

HOUSE BILL 1511

M1

4lr3538

By: **Delegate Love**

Introduced and read first time: February 22, 2024

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Forest Conservation Act – Modifications**

3 FOR the purpose of requiring the Department of Natural Resources to update a certain
4 model local government ordinance and adopt certain regulations relating to forest
5 conservation on or before certain dates; delaying the dates on which certain
6 provisions of the Forest Conservation Act will apply to certain solarvoltaic facilities
7 and forest conservation plans; delaying the effective date of certain provisions of the
8 Forest Conservation Act; and generally relating to the Forest Conservation Act.

9 BY repealing and reenacting, with amendments,
10 Chapter 541 of the Acts of the General Assembly of 2023
11 Section 5, 9, and 10

12 BY repealing and reenacting, with amendments,
13 Chapter 542 of the Acts of the General Assembly of 2023
14 Section 5, 9, and 10

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Chapter 541 of the Acts of 2023**

18 SECTION 5. AND BE IT FURTHER ENACTED, That:

19 (a) The Department of Natural Resources shall update the State Forest
20 Conservation Technical Manual on or before December 31, 2024, for consistency with this
21 Act.

22 (b) The updates shall include:

23 (1) guidance on:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) when the clearing of a priority area for retention described in §
2 5–1607(c) of the Natural Resources Article, as enacted by this Act, may be justified,
3 including for purposes related to forest health or composition; and

4 (ii) the use of site design practices to minimize clearing; and

5 (2) standards by which credit may be granted for the restoration of
6 degraded forest.

7 **(C) ON OR BEFORE JULY 1, 2025, THE DEPARTMENT OF NATURAL**
8 **RESOURCES SHALL UPDATE THE MODEL LOCAL GOVERNMENT ORDINANCE**
9 **REQUIRED UNDER § 5–1609 OF THE NATURAL RESOURCES ARTICLE FOR**
10 **CONSISTENCY WITH THIS ACT.**

11 **(D) ON OR BEFORE JULY 1, 2026, THE DEPARTMENT OF NATURAL**
12 **RESOURCES SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS**
13 **ACT.**

14 SECTION 9. AND BE IT FURTHER ENACTED, That this Act may not apply to:

15 (1) a solarvoltaic facility granted a certificate of public convenience and
16 necessity by the Public Service Commission under § 7–207 of the Public Utilities Article
17 before July 1, [2023] **2025**;

18 (2) a forest conservation plan approved before July 1, [2024] **2026**, that is
19 associated with a subdivision plan, site plan, building permit, or grading or sediment
20 control application; or

21 (3) a revision to a plan or permit described in item (2) of this section that
22 does not materially alter the proposed or actual limits of disturbance.

23 SECTION 10. AND BE IT FURTHER ENACTED, That Sections 1, 2, and 3 of this
24 Act shall take effect July 1, [2024] **2026**.

25 Chapter 542 of the Acts of 2023

26 SECTION 5. AND BE IT FURTHER ENACTED, That:

27 (a) The Department of Natural Resources shall update the State Forest
28 Conservation Technical Manual on or before December 31, 2024, for consistency with this
29 Act.

30 (b) The updates shall include:

31 (1) guidance on:

1 (i) when the clearing of a priority area for retention described in §
2 5–1607(c) of the Natural Resources Article, as enacted by this Act, may be justified,
3 including for purposes related to forest health or composition; and

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12 **RESOURCES SHALL ADOPT REGULATIONS TO CARRY OUT THIS ACT.**

13 SECTION 9. AND BE IT FURTHER ENACTED, That this Act may not apply to:

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15 necessity by the Public Service Commission under § 7–207 of the Public Utilities Article
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18 associated with a subdivision plan, site plan, building permit, or grading or sediment
19 control application; or

20 (3) a revision to a plan or permit described in item (2) of this section that
21 does not materially alter the proposed or actual limits of disturbance.

22 SECTION 10. AND BE IT FURTHER ENACTED, That Sections 1, 2, and 3 of this
23 Act shall take effect July 1, [2024] **2026**.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
25 1, 2024.