

# HOUSE BILL 884

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By: **Delegates Gilchrist, Foley, and Lierman**  
Introduced and read first time: February 7, 2022  
Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Conservation Land – Old-Growth Forests – Protection**

3 FOR the purpose of establishing protections for old-growth forests located on State  
4 conservation land; and generally relating to old-growth forests.

5 BY adding to

6 Article – Natural Resources

7 Section 1-406

8 Annotated Code of Maryland

9 (2018 Replacement Volume and 2021 Supplement)

10 Preamble

11 WHEREAS, The State of Maryland recognizes the unique cultural and ecological  
12 benefits of preserving old-growth forests; and

13 WHEREAS, At present, many of the old-growth forests located on land preserved  
14 under the State’s land conservation programs lack formal protection; now, therefore,

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

17 **Article – Natural Resources**

18 **1-406.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (2) “OLD-GROWTH FOREST” MEANS A FOREST:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) AT LEAST 5 ACRES IN SIZE WITH A PREPONDERANCE OF OLD**  
2 **TREES, OF WHICH THE OLDEST EXCEED AT LEAST HALF THE PROJECTED MAXIMUM**  
3 **ATTAINABLE AGE FOR THE SPECIES; AND**

4                   **(II) THAT EXHIBITS SEVERAL OF THE FOLLOWING**  
5 **CHARACTERISTICS:**

6                   **1. SHADE-TOLERANT SPECIES ARE PRESENT IN ALL AGE**  
7 **AND SIZE CLASSES;**

8                   **2. RANDOMLY DISTRIBUTED CANOPY GAPS ARE**  
9 **PRESENT;**

10                   **3. A HIGH DEGREE OF STRUCTURAL DIVERSITY**  
11 **CHARACTERIZED BY MULTIPLE GROWTH LAYERS REFLECTING A BROAD SPECTRUM**  
12 **OF AGES IS PRESENT;**

13                   **4. AN ACCUMULATION OF DEAD WOOD OF VARYING**  
14 **SIZES AND STAGES OF DECOMPOSITION ACCOMPANIED BY DECADENCE IN LIVE**  
15 **DOMINANT TREES IS PRESENT; AND**

16                   **5. PIT AND MOUND TOPOGRAPHY CAN BE OBSERVED.**

17                   **(3) (I) "STATE CONSERVATION LAND" MEANS LAND THAT IS**  
18 **PROTECTED UNDER A LAND CONSERVATION PROGRAM ADMINISTERED BY THE**  
19 **DEPARTMENT OR THE MARYLAND ENVIRONMENTAL TRUST.**

20                   **(II) "STATE CONSERVATION LAND" INCLUDES:**

21                   **1. STATE PARKS;**

22                   **2. STATE FOREST RESERVES;**

23                   **3. WILDLIFE MANAGEMENT AREAS;**

24                   **4. NATURAL RESOURCES MANAGEMENT AREAS;**

25                   **5. STATE WILDLANDS; AND**

26                   **6. LAND SUBJECT TO A CONSERVATION EASEMENT:**

27                   **A. WITHIN A DESIGNATED RURAL LEGACY AREA;**

1                   **B. HELD BY THE MARYLAND ENVIRONMENTAL TRUST;**  
2 **OR**

3                   **C. FUNDED UNDER PROGRAM OPEN SPACE.**

4           **(B) WHENEVER THE DEPARTMENT OR THE MARYLAND ENVIRONMENTAL**  
5 **TRUST IDENTIFIES AN OLD-GROWTH FOREST ON STATE CONSERVATION LAND, THE**  
6 **LAND SHALL BE MANAGED IN A MANNER THAT:**

7                   **(1) MINIMIZES DISTURBANCE TO THE OLD-GROWTH FOREST;**

8                   **(2) PRIORITIZES PASSIVE RECREATIONAL OPPORTUNITIES;**

9                   **(3) PROHIBITS LOGGING OR THE CONSTRUCTION OF PUBLIC**  
10 **AMENITIES WITHIN THE OLD-GROWTH FOREST; AND**

11                   **(4) MINIMIZES RISKS TO THE OLD-GROWTH FOREST POSED BY**  
12 **DISEASE AND INVASIVE SPECIES.**

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