

June 20, 2023



Sierra Club Howard County

RE: Support – CB30-2023 Updates to the Forest Conservation Act

The Sierra Club wishes to thank Councilmember Liz Walsh for introducing this bill which is a follow-up to legislation passed on the state level. SB526 and HB723 were both passed and signed into law by Governor Moore at the end of the 2023 legislative session. The Maryland Chapter of the Sierra Club wrote supporting testimony for these state bills. SB526 & HB723 were introduced to follow the recommendations of the General Assembly mandated study, the Technical Study on Forest Cover and Tree Canopy in Maryland, also known as the Hughes Report.¹ This report documented a net loss of forest in 20 Maryland Counties that ranged from 31 to 6,000 acres, a net gain in 4 counties that ranged from 2-3,100 acres. The study also showed inadequate forest restoration after development.

The state bill aims to correct these ongoing losses of forest with a two step process. CB30-2023 will address the first step with provisions that go into effect in 2024 by:

1. Increasing the ratio of reforestation that occurs within a watershed from $\frac{1}{2}$:1 to 1:1
2. Changing the purpose of the Forest Conservation Act from *maintaining* to *increasing* forest areas.
3. Amending the definition of a forest to match the new State law that says a forest must **be 1 square acre and at least 120 ft in width** (up from **10,000 ft³ and at least 35 ft wide**)
4. Implementing limits on how much a developer may use forest mitigation banking to satisfy the requirements for reforestation/afforestation to **50%**. Currently there are no limits set, which means that subject to approval, **100%** of the project's obligation might be satisfied by mitigation banking.

¹ Harry R. Hughes Center for Agro-Ecology, University of Maryland College of Agriculture & Natural Resources, Chesapeake Conservancy, & University of Vermont (November, 2022) <https://agmr.umd.edu/technical-study-changes-forest-cover-and-tree-canopy-maryland>

These provisions in CB30 are all designed to both follow the state law and also to increase forest retention in our county, which was one of those listed in the Hughes Report as having sustained forest loss. During the years of 2013-2018 Howard sustained a net loss of 1,159 forested acres². Since this legislation sets the goal of not just reversing this trend, but of achieving a net increase in forested acres, this legislation would benefit Howard County.

The Howard County Sierra Club is in strong support of this legislation and we ask the members of the County Council to vote yes on CB30-2023.

Carolyn Parsa
Chair, Howard County Sierra Club

² Harry R. Hughes Center for Agro-Ecology, University of Maryland College of Agriculture & Natural Resources, Chesapeake Conservancy, & University of Vermont (November, 2022) <https://agnr.umd.edu/technical-study-changes-forest-cover-and-tree-canopy-maryland>