



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: HB 784

Short Title: Department of Natural Resources - Irreplaceable Natural Areas Program - Establishment

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources (Department or DNR) provides the following information on HB784.

The bill requires the Department to create regulations, which identify, describe, and create a management prescription for areas that are home to species designated as rare, threatened or endangered. The criteria for site selection are prescribed in the bill, although only in general terms.

DNR's land units are designated according to their significance, resource management practices, and recreational focus. One of our Maryland State Park designations is a Natural Environment Area (NEA). NEAs are generally state parks with significant or unique geological or ecological resources, including rare, threatened and endangered flora and fauna. These areas are often managed in cooperation with DNR's Wildlife and Heritage Service (WHS) to preserve and restore the park's unique natural resources and biological diversity. Recreational development is secondary to preservation objectives with a primary focus on interpretation and environmental education.

Likewise, HB784 is similar to the existing Wildlands laws and provisions. Wildlands are unalterable without the formal consent of the Maryland General Assembly through legislative action. Under HB784, Irreplaceable Natural Areas could be altered, modified, or presumably eliminated through regulation by DNR. State forests are already required to protect rare species through dual certification for Sustainable Forestry as required by law (Nat. Res. Art. 5-102.b.(6)), and additional regulation could set up conflicts between that and requirements of the two certifying bodies.

For purposes of future land acquisitions, Maryland's Green Infrastructure Assessment identified Targeted Ecological Areas, which are lands and watersheds of high ecological value that have been identified as conservation priorities by DNR. The associated BioNet map identifies areas that support rare, threatened, and endangered species; rare and high quality plant and animal

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communities; species of Greatest Conservation Need; wildlife concentrations; and important habitats needed for wildlife migration and movements related to climate change.

However DNR utilizes discretion in publicly documenting the precise locations of rare, threatened, and endangered species when there is concern that illegal collection or poaching could occur. This is particularly true for reptiles and medicinal plants that are valuable in illegal trades. The bill, as proposed, requires mapping of these areas, which could unintentionally jeopardize rare, threatened, and endangered species.

For any additional information, please contact our Legislative and Constituent Services Director, Bunky Luffman.