



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

March 11, 2025

BILL NUMBER: Senate Bill 968 – First Reader

SHORT TITLE: Howard County - Patuxent River Wildland - Use of Motor Vehicles and Motorized Equipment Ho. Co. 5-25

DEPARTMENT'S POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports SB 968 with amendments because as amended it would make the language related to the Patuxent River Wildland consistent with statutory language for other wildlands. It will also provide the Department with the express authority to use mechanized and motorized equipment for specific limited purposes such as maintaining emergency access.

BACKGROUND INFORMATION

Maryland Wildlands are areas of state-owned land or water that have retained their wilderness character or contain rare or vanishing species of plant or animal life or similar features worthy of preservation. Designated by the Maryland General Assembly, they may include unique ecological, geological, scenic and contemplative recreational areas. State-designated Wildlands are managed for passive recreation only, including hiking, hunting, fishing, bird watching, horseback riding and nature interpretation. The Patuxent River Wildland is a total of 1,579 acres within Patuxent River State Park in Howard and Montgomery Counties.

BILL EXPLANATION

SB 968 as drafted authorizes the Department of Natural Resources to enter into certain use agreements to facilitate the use of motor vehicles and motorized equipment for the purpose of maintaining certain paths within the Patuxent River Wildland.

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BY:
(To be offered in the Education, Energy, and the Environment Committee)

AMENDMENTS TO SENATE BILL 968
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 through 3, inclusive, and substitute “**Natural Resources – Wildland Areas – Patuxent River Wildland**”; strike beginning with “enter” in line 5 down through “paths” in line 7 and substitute “use mechanical or motorized equipment for certain activities”; after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–1203(a)

Annotated Code of Maryland

(2023 Replacement Volume and 2024 Supplement)”; and in line 11, strike “5–1212” and substitute “5–1203(h)”.

AMENDMENT NO. 2

On pages 1 through 2, strike in their entirety the lines beginning with line 17 on page 1 through line 9 on page 2, inclusive, and substitute:

“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.

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

Parcel 1:

Beginning at a point on the south shore of the Patuxent River at the eastern margin of the right-of-way of the Hipsley Mill Road, and proceeding counterclockwise about the boundary of the wildland area, southwesterly with said right-of-way margin approximately 3,050 feet to the southern boundary of Patuxent River State Park (hereafter the Park). Thence leaving Hipsley Mill Road and following said Park boundary southeasterly approximately 1,700 feet; thence leaving the Park boundary and with the forest bounding a field, on the right hand, easterly approximately 1,400 feet. Still with the forest edge southwesterly approximately 300 feet, thence easterly approximately 300 feet, thence southeasterly approximately 800 feet, thence southwesterly approximately 475 feet, again to the Park boundary. Thence with said Park boundary southeasterly approximately 550 feet. Then leaving the Park boundary and again with the forest edge northeasterly approximately 1,150 feet, southeasterly approximately 400 feet, southerly approximately 275 feet, thence southeasterly approximately 750 feet, thence northeasterly approximately 550 feet, thence southeasterly approximately 250 feet, thence northeasterly approximately 500 feet. Thence still with the forest edge southeasterly approximately 600 feet, thence southwesterly approximately 750 feet, thence easterly approximately 150 feet thence southerly approximately 250 feet, thence easterly approximately 900 feet. Thence again with the forest edge northeasterly approximately 1,100 feet, thence easterly approximately 300 feet, thence northeasterly approximately 1,400 feet, thence southeasterly approximately 650 feet, thence northerly approximately 1,050 feet, thence northeasterly approximately 550 feet, thence northerly approximately 420 feet to the Patuxent River. Thence crossing the river in a northwesterly direction approximately 100 feet. Thence with the forest edge and the river southeasterly approximately 300 feet; then leaving the river and following the forest edge northeasterly with a field on the right, approximately 150 feet thence northerly approximately 420 feet, thence northwesterly approximately 475 feet, thence northerly approximately 400 feet. Thence still with the forest edge easterly approximately 150 feet, thence northerly approximately 650 feet, thence westerly approximately 900 feet, thence northerly approximately 800 feet. Thence leaving the forest edge and cutting through a narrow neck of woods, still northerly approximately 200 feet, then again with the forest edge westerly approximately 550 feet. Again cutting through a neck of woods still westerly approximately 550 feet. Once again with the forest edge southwesterly approximately 450 feet, thence northwesterly approximately 1,175 feet, thence southerly approximately 500 feet, thence westerly with the forest edge approximately 300 feet, thence northeasterly

approximately 1,375 feet, thence northwesterly approximately 375 feet, thence southwesterly approximately 650 feet, thence northeasterly approximately 450 feet, thence still with the forest edge easterly approximately 1,150 feet to the Park boundary. Thence with said Park boundary northeasterly approximately 825 feet, thence northwesterly approximately 700 feet, thence southwesterly approximately 800 feet, thence westerly approximately 350 feet, thence northwesterly approximately 275 feet to an old field. Thence with the field on the right hand and with the forest edge southwesterly approximately 375 feet, thence northwesterly approximately 425 feet to Hipsley Mill Road. Thence with Hipsley Mill Road southwesterly approximately 600 feet to the edge of an old field. Thence leaving Hipsley Mill Road and with the field on the right hand and with the forest edge southeasterly approximately 350 feet, thence southwesterly through a narrow neck of woods approximately 525 feet, thence still with the forest edge southeasterly approximately 1,150 feet, thence westerly approximately 300 feet, thence southeasterly approximately 500 feet thence southerly approximately 400 feet, thence easterly approximately 175 feet, thence with the field on the right hand and with the forest edge southerly approximately 550 feet, thence westerly approximately 200 feet, thence southwesterly approximately 475 feet, thence northwesterly approximately 250 feet, thence northerly approximately 500 feet. Thence still with the forest edge northerly approximately 350 feet, thence southerly approximately 550 feet, thence northwesterly approximately 1,600 feet to the Hipsley Mill Road. Thence with the eastern margin of said road right-of-way, southwesterly approximately 1,250 feet, thence southerly approximately 750 feet again crossing the Patuxent River to the beginning point.

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

Parcel 2

Beginning at a point, said point being the beginning of the 2nd line of a tract of land which by deed dated January 24, 1975, and recorded in the land records of Howard County in Liber 719, Folio 027, was conveyed by Wiley G. Griffith to the State of Maryland, to the use of the Department of Natural Resources, and running with said second line, south 69 degrees 25 minutes 30 seconds east 818.49 feet to a point, said point being the beginning of the eleventh line of a tract of land which by deed dated, June 26, 1969, and recorded in the land records of Howard County in Liber 513, Folio 289, was conveyed by Theron P. and Elizabeth Sager to the State of Maryland, to the use of the Department of Forest and Parks, and running with said line, south 70 degrees 50 minutes 20 seconds east 130.00 feet more or less to a point, north 16 degrees 30 minutes 00 seconds east 960.00 feet to a point on the southern edge of Annapolis Rock Road, thence running with the south side of said road in a easterly direction to the intersection and western edge of Hipsley Mill Road, thence running with the western edge of Hipsley Mill Road in a southwesterly direction 1800 feet

to a point in the western edge of said road, said point also being distant north 36 degrees 46 minutes 30 seconds west 150.00 feet from a point located north 56 degrees 03 minutes 23 seconds west 20.00 from the end of the 33rd line of a tract of land which by deed dated, February 1, 1972, and recorded in the land records of Howard County in Liber 584, Folio 211, was conveyed by George G. and Sidney Ann Adams Wilson to the State of Maryland, to the use of the Department of Forests and Parks, and running thence, north 56 degrees 03 minutes 23 seconds west 890 feet more or less to a point in the 30th line of said aforementioned conveyance, thence running with part of said 30th line, south 28 degrees 39 minutes 20 seconds west 1200.00 feet more or less to a point, north 67 degrees 00 minutes 00 seconds west 650.00 feet more or less to a point, north 81 degrees 30 minutes 00 seconds west 800.00 feet more or less feet to a point, north 33 degrees 30 minutes 00 seconds east 300.00 feet more or less to a point, north 57 degrees 00 minutes 00 seconds west 430.00 feet more or less to a point, south 09 degrees 30 minutes 00 seconds west 550.00 feet more or less feet to a point, south 70 degrees 00 minutes 00 seconds east 930.00 feet more or less to a point, north 66 degrees 30 minutes 00 seconds east 270.00 feet more or less to a point, south 66 degrees 30 minutes 00 seconds east 840.00 feet more or less to a point, south 31 degrees 00 minutes 00 seconds east 450.00 feet more or less to a point on the west edge of Hipsley Mill Road, thence running with the west edge of said road 2850 feet more or less to a point, said point being distant north 76 degrees 02 minutes 12 seconds west 20.00 feet from the beginning of the first line of a tract of land which by deed dated, March 8, 1975, and recorded in the land records of Montgomery County in Liber 4633, Folio 650, was conveyed by William B. King to the State of Maryland, to the use of the Department of Natural Resources, and running thence, north 76 degrees 02 minutes 12 seconds west 56.51 feet to a point, north 67 degrees 22 minutes 12 seconds west 612.57 feet to a point, north 86 degrees 44 minutes 42 seconds west 219.50 feet to a point, said point being the end of the third line of said aforementioned conveyance from King, thence running, north 86 degrees 44 minutes 42 seconds west 221.81 feet to a point, said point being the end of the 11th line of a tract of land which by deed dated June 10, 1971, and recorded in the land records of Montgomery County in Liber 4081, Folio 247, was conveyed by Margaret Gallagher to the State of Maryland, to the use of the Department of Forest and Parks, and running thence with said eleventh line, north 66 degrees 36 minutes 14 seconds west 200.00 feet to a point, south 29 degrees 00 minutes 00 seconds west 1120.00 feet more or less to a point, north 83 degrees 00 minutes 00 seconds west 480.00 feet more or less to a point, said point being distant south 34 degrees 16 minutes 36 seconds 200.00 feet from the end of the 7th line of the last mentioned deed, thence running, south 07 degrees 00 minutes 00 seconds west 800.00 feet more or less to a point, said point being in the northernmost line of the PEPCO transmission line right of way, thence running along the northern line of said right of way in a northwesterly direction 580.00 feet more or less to a point, thence leaving said right of way and running north 11 degrees 00 minutes 00 seconds west 630.00 feet more or less to a point, said point being the end of the seventh line of a tract of land which by deed dated September 2, 1971, and recorded in the land records of Montgomery County in Liber 4118, Folio 689, was conveyed by A. W. Thompson to the State of Maryland, to the use of the

Department of Forest and Parks, and running thence with the 8th, 9th and 10th line of the last mentioned deed, north 03 degrees 31 minutes 50 seconds west 305.50 feet to a point, north 50 degrees 13 minutes 45 seconds west 717.75 feet to a point, south 41 degrees 58 minutes 35 seconds west 492.54 feet to a point, said point being the end of the 1st line of a tract of land which by deed dated January 6, 1981, and recorded in the land records of Montgomery County in Liber 5641, Folio 156, was conveyed by Jerome W. and Ella Jean Cassidy to the State of Maryland, to the use of the Department of Natural Resources, and running thence with the 2nd, 3rd, 4th, 5th, 6th and 7th line of said deed, south 47 degrees 16 minutes 25 seconds east 656.72 feet to a point, south 47 degrees 16 minutes 25 seconds east 232.01 feet to a point, south 68 degrees 42 minutes 42 seconds west 76.83 feet to a point, north 75 degrees 29 minutes 58 seconds west 122.09 feet to a point, south 85 degrees 00 minutes 00 seconds west 208.00 feet to a point in the northernmost right of way line of PEPCO and running with said right of way in a northwesterly direction 2100.00 feet more or less to a point, said point being south 65 degrees 44 minutes 39 seconds east from the end of the 2nd line of a tract of land which by deed dated September 19, 1984, and recorded in the land records of Montgomery County in Liber 6566, Folio 868, was conveyed by Kenneth and Nancy Zastrow to the State of Maryland, to the use of the Department of Natural Resources, and running thence, north 08 degrees 30 minutes 45 seconds east 77.00 feet more or less to a point, north 13 degrees 18 minutes 12 seconds east 149.28 feet to a point, north 09 degrees 00 minutes 00 seconds 102.01 feet to a point, said point being the end of the 11th line of a tract of land which by deed dated September 2, 1971 and recorded in the land records of Montgomery County in Liber 4118, Folio 689, was conveyed by A. W. Thompson to the State of Maryland, to the use of the Department of Natural Resources, and running thence, north 46 degrees 12 minutes 00 seconds east 1537.00 feet to a point on the south bank of the Patuxent River, thence running with the south bank of said river in a northwesterly direction 300.00 feet more or less to a point on the east side of Madcap Road, thence running with the east side of Madcap Road in a northwesterly direction 600.00 feet more or less to a point on the easternmost line of a gas line right of way, thence running with the easternmost line of said right of way in a northerly direction 24000.00 feet more or less to a point, thence running north 88 degrees 00 seconds 00 minutes east 250.00 feet more or less to the beginning.

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

Parcel 3

Beginning at a point, said point being situated south 18 degrees 43 minutes 03 seconds west 859.29 feet from the beginning of the 12th line of a tract of land which by deed dated December 3, 1975, and recorded in the land records of Howard County in Liber 747, Folio 330, was conveyed by Howard and Mary Nicodemus to the State of Maryland, to the use of

the Department of Forest and Parks, said point also being a corner of the previously established Patuxent River Wildland, and running thence, south 18 degrees 43 minutes 03 seconds west 400 feet more or less to a point, south 57 degrees 39 minutes 47 seconds east 935.90 feet to a point, south 69 degrees 09 minutes 01 seconds east 1,435.28 feet to a point, south 08 degrees 27 minutes 54 seconds west 400.00 feet more or less to a point in a line of the previously mentioned wildland, thence running with the outline of said wildland to the point of beginning.

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

Parcel 4

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

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

(2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, TO PRESERVE, MAINTAIN, STUDY, RESEARCH, AND EDUCATE THE PUBLIC ABOUT THE AREA'S ECOLOGICAL FEATURES AND RARE HABITATS, WITHIN THE PATUXENT RIVER WILDLAND, THE DEPARTMENT MAY:

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

(II) REMOVE, REPLACE, OR DISPOSE OF NON-NATIVE SPECIES USING MECHANICAL OR MOTORIZED EQUIPMENT."