

Chapter 420

(House Bill 784)

AN ACT concerning

**Department of Natural Resources – Irreplaceable Natural Areas Program –
Establishment**

FOR the purpose of establishing the Irreplaceable Natural Areas Program in the Department of Natural Resources to preserve Maryland’s native biodiversity on State-owned land managed by the Department; and generally relating to the Irreplaceable Natural Areas Program.

BY adding to

Article – Natural Resources

Section 3–501 through 3–503 to be under the new subtitle “Subtitle 5. Irreplaceable Natural Areas Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

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

Article – Natural Resources

SUBTITLE 5. IRREPLACEABLE NATURAL AREAS PROGRAM.

3–501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BIODIVERSITY” MEANS THE FULL RANGE OF LIVING ORGANISMS NATIVE TO A REGION.

(C) “IRREPLACEABLE NATURAL AREA” MEANS AN AREA WITH HABITAT NECESSARY TO SUPPORT:

(1) A UNIQUE NATURAL COMMUNITY; OR

(2) A PLANT OR ANIMAL SPECIES LISTED AS THREATENED OR ENDANGERED UNDER TITLE 10, SUBTITLE 2A OF THIS ARTICLE.

(D) “PROGRAM” MEANS THE IRREPLACEABLE NATURAL AREAS PROGRAM.

(E) “UNIQUE NATURAL COMMUNITY” MEANS AN AREA THAT:

(1) HAS AN ASSEMBLAGE OF NATIVE PLANTS OR ANIMALS THAT IS RARE OR DECLINING IN THE STATE; OR

(2) SUPPORTS AN UNUSUALLY PRISTINE EXAMPLE OF A NATIVE ECOSYSTEM TYPE.

3-502.

(A) THERE IS AN IRREPLACEABLE NATURAL AREAS PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE PROGRAM IS TO PRESERVE MARYLAND’S NATIVE BIODIVERSITY ON STATE-OWNED LAND MANAGED BY THE DEPARTMENT FOR CURRENT AND FUTURE RESIDENTS OF THE STATE.

3-503.

ON OR BEFORE JULY 1, 2023, THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING REGULATIONS:

(1) DESIGNATING IRREPLACEABLE NATURAL AREAS ON STATE-OWNED LAND MANAGED BY THE DEPARTMENT; AND

(2) ESTABLISHING MANAGEMENT OBJECTIVES FOR IRREPLACEABLE NATURAL AREAS, INCLUDING:

(I) A MAP DEPICTING BOUNDARIES FOR EACH AREA;

(II) A DESCRIPTION OF THE UNIQUE FEATURES AND THREATS FOR EACH AREA; AND

(III) COMPATIBLE AND INCOMPATIBLE ACTIVITIES FOR EACH AREA.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2022.

Approved by the Governor, May 16, 2022.