



HISTORY OF THE FORESTRY BOARDS

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In order to understand the present role of forestry boards in comparison with the law that led to their creation, it may be useful to review their history briefly.

The Maryland Forest Service owes its origin to the creation of the Board of Forestry as result of the vision of Robert and John Garrett, who donated over 2,000 acres of mountain woodland in 1906 to the state, provided it would make proper provision for its care. During its early years, the Board appointed Fred W. Besley state forester, who served through various organizational changes until 1942; and forest wardens, whose primary function was the prevention and suppression of forest fire. In 1941 the legislature created the Board of Natural Resources, bringing together under one roof the state's natural resource conservation agencies, including what had become the Department of State Forests and Parks.

Sparked by the new State Forester Joseph F. Kaylor, the state passed "the first comprehensive public regulation of forest practices on private lands east of the Mississippi River-the Forest Conservancy District Act of 1943." By then the public had become sufficiently concerned over the state's diminishing forest resources that the act encountered little legislative opposition despite what we might perceive today as the extensive powers granted to the Department and the local district boards. Its broad objectives were the provision of economic and scientific management of forests in the state through cooperative efforts with private forest landowners and regulation of forest practices, so as to provide an adequate source of forest products for the people and a continuing supply of raw materials for industry and employment for forest communities; soil erosion and flood control; protection of forests from fire, insects, and disease; protection of wildlife; preservation of natural beauty; and encouragement of recreational development. Private owners and loggers were restrained from cutting immature timber except for stand improvement, and were required to maintain adequate growing stock and to leave conditions favorable to regrowth or arrange for restocking of the land after logging. Loggers and other forest products operators were to be licensed by the state.



Forestry board members were to include persons "representing each of the major types of forestry and woodworking interest, and at least one person representing farm woodland owners." The boards were designed to maintain local control in keeping with

Maryland traditions and the diversity of forest types and conditions across the state.

According to one contemporary, “The Maryland conservation movement has advanced enough that timber owners, sawmill operators, and the public view the . . . state regulations as an extension of public guidance rather than as an encroachment on individual freedom.” The state forester affirmed that “These regulations jeopardize no private right, unless it be the right to destroy a basic natural resource-and I question whether any such right exists. Nor do they constitute regimentation. They leave wide latitude for individual initiative. They offer no threat that any private business will be taken over or interfered with.”

The constitutionality of the Conservancy Act was tested in a suit filed in 1947 by a timber operator in Pennsylvania who refused to register or pay a fee for a license as the statute provided. In upholding the constitutionality of the act and the state's right to charge timber license fees, Judge George Henderson of the Garrett County Circuit Court stated, “It is an appropriate use of the police power of the state to prevent erosion, preserve forests and conserve the natural resources of the state.”

In today’s terms, the Forest Conservancy District Act was an effort to establish sustainable forestry for multiple use on private woodlands across the state.

While the basic goal has not changed since then, most of the powers and duties envisioned for the Boards have either been taken over by the state or allowed to fade away. Today the state encourages scientifically based management of private forestlands through technical assistance and a variety of incentives but no longer imposes silvicultural regulations. Boards are now made up of volunteers with varying backgrounds and experience. The chief requirement for appointment is an interest in sustainable forestry and a desire to see that resources are used wisely and renewed. Board members work to conserve and improve Maryland’s forest resource and promote forest management through education and advocacy. They work to improve the forest environment in urban and suburban as well as rural areas and to educate people about the benefits of forests and trees. For over twenty years they have cooperated with the Department of Natural Resources Forest Service in running a week-long summer program for high school students on forestry as a career. They promote tree planting projects and programs. Board members work closely with foresters throughout the State and cooperate with other groups having similar goals. The Boards also review proposed laws and ordinances and represent the interests of forestry with local, state, and federal legislatures. They are responsible for advising Maryland’s Forest Service. They may serve as a sounding board and a liaison between private individuals, forest-related industry, and government agencies. While subject to overall direction from the Forest Service, they retain a large degree of independence in action to meet local needs.

Around 1952 the then Director of Forestry suggested to the boards that they should form an organization to represent them and help the Department with testifying before the legislature. The boards then formed the Association and Greydon Tolson served three terms as its first President. Since then the Association has been successful in

a number of cases in influencing legislative actions favorable to forestry. More recently it has been asked to take on new tasks, such as urban and community forestry, to assist the Forest Service in these times of budgetary stringency.

Under the law, Boards are still required to review and pass on timber harvest plans if requested to do so, as they may be in certain counties. Under other, more recent legislation, they approve all forest harvest plans in the Chesapeake Bay Critical Area. They may also be called upon to play a role in the management of forest properties subject to easements acquired by local jurisdictions under the Forest Conservation Act.