equitable manner” subject to state criteria and oversight.¹

Local jurisdictions have the primary responsibility for enforcement when there is a violation of the law. The Chair of the Commission may act or refer the case to the Attorney General at the request of the local government or when enforcement actions are not taken in accordance with the law. NR §8-1815 and §8-1815.1 establish parameters and procedures to ensure consistent enforcement across the 64 local jurisdictions within the Critical Area.

BILL EXPLANATION

The bill, as amended by the Delegations, would require Prince George’s County to place a lien on a property within 90 days of issuing a notice of violation for tree

cutting or clearing. If a lien is not recorded, the County would not be able to enforce a violation on a current property owner. Uncodified language also requires the County to: vacate an enforcement action for a certain violation that occurred prior to November 7, 2018; reimburse a current property owner for their costs associated with resolving the previous property owner's violation; and perform the necessary mitigation. The bill would sunset on September 30, 2027.

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ⁱ NR §8-1801(b)(2)