

SENATE BILL 968

M1

5lr0909

By: **Howard County Senators**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Patuxent River Wildland – Use of ~~Motor Vehicles and~~**
3 **Mechanical or Motorized Equipment**

4 **Ho. Co. 5–25**

5 FOR the purpose of authorizing the Department of Natural Resources to ~~enter into certain~~
6 ~~use agreements to facilitate the use of motor vehicles and motorized equipment for~~
7 ~~the purpose of maintaining certain paths~~ use mechanical or motorized equipment for
8 certain purposes within the Patuxent River Wildland; and generally relating to the
9 Patuxent River Wildland.

10 BY repealing and reenacting, without amendments,

11 Article – Natural Resources

12 Section 5–1203(a)

13 Annotated Code of Maryland

14 (2023 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Natural Resources

17 Section ~~5–1212~~ 5–1203(h)

18 Annotated Code of Maryland

19 (2023 Replacement Volume and 2024 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Natural Resources

~~5-1212.~~

~~(A) Except as provided in Part II of this subtitle, and subject to existing private rights, a commercial enterprise or permanent road, except fire roads, may not exist within any wildlife area designated by Part II of this subtitle.~~

~~(B) (1) Except as necessary to meet minimum requirements for the administration of the area for the purpose of Part II of this subtitle, including measures required in emergencies involving the health and safety of persons within the area, AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, there shall be no temporary road, use of motor vehicles, motorized equipment, motorboats, landing of aircraft, or other forms of mechanical transport, and no structure or installation within any area.~~

~~(2) THE DEPARTMENT MAY ENTER INTO USE AGREEMENTS WITH VOLUNTEERS TO FACILITATE THE USE OF MOTOR VEHICLES AND MOTORIZED EQUIPMENT WITHIN THE PATUXENT RIVER WILDLAND FOR THE PURPOSE OF MAINTAINING EXISTING PATHS TO ENSURE CLEAR AND SAFE ACCESS TO THE WILDLAND.~~

5-1203.

(a) (1) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the State, leaving no lands designated for preservation and protection in their natural condition, it is the policy of the General Assembly to secure for the people of present and future generations the benefits of an enduring resource of State wildlands.

(2) For this purpose there is established a State wildlands preservation system composed of areas in the State designated by the General Assembly as "wildland areas".

(3) The wildland areas shall be administered for the use and enjoyment of the people of Maryland in a manner that will leave them unimpaired for the future use and enjoyment as wildlands, to provide for their protection, preservation of their wildland character, and for gathering and dissemination of information regarding their use and enjoyment as wildlands.

(4) A State land may not be designated as a wildland area except as provided for in this section or by a subsequent act.

1 (h) (1) Pursuant to the provisions of subsection (a) of this section, that property
2 in Howard and Montgomery counties containing approximately 1579 acres and described
3 as follows is a Type 2 State wildland and shall be named the “Patuxent River Wildland”:

4 Parcel 1:

5 Beginning at a point on the south shore of the Patuxent River at the eastern margin
6 of the right-of-way of the Hipsley Mill Road, and proceeding counterclockwise about the
7 boundary of the wildland area, southwesterly with said right-of-way margin
8 approximately 3,050 feet to the southern boundary of Patuxent River State Park (hereafter
9 the Park). Thence leaving Hipsley Mill Road and following said Park boundary
10 southeasterly approximately 1,700 feet; thence leaving the Park boundary and with the
11 forest bounding a field, on the right hand, easterly approximately 1,400 feet. Still with the
12 forest edge southwesterly approximately 300 feet, thence easterly approximately 300 feet,
13 thence southeasterly approximately 800 feet, thence southwesterly approximately 475 feet,
14 again to the Park boundary. Thence with said Park boundary southeasterly approximately
15 550 feet. Then leaving the Park boundary and again with the forest edge northeasterly
16 approximately 1,150 feet, southeasterly approximately 400 feet, southerly approximately
17 275 feet, thence southeasterly approximately 750 feet, thence northeasterly approximately
18 550 feet, thence southeasterly approximately 250 feet, thence northeasterly approximately
19 500 feet. Thence still with the forest edge southeasterly approximately 600 feet, thence
20 southwesterly approximately 750 feet, thence easterly approximately 150 feet thence
21 southerly approximately 250 feet, thence easterly approximately 900 feet. Thence again
22 with the forest edge northeasterly approximately 1,100 feet, thence easterly approximately
23 300 feet, thence northeasterly approximately 1,400 feet, thence southeasterly
24 approximately 650 feet, thence northerly approximately 1,050 feet, thence northeasterly
25 approximately 550 feet, thence northerly approximately 420 feet to the Patuxent River.
26 Thence crossing the river in a northwesterly direction approximately 100 feet. Thence with
27 the forest edge and the river southeasterly approximately 300 feet; then leaving the river
28 and following the forest edge northeasterly with a field on the right, approximately 150 feet
29 thence northerly approximately 420 feet, thence northwesterly approximately 475 feet,
30 thence northerly approximately 400 feet. Thence still with the forest edge easterly
31 approximately 150 feet, thence northerly approximately 650 feet, thence westerly
32 approximately 900 feet, thence northerly approximately 800 feet. Thence leaving the forest
33 edge and cutting through a narrow neck of woods, still northerly approximately 200 feet,
34 then again with the forest edge westerly approximately 550 feet. Again cutting through a
35 neck of woods still westerly approximately 550 feet. Once again with the forest edge
36 southwesterly approximately 450 feet, thence northwesterly approximately 1,175 feet,
37 thence southerly approximately 500 feet, thence westerly with the forest edge
38 approximately 300 feet, thence northeasterly approximately 1,375 feet, thence
39 northwesterly approximately 375 feet, thence southwesterly approximately 650 feet, thence
40 northeasterly approximately 450 feet, thence still with the forest edge easterly
41 approximately 1,150 feet to the Park boundary. Thence with said Park boundary
42 northeasterly approximately 825 feet, thence northwesterly approximately 700 feet, thence
43 southwesterly approximately 800 feet, thence westerly approximately 350 feet, thence
44 northwesterly approximately 275 feet to an old field. Thence with the field on the right
45 hand and with the forest edge southwesterly approximately 375 feet, thence northwesterly

1 approximately 425 feet to Hipsley Mill Road. Thence with Hipsley Mill Road southwesterly
2 approximately 600 feet to the edge of an old field. Thence leaving Hipsley Mill Road and
3 with the field on the right hand and with the forest edge southeasterly approximately 350
4 feet, thence southwesterly through a narrow neck of woods approximately 525 feet, thence
5 still with the forest edge southeasterly approximately 1,150 feet, thence westerly
6 approximately 300 feet, thence southeasterly approximately 500 feet thence southerly
7 approximately 400 feet, thence easterly approximately 175 feet, thence with the field on
8 the right hand and with the forest edge southerly approximately 550 feet, thence westerly
9 approximately 200 feet, thence southwesterly approximately 475 feet, thence northwesterly
10 approximately 250 feet, thence northerly approximately 500 feet. Thence still with the
11 forest edge northerly approximately 350 feet, thence southerly approximately 550 feet,
12 thence northwesterly approximately 1,600 feet to the Hipsley Mill Road. Thence with the
13 eastern margin of said road right-of-way, southwesterly approximately 1,250 feet, thence
14 southerly approximately 750 feet again crossing the Patuxent River to the beginning point.

15 A twenty-five hundredths (0.25) of an acre parking area located approximately 50
16 feet northeast of the Patuxent River along the east side of Hipsley Mill Road shall be
17 excluded from the Patuxent River Wildland.

18 Parcel 2

19 Beginning at a point, said point being the beginning of the 2nd line of a tract of land
20 which by deed dated January 24, 1975, and recorded in the land records of Howard County
21 in Liber 719, Folio 027, was conveyed by Wiley G. Griffith to the State of Maryland, to the
22 use of the Department of Natural Resources, and running with said second line, south 69
23 degrees 25 minutes 30 seconds east 818.49 feet to a point, said point being the beginning of
24 the eleventh line of a tract of land which by deed dated, June 26, 1969, and recorded in the
25 land records of Howard County in Liber 513, Folio 289, was conveyed by Theron P. and
26 Elizabeth Sager to the State of Maryland, to the use of the Department of Forest and Parks,
27 and running with said line, south 70 degrees 50 minutes 20 seconds east 130.00 feet more
28 or less to a point, north 16 degrees 30 minutes 00 seconds east 960.00 feet to a point on the
29 southern edge of Annapolis Rock Road, thence running with the south side of said road in
30 a easterly direction to the intersection and western edge of Hipsley Mill Road, thence
31 running with the western edge of Hipsley Mill Road in a southwesterly direction 1800 feet
32 to a point in the western edge of said road, said point also being distant north 36 degrees
33 46 minutes 30 seconds west 150.00 feet from a point located north 56 degrees 03 minutes
34 23 seconds west 20.00 from the end of the 33rd line of a tract of land which by deed dated,
35 February 1, 1972, and recorded in the land records of Howard County in Liber 584, Folio
36 211, was conveyed by George G. and Sidney Ann Adams Wilson to the State of Maryland,
37 to the use of the Department of Forests and Parks, and running thence, north 56 degrees
38 03 minutes 23 seconds west 890 feet more or less to a point in the 30th line of said
39 mentioned conveyance, thence running with part of said 30th line, south 28 degrees
40 39 minutes 20 seconds west 1200.00 feet more or less to a point, north 67 degrees 00
41 minutes 00 seconds west 650.00 feet more or less to a point, north 81 degrees 30 minutes
42 00 seconds west 800.00 feet more or less feet to a point, north 33 degrees 30 minutes 00
43 seconds east 300.00 feet more or less to a point, north 57 degrees 00 minutes 00 seconds
44 west 430.00 feet more or less to a point, south 09 degrees 30 minutes 00 seconds west 550.00

1 feet more or less feet to a point, south 70 degrees 00 minutes 00 seconds east 930.00 feet
2 more or less to a point, north 66 degrees 30 minutes 00 seconds east 270.00 feet more or
3 less to a point, south 66 degrees 30 minutes 00 seconds east 840.00 feet more or less to a
4 point, south 31 degrees 00 minutes 00 seconds east 450.00 feet more or less to a point on
5 the west edge of Hipsley Mill Road, thence running with the west edge of said road 2850
6 feet more or less to a point, said point being distant north 76 degrees 02 minutes 12 seconds
7 west 20.00 feet from the beginning of the first line of a tract of land which by deed dated,
8 March 8, 1975, and recorded in the land records of Montgomery County in Liber 4633, Folio
9 650, was conveyed by William B. King to the State of Maryland, to the use of the
10 Department of Natural Resources, and running thence, north 76 degrees 02 minutes 12
11 seconds west 56.51 feet to a point, north 67 degrees 22 minutes 12 seconds west 612.57 feet
12 to a point, north 86 degrees 44 minutes 42 seconds west 219.50 feet to a point, said point
13 being the end of the third line of said aforementioned conveyance from King, thence
14 running, north 86 degrees 44 minutes 42 seconds west 221.81 feet to a point, said point
15 being the end of the 11th line of a tract of land which by deed dated June 10, 1971, and
16 recorded in the land records of Montgomery County in Liber 4081, Folio 247, was conveyed
17 by Margaret Gallagher to the State of Maryland, to the use of the Department of Forest
18 and Parks, and running thence with said eleventh line, north 66 degrees 36 minutes 14
19 seconds west 200.00 feet to a point, south 29 degrees 00 minutes 00 seconds west 1120.00
20 feet more or less to a point, north 83 degrees 00 minutes 00 seconds west 480.00 feet more
21 or less to a point, said point being distant south 34 degrees 16 minutes 36 seconds 200.00
22 feet from the end of the 7th line of the last mentioned deed, thence running, south 07
23 degrees 00 minutes 00 seconds west 800.00 feet more or less to a point, said point being in
24 the northernmost line of the PEPCO transmission line right of way, thence running along
25 the northern line of said right of way in a northwesterly direction 580.00 feet more or less
26 to a point, thence leaving said right of way and running north 11 degrees 00 minutes 00
27 seconds west 630.00 feet more or less to a point, said point being the end of the seventh line
28 of a tract of land which by deed dated September 2, 1971, and recorded in the land records
29 of Montgomery County in Liber 4118, Folio 689, was conveyed by A. W. Thompson to the
30 State of Maryland, to the use of the Department of Forest and Parks, and running thence
31 with the 8th, 9th and 10th line of the last mentioned deed, north 03 degrees 31 minutes 50
32 seconds west 305.50 feet to a point, north 50 degrees 13 minutes 45 seconds west 717.75
33 feet to a point, south 41 degrees 58 minutes 35 seconds west 492.54 feet to a point, said
34 point being the end of the 1st line of a tract of land which by deed dated January 6, 1981,
35 and recorded in the land records of Montgomery County in Liber 5641, Folio 156, was
36 conveyed by Jerome W. and Ella Jean Cassidy to the State of Maryland, to the use of the
37 Department of Natural Resources, and running thence with the 2nd, 3rd, 4th, 5th, 6th and
38 7th line of said deed, south 47 degrees 16 minutes 25 seconds east 656.72 feet to a point,
39 south 47 degrees 16 minutes 25 seconds east 232.01 feet to a point, south 68 degrees 42
40 minutes 42 seconds west 76.83 feet to a point, north 75 degrees 29 minutes 58 seconds west
41 122.09 feet to a point, south 85 degrees 00 minutes 00 seconds west 208.00 feet to a point
42 in the northernmost right of way line of PEPCO and running with said right of way in a
43 northwesterly direction 2100.00 feet more or less to a point, said point being south 65
44 degrees 44 minutes 39 seconds east from the end of the 2nd line of a tract of land which by
45 deed dated September 19, 1984, and recorded in the land records of Montgomery County in
46 Liber 6566, Folio 868, was conveyed by Kenneth and Nancy Zastrow to the State of
47 Maryland, to the use of the Department of Natural Resources, and running thence, north

1 08 degrees 30 minutes 45 seconds east 77.00 feet more or less to a point, north 13 degrees
2 18 minutes 12 seconds east 149.28 feet to a point, north 09 degrees 00 minutes 00 seconds
3 102.01 feet to a point, said point being the end of the 11th line of a tract of land which by
4 deed dated September 2, 1971 and recorded in the land records of Montgomery County in
5 Liber 4118, Folio 689, was conveyed by A. W. Thompson to the State of Maryland, to the
6 use of the Department of Natural Resources, and running thence, north 46 degrees 12
7 minutes 00 seconds east 1537.00 feet to a point on the south bank of the Patuxent River,
8 thence running with the south bank of said river in a northwesterly direction 300.00 feet
9 more or less to a point on the east side of Madcap Road, thence running with the east side
10 of Madcap Road in a northwesterly direction 600.00 feet more or less to a point on the
11 easternmost line of a gas line right of way, thence running with the easternmost line of said
12 right of way in a northerly direction 24000.00 feet more or less to a point, thence running
13 north 88 degrees 00 seconds 00 minutes east 250.00 feet more or less to the beginning.

14 Within this parcel of the Patuxent River Wildland are twenty (20) acres of leased
15 agricultural land located off the west side of Hipsley Mill Road approximately 700 feet from
16 the Patuxent River. This use may continue until December 31, 1998.

17 Parcel 3

18 Beginning at a point, said point being situated south 18 degrees 43 minutes 03
19 seconds west 859.29 feet from the beginning of the 12th line of a tract of land which by deed
20 dated December 3, 1975, and recorded in the land records of Howard County in Liber 747,
21 Folio 330, was conveyed by Howard and Mary Nicodemus to the State of Maryland, to the
22 use of the Department of Forest and Parks, said point also being a corner of the previously
23 established Patuxent River Wildland, and running thence, south 18 degrees 43 minutes 03
24 seconds west 400 feet more or less to a point, south 57 degrees 39 minutes 47 seconds east
25 935.90 feet to a point, south 69 degrees 09 minutes 01 seconds east 1,435.28 feet to a point,
26 south 08 degrees 27 minutes 54 seconds west 400.00 feet more or less to a point in a line of
27 the previously mentioned wildland, thence running with the outline of said wildland to the
28 point of beginning.

29 Within this parcel of the Patuxent River Wildland are thirty (30) acres of leased
30 agricultural land immediately south of Cabin Branch. This use may continue until
31 December 31, 1999.

32 Parcel 4

33 Beginning at a point, said point being the end of the 4th line of a tract of land which
34 by deed dated March 10 1972, and recorded in the land records of Montgomery County in
35 Liber 4193, Folio 797, was conveyed by Walter Tarlton Bryan to the State of Maryland, to
36 the use of the Department of Forests and Parks, said point also being a corner of the
37 previously established Patuxent River Wildland, and running thence, south 45 degrees 00
38 minutes 00 seconds west 450.00 feet more or less to a point, said point being in the northerly
39 right of way of the PEPCO transmission line, thence running with said right of way in a
40 northwesterly direction 2200.00 feet more or less to a point in a line of the aforementioned
41 wildland, and running thence with the outline of said wildland to the point of beginning.

1 Within this parcel of the Patuxent River Wildland are twenty (20) acres of leased
2 agricultural land located along the PEPCO power line right of way approximately 2400 feet
3 east of Hipsley Mill Road. This use may continue until December 31, 1998.

4 **(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, TO**
5 **PRESERVE, MAINTAIN, STUDY, RESEARCH, AND EDUCATE THE PUBLIC ABOUT THE**
6 **AREA’S ECOLOGICAL FEATURES AND RARE HABITATS, WITHIN THE PATUXENT**
7 **RIVER WILDLAND THE DEPARTMENT MAY:**

8 **(I) RETAIN, MAINTAIN, REMOVE, OR REPLACE EXISTING**
9 **TRAILS USING MECHANICAL OR MOTORIZED EQUIPMENT; AND**

10 **(II) REMOVE, REPLACE, OR DISPOSE OF NONNATIVE SPECIES**
11 **USING MECHANICAL OR MOTORIZED EQUIPMENT.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.