



House Bill 706

Natural Resources – Forest Preservation Act of 2013

MACo Position: **SUPPORT**

To: Education, Health, and Environmental Affairs
Committee

Date: April 2, 2013

From: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** HB 706 as amended by the House. This Department of Natural Resources (DNR) bill makes numerous changes to the laws pertaining to State and private forestlands, including setting a policy of achieving a 40% tree canopy cover statewide.

The Department has worked early and extensively to reach out to counties and accommodate concerns. Based on a preliminary draft shared well before the legislative session, MACo had serious concerns with several of the bill's provisions that would negatively affect the counties. Over the course of several months, DNR has modified the bill to address most of MACo's concerns. MACo expects that if a provision of the bill causes county concern in the future, DNR will work with MACo to address the issue.

MACo is supportive of the bill's provisions that clarify how the forest conservation act applies to the maintenance and retrofitting of stormwater management structures and certain stream restoration projects. Additionally, MACo also supports the expanded uses of the Reforestation Fund and the increased flexibility given to local forest conservation programs.

MACo was also concerned with the introduced bill's provision that if DNR finds a local forest conservation program deficient, DNR can require the local program to submit payment to the State Conservation Fund for the amount of any misappropriated local conservation funds. MACo does not believe DNR should be able to unilaterally impose such a penalty on local governments and the bill was amended so that DNR can exercise that ability only after a finding by an auditor made in consultation with the Office of the Attorney General. MACo's concern is addressed with this additional procedural safeguard.

MACo appreciates the effort and outreach DNR has made with respect to HB 706 and believes the bill as amended reasonably addresses county concerns. Accordingly, MACo requests the Committee give HB 706 a **FAVORABLE** report.