

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Department of Natural Resources
(DLS Control No. 15-368)**

Overview and Legal and Fiscal Impact

The regulations update provisions of law governing the administration and use of Wildlife Management Areas (WMAs).

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Department of Natural Resources:

Wildlife: Use of Wildlife Areas: COMAR 08.03.02.01-.38

Legal Analysis

Background

The Department of Natural Resources owns and manages 61 WMAs throughout the State, totaling over 120,000 acres. The WMA system was established to conserve and enhance diverse wildlife populations and associated habitats while facilitating public use of the State's wildlife resources through hunting and other wildlife dependent recreation.

Summary of Regulations

Among other things, the regulations (1) update the list and locations of WMAs to reflect recent additions; (2) prohibit hunting on specified WMAs, require a permit to hunt on specified WMAs, and establish hunting restrictions on specified WMAs; (3) provide for the operation of vehicles and vehicle parking on WMAs; (4) prohibit a person from camping on WMAs for more than 14 consecutive dates; (5) establish provisions governing the removal or disturbing of minerals, plants, rocks, trees, or non-game animals; (6) establish provisions governing the use of dogs on WMAs; (7) establish provisions governing the release of plants or animals on WMAs; (8) prohibit the use of fireworks or explosives on WMAs; (9) establish provisions governing geocaching on WMAs; (10) establish provisions governing digging for or removing relics, treasures, or artifacts, or using a metal detector on WMAs; (11) establish provisions governing grazing on WMAs; and (12) repeal provisions governing required permits for the use of shooting ranges on WMAs and the associated permit fees.

Legal Issue

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites §§ 10-205 and 10-808 of the Natural Resources Article as statutory authority for the regulations. Section 10-205 of that article authorizes the department to adopt regulations governing the hunting or possession of wildlife, while § 10-808 of that article authorizes the department to adopt regulations governing the administration and use of land or water under the ownership or control of the department.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The department advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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