

RESOLUTION NO. RS-2019-08

*(Establishing the per acre dollar amounts for the purchase of easements under a tree planting program adopted by the Board of County Commissioners of Washington County, Maryland on or about March 11, 1997, utilizing funds collected pursuant to the Washington County, Maryland Forest Conservation Ordinance)*

RECITALS

The State of Maryland's Forest Conservation Act (hereinafter the "Act"), which is set forth at Md. Code, Natural Resources Article, §§ 5-1601, *et. seq.*, became effective on July 1, 1991. Counties and municipalities in the State are required by the Act to adopt similar legislation.

Pursuant to C.O.M.A.R. 08.19.01, *et. seq.*, the State has promulgated regulations relating to the implementation of a local forest conservation program (the "Regulations").

The Board of County Commissioners of Washington County, Maryland (the "County") has complied with the Act and the Regulations by adopting the Washington County, Maryland Forest Conservation Ordinance (the "Ordinance"), effective February 1, 1993, which Ordinance has been amended from time to time.

Pursuant to Article 11, Section 11.1.1. of the Ordinance, a Washington County Forest Conservation Fund (the "Fund") was established to receive payments of a fee in lieu of retention or planting to meet the obligation to retain existing or create new afforestation and reforestation, including but not limited to site identification, acquisition and preparation, the acquisition of planting stock, compensation to persons engaged in the planting activity, and maintenance of forest previously planted or protected with payment in lieu funds.

The County has determined that the most efficient and effective method to use forest conservation funds for afforestation and reforestation is to purchase easements from willing private property owners to plant new forest cover and protect existing forest cover.

On or about March 11, 1997, the County approved a pilot tree planting program (the "Program") to utilize the Fund for the purchase of the easements based on per acre dollar amounts established at the time the Program was approved.

The per acre dollar amounts which have been paid for easements under the Program approved in 1997 are \$500.00 for existing forests, \$800.00 for afforestation within 300 feet of a perennial or intermittent stream, and \$500.00 for afforestation greater than 300 feet from a perennial or intermittent stream.

Under a Memorandum of Understanding between the County and Washington County Soil Conservation District Board of Supervisors ("SCD") dated December 12, 2003, and amended on March 13, 2019, the County and SCD have determined that portions of the program can be administered most effectively by SCD.

The Washington County Planning and Zoning Department and SCD are recommending that the County approve an increase in the per acre dollar amounts for the purchase of forest conservation easements under the Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, MARYLAND, that the per acre dollar amounts to be paid to property owners for the purchase of forest conservation easements under the Program are established as follows:

Existing forests	\$1,500.00/acre
Afforestation within 300 feet of a perennial or intermittent stream	\$2,000.00/acre
Afforestation greater than 300 feet of a perennial or intermittent stream	\$1,800.00/acre

Adopted this 16th day of April, 2019.

Effective the 1st day of July, 2019.


ATTEST:

  
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Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF WASHINGTON COUNTY, MARYLAND

  
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Jeffrey A. Cline, President

Approved as to form and  
legal sufficiency:

  
Kirk C. Downey  
County Attorney

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