

A recent history of Forest Conservation reform in Maryland

	Coalition bills as introduced			2020 AG Opinion	Bills from others		Coalition bill as passed
	2017	2018	2019		2021	2022	2023
	SB 365 / HB 599	SB 610 / HB 766	HB 120 / SB 203 & HB 735 / SB 729		HB 991	SB 651 / HB 960	SB 526 / HB 723
<i>Study</i>	(Amended to study)	(Amended to study)	Commissioned		Renewed	None	None
<i>Forest Goal</i>	No change	No change	No net loss of forest land		No change	No change	Net gain of forest cover and tree canopy in and out of urban areas
<i>Replanting ratios</i>	1:1 all forest Retains retention offset	1:1 priority forest 1/4:1 standard forest Retains retention offset	No change		No change	No change	1:1 priority forest 1:1 standard forest outside PFAs 1/2:1 standard forest inside PFAs 1/4:1 TOD and multi-family housing Eliminates retention offset Allows local no-net-loss alternative
<i>Priority forest</i>	No change	* FIDS, TEAs, Tier II watersheds, drinking water areas, contiguous forest patches: >5 ac in PFAs >10 ac in low-forest watershed >20 ac elsewhere * Written justification for clearing	No change		No change	No change	* FIDS, Tier II & III watersheds, drinking water areas, largest contiguous forest patches * Significant urban forest patches * Written justification for clearing * Public notice & comment
<i>Preservation banking</i>	Local practice with no restrictions	Local practice with no restrictions	Local practice with no restrictions	Found unlawful	(Amended to temporary allowance until July 1, 2024)	Permanent allowance for projects with 1:1 replanting requirement	Permanent allowance for up to 50% of mitigation obligation (60% with DNR approval)
<i>Utility exemption</i>	Projects subject to FCA if clearing >1 ac	No change	No change		No change	No change	Generation footprint subject to FCA (solar facilities subject to reforestation but not afforestation)
<i>Fee-in-lieu</i>	20% fee escalation for each acre paid	No change	* Established as option of last resort * Local plan for use of funds * Local programs must produce an acre of mitigation for each acre paid		No change	No change	No change
<i>Outcome</i>	Failed	Failed	Mixed		Passed	Failed	Passed

Table compares proposals to law existing at the time of their introduction.

Red = changes not adopted. Green = changes adopted.