

February 27, 2023

Written testimony for HB723 - Natural Resources - Forest Preservation and Retention ¹

Position: Favorable

Submitted by: Denisse Guitarra, MD Conservation Advocate, Nature Forward



Dear House Environment and Transportation Committee,

Nature Forward (formerly Audubon Naturalist Society) is the oldest independent environmental organization protecting nature in the DC metro region. Our mission is to inspire residents of the greater Washington, DC, region to appreciate, understand, and protect their natural environment through outdoor experiences, education, and advocacy. We thank the House Environment and Transportation Committee for the opportunity to provide testimony on HB723 which seeks to update the state's current forest conservation law. Nature Forward has advocated for forest conservation at the MD General Assembly since passage of the original Forest Conservation Act in 1991.

We support HB723 because, if enacted, this bill will 1) Protect and conserve more forested land and tree canopy in the state of Maryland; 2) Provide local county governments significantly greater flexibility to pursue effective environmental solutions that meet our community needs and advance equity; and 3) Update forest protections to be in alignment with the latest scientific findings and recommendations from the 2022 Technical Study on Changes in Forest Cover and Tree Canopy in Maryland.²

More Forests Protected

This bill will protect and conserve more forested land and tree canopy in the state of Maryland. Forests purify our air and water, reduce stormwater run-off, reduce heat, reduce stress levels in people, connect communities, serve as habitats for wildlife and so much more that is essential to human health and the resilience of biodiversity in plants and animals. The Maryland Forest Conservation Act, passed in 1991, set a minimum reforestation ratio of a quarter acre planted for each acre cleared (plus other credits). This results in nearly two-thirds of a forested

¹ HB723 - Natural Resources - Forest Preservation and Retention. Available at: <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0723>

² Maryland Forest Technical Study. Nov 2022. Harry R. Hughes Center for Agro-Ecology of the University of Maryland Available at: <https://www.chesapeakeconservancy.org/mdforeststudy2022>



site that can be felled with no replanting required at all. The time to update Maryland's Forest Conservation is NOW, especially under our current climate crisis. By clarifying definitions within the law with HB723, the state will be able to protect more of our last remaining priority forests, many of which are fragmented and vulnerable to degradation.

More flexibility for local jurisdictions

HB723 will provide local county governments significantly greater flexibility to pursue effective environmental solutions that meet our community needs and advance equity. Nature Forward is one member of the Montgomery County Forest Coalition that consists of members from 13 environmental organizations. The Coalition has been working to update Montgomery County's Forest Conservation Law for over three years³. After many conversations with County Council, Planning Staff, environmental leaders, and community members we have all come to an agreement and consensus on amendments on Bill 25-22 - Forest Conservation- Tree bill.⁴ If approved, this bill will update and improve the protection status of Montgomery County's forests. The local Montgomery County Forest Conservation Law bill serves as an example that local jurisdictions in Maryland are interested in working on improving our forest conservation laws via working through our own regulatory process to improve greater protections for our forests. Furthermore, because of the greater flexibility for local county governments in the proposed HB723, Montgomery County's proposed bill is expected to comply with and complement these updates to Maryland's Forest Conservation Act.

Environmental justice in forests protection

Eliminating barriers preventing more people from enjoying the outdoors in forests is part of environmental justice. Nature Forward favorably supports HB723 because we have heard first-hand from disfavored communities across Maryland in Long Branch, Langley Park, Riverdale Park, and Edmonston that they want to see more forests and trees.

Since 2019, Nature Forward has worked with a majority Latinx immigrant community in Long Branch located in Silver Spring, MD. This is an urbanized area undergoing Purple Line construction, with the narrow Long Branch stream valley park cutting through the community. Most of these families come from countries where their connection to nature was and is part of their culture. These families are eager to get outdoors in the little time they have after holding multiple jobs, and often live in rapidly deteriorating apartment units. Across these years, we have seen the community members express the need to see more forests, urban tree canopy,

³ Montgomery County Forest Conservation Bill 25-22. Nature Forward. Available at:

<https://natureforward.org/take-action-now-save-montgomery-countys-forests/>

⁴ Bill 25-22 - Forest Conservation - Trees. Montgomery County, MD. Available at:

<https://apps.montgomerycountymd.gov/ccllms/BillDetailsPage?RecordId=2766&fullTextSearch=bill%20AND%2025-22>



and increased access to greenspaces for outdoor recreation activities for their family's health and wellbeing.⁵ Furthermore, in the recently showcased Climate Stories Ambassadors Project short film series produced by Montgomery County Department of Environment, individual community members expressed their need and desire to see more trees across the county.⁶

MD Forest Study

The bill will update forest protections to be in alignment with the latest scientific findings and recommendations from the Harry R. Hughes Center for Agro-Ecology of the University of Maryland Forest Study⁷. This report was mandated by previous legislations of SB729 (2019)⁸ and HB991 (2021).⁹ A couple of major findings in the report were that 1) “Montgomery and Prince George’s counties accounted for more than 44% of the state’s total tree canopy loss;” 2) Maryland experienced a net statewide forest loss of more than 19,000 acres from 2013 through 2018; and 3) most forests priority forests in MD are experiencing fragmentation and are being taken over by invasive plant species. The Hughes Center study identified a huge imbalance in banking credits: 4 out of every 5 acres were preserved forest, with only 1 out of 5 acres newly planted which means that every acre of replanting offset in a preservation bank shrinks the county’s footprint by that acre and hence resulting in forest loss. Therefore, it is crucial that limits are placed on unrestricted banking to prevent further forest loss across Maryland, as a an acre of forest banked is an acre of forest lost. If enacted, HB723 will prove the protection MD forests need as aligned with this study.

On behalf of Nature Forward and our 28,000 members and supporters, we respectfully urge this committee to support HB723. Protecting our forests now will help to continue to build healthy and climate resilient communities for Maryland into the future.

Sincerely,

Denisse Guitarra, Nature Forward Maryland Conservation Advocate
Debra Street, Nature Forward Conservation Volunteer

⁵ Nature Forward - Long Branch community outreach. Available at:

<https://natureforward.org/program/long-branch-community-outreach/>

⁶ Climate Stories Ambassadors Project. Montgomery County, MD. Available at:

<https://www.montgomerycountymd.gov/climate/climate-stories-ambassadors.html>

⁷ Maryland Forest Technical Study. Nov 2022. Harry R. Hughes Center for Agro-Ecology of the University of Maryland Available at: <https://www.chesapeakeconservancy.org/mdforeststudy2022>

⁸ SB729 / CH405. Technical Study on Changes in Forest Cover and Tree Canopy in Maryland. Available at: <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0729/?ys=2019rs>

⁹ HB991/CH645. Tree Solutions Now Act of 2021. Available at:

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0991/?ys=2021rs>