



LUGM NOTICE 26-0006

Forest Conservation Changes (SB 526)

Effective July 1, 2026 – All Statutory Changes are below per State Law:

1. At least 20 days before approval of a forest conservation plan that proposes clearing of a priority retention area, provide notice to all adjacent property owners and allow for written public comment. If the net tract area is at least 5 acres and if at least 75% of the priority retention area is proposed to be cleared, verbal comment at a public hearing must also be allowed.
2. New re-forestation calculations. Generally, there is a 1:1 acre ratio for most properties, but 0.5:1 acre ratio for any property in a priority funding area. Please see the link to the County GIS Map (<https://www.stmaryscountymd.gov/IT/GIS/>). Under the Map Layers, click on Zoning & Other Regulatory and then click the box labeled "Priority Funding Areas."
3. Updates the definitions used throughout the Forest Conservation Act, including the definition of "Priority Forests" and "Retention Areas."
4. Modifies exemption provisions including but not limited to: (a) agricultural activity exemptions expanded to include the construction and use of agricultural support buildings; and (b) construction of multi-family housing consisting of a single structure containing at least 25 dwelling units, provided that the area is reforested at a ratio of 0.25:1 or mitigated through permanent protection of 0.5:1.
5. Linear project exemption if it does not exceed the 20,000 square foot clearing exemption and does not involve any land use change. A linear project is a utility or public service installation, such as an electric transmission line or roadway.
6. All unforested riparian buffers shall be afforested and reforested, unless the Applicant demonstrates afforestation in the buffer (a) would conflict with allowable uses for the buffer, (b) is located on park property and conflicts with park stewardship, or (c) is not suitable for the establishment and retention of the plantings, in which case substitute measures must be implemented.

7. The local authority shall issue written findings and justification for any clearing of a priority retention area.
8. Authorizes qualified conservation, (which is the conservation of all or part of an existing forest that has been approved by the appropriate state or local forest conservation program and is encumbered in perpetuity by a restrictive easement, covenant or another similar mechanism) as a forest mitigation banking pathway.
9. Updates provisions related to State and local forest conservation funds, including local fund planning, accounting and mitigation obligations tied to fee-in-lieu payments.
10. Updates the methods for satisfying afforestation and reforestation requirements including onsite and offsite planting, repairing an existing and degraded Forest Stand, planting street trees in the ROW, and qualified conservation through mitigation banks.

All questions should be directed to Nick Colvin:

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