

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 317 (Senators Lewis Young and Love)
Education, Energy, and the Environment

Natural Resources - Food Forests and Foraging Program - Establishment

This bill establishes a Food Forests and Foraging Program in the Department of Natural Resources (DNR) to designate, plant, and maintain food forests on State land and to authorize and regulate foraging within food forests. The bill requires individuals to obtain a foraging permit in order to forage within food forests. The bill also establishes a Food Forests and Foraging Fund, administered by DNR, to support the program.

Fiscal Summary

State Effect: General and/or special fund expenditures increase, beginning in FY 2026, as discussed below. DNR estimates that initial costs to establish a food forest are approximately \$10,000 per acre. Special fund revenues increase, beginning in FY 2026, by an indeterminate amount due to collection of fee revenues. General fund revenues increase minimally from interest earnings of the new special fund through FY 2028.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: The purpose of the Food Forests and Foraging Program is to (1) designate, plant, and maintain food forests on State land and (2) authorize and regulate foraging within food forests. DNR must designate, by regulation, foraging areas within State-owned land managed by the department.

Definitions

“Food forest” means an area that DNR manages or owns and is designated for foraging.

“Foraging” means harvesting plant materials such as seeds, nuts, mushrooms, roots, tubers, and berries for noncommercial, personal consumption.

Foraging Permit

The bill requires individuals to obtain a foraging permit to forage within a food forest. An individual must submit an application to DNR and pay an application fee, set by DNR, in order to obtain a foraging permit. The permit is valid for one year after the issuance date. The bill also requires the department to waive the permit application fee for individuals who demonstrate financial need and to establish a fee waiver process for these individuals.

Food Forests and Foraging Fund

The bill requires DNR to administer the Food Forests and Foraging Fund, which consists of permit application fees, money appropriated in the State budget to the fund, interest earnings, and any other money from any other source accepted for the benefit of the fund. The fund may only be used for (1) designating, planting, and maintaining food forests and (2) administrative expenses.

Current Law: DNR is responsible, under the Natural Resources Article, for (1) promoting, administering, and managing every State-owned or leased forest, park, scenic preserve, natural area, parkway, historic monument, and recreation area, and (2) administering every law and regulation relating to those resources. The Natural Resources Article also contains a General Assembly finding that forests, streams, valleys, wetlands, parks, and scenic, historic, and recreation areas of the State are basic assets, and their proper use, development, and preservation are necessary to protect and promote the health, safety, economy, and general welfare of the people of the State.

Current statute and regulations do not directly address designation and use of State-owned land for foraging by individuals. The *DNR Lands Acreage Report* (see link on this [page](#)) describes the various types of public lands the department owns and manages.

State Expenditures: General and/or special fund expenditures increase, beginning in fiscal 2026, to establish an initial food forest under the program. DNR estimates that the cost to establish a food forest plot on State land is approximately \$10,000 per acre for site preparation, tree/shrub installation, and initial maintenance. It is assumed, for the purposes of this fiscal and policy note, that the program is administered by existing DNR staff at first; however, depending on the level of interest in the program, additional staff may be

needed to expand and maintain the program. The cost of hiring one additional natural resources technician in fiscal 2027, for context, totals \$70,836. To the extent fee revenues from foraging permits are not sufficient to cover the costs of the program, general funds are required.

State Revenues:

Special Funds

Special fund revenues increase, beginning in fiscal 2026, reflecting food foraging permit fee revenues; however, the level of interest in the program and associated fee revenues, cannot be reliably estimated at this time.

General Funds

Although the bill indicates that interest earnings of the new special fund remain in the fund, the bill does not amend Section 8 of Chapter 717 of 2024 (the Budget Reconciliation and Financing Act of 2024) which requires, notwithstanding any other provision of law, that interest earnings from special funds (with certain exceptions) accrue to the general fund from fiscal 2024 through 2028. Thus, general fund revenues increase minimally from interest earnings of the new special fund through fiscal 2028. The fund is exempted from a similar requirement under § 6-226(a)(2) of the State Finance and Procurement Article that applies from fiscal 2029 forward.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 257 (Delegate Charkoudian) - Environment and Transportation.

Information Source(s): Department of Natural Resources; Department of Legislative Services

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