

STATE OF MARYLAND NATURAL RESOURCES

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Forest Service

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Forest Conservation Act

- The complete text of Natural Resources Article 5-1601 - 1613, **Forest Conservation Act**, enacted in 1991 can be reached by this link. In order to better assist you in your search, a Table of Contents has been created.



- **The complete text of Code of Maryland Regulations, Title 08. Subtitle 19 Forest Conservation, enacted in 1992 can be reached by this link.** In order to better assist you in your search, a Table of Contents has been created.

- Department of Labor, Licensing and Regulations
For more information on Maryland Licensed Landscape Architects and Maryland Licensed Foresters Qualified Professionals Professional Services list
- Qualified Professionals Professional Services list
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How are Trees Protected During Construction?

Early in 1990 Governor Schaeffer created a Task Force to assess the problems and potential of Maryland's trees and forests to promote land stewardship. One recommendation of the Task Force was creation of a forest conservation, protection and reforestation law. The Department of Natural Resources Forest Service and various partners wrote the Forest Conservation Act and Regulations.

The main purpose of the Maryland Forest Conservation Act (Natural Resources Article Section 5-1601 through 5-1613) enacted in 1991 was to minimize the loss of Maryland's forest resources during land development by making the identification and protection of forests and other sensitive areas an integral part of the site planning process. Identification of priority areas prior to development makes their retention possible. Of primary interest are areas adjacent to streams or wetlands, those on steep or erodible soils or those within or adjacent to large contiguous blocks of forest or wildlife corridors.

Although the Maryland Department of Natural Resources Forest Service administers the FCA, it is implemented on a local level. Gaining approval of the required Forest Conservation Plan (development of more than one acre) may require long term protection of included priority areas or planting/replanting (afforestation or reforestation) a sensitive area off-site.

During the first  fifteen years of implementation FCA has been responsible for the review of 199,925 acres of forest on projects scheduled for development. Of those, 120,638 acres were retained, 71,885 acres were cleared and 21,461 acres were planted with new forest. In other words, at least twice as many acres were protected or planted as were cleared.

When does it apply?

Any activity requiring an application for a subdivision, grading permit or sediment control permit on areas 40,000 square feet (approximately 1 acre) or greater is subject to the Forest Conservation Act and will require a Forest Conservation Plan prepared by a licensed forester, licensed landscape architect, or other qualified professional UNLESS you are subject to exemptions (determined by the State FCA Coordinator or your local Forest Conservation Program Coordinator).

Click here for FCA paperwork and mailing addresses.

Who can do this type of work?

Forest Stand Delineations (FSD) and Forest Conservation Plans (FCP) required by the Forest Conservation Act must be prepared by a licensed forester, licensed landscape architect, or other qualified professionals.

Qualified Professionals

Individuals who are not licensed foresters or licensed landscape architects may become "Qualified Professionals" capable of conducting forest delineations or writing conservation plans by meeting certain educational and work-experience criteria and completing a department approved forest conservation course. Final approval of Qualified Professional status is determined by the state FCA coordinator upon receipt of your Qualified Professional application and notification of your successful course completion.

[Click here to Apply to Become a Qualified Professional](#)

Resources Available:

- Forest Conservation, Annotated Code of Maryland Natural Resources Article Title 5, Subtitle 16 and Code of Maryland Regulations 08.19, May 2003.
Distributed by Division of State Documents 410-974-2486
- State Forest Conservation Technical Manual, 3rd edition, 1997 by Maryland Department of Natural Resources
Distributed by Division of State Documents 410-974-2486

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