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Committee: Environment and Transportation
Testimony: HB 072 - Natural Resources - Edible Forests and Foraging Program
- Establishment
Position: Favorable with Amendments
Hearing Date: February 4, 2026

The Maryland Chapter of the Sierra Club urges a favorable report, with amendments, on HB 72. The bill would support the creation of community-based, small-scale farming with native fruit and nut trees, shrubs, and herbaceous plants on appropriate state lands. The bill would also create a foraging program subject to permits to support better management of foraging on designated state lands.

In recent years, community groups around the state (and the country) have come together to establish “edible forests” or “food forests” that convert unproductive land into opportunities for local cooperation and sources of free healthy foods. These areas can help provide education on the value of our native plants to the environment and to people. By utilizing native species that produce edible fruits and nuts, these cultivated areas also support wildlife that is adapted to feeding on them. This bill would create a program within the Department of Natural Resources (DNR) to establish and maintain such edible forests.

Sierra Club supports this kind of cultivation on state-owned land as long as it is restricted to sites outside of undisturbed natural areas. Good locations could be abandoned farmland, turf grass areas, closed parking lots, or neglected sites in search of a purpose, especially in urban areas. State-owned undisturbed natural areas should be excluded due to their scarcity and fragility if overburdened. As practiced in most edible forests, any new plantings should be limited to native species. These plants should be selected from over 675 species on the Commercial Maryland Native Plant List.¹

The bill also would create a foraging program that, through permitting and enforcement, could help channel foraging on other state lands to times, locations, and amounts that are sustainable. We are concerned, though, about potential risks of expanded foraging in our natural areas and thus recommend amending the language in the bill regarding foraging to ensure that the actions promoted are truly safe and sustainable. This could involve limiting foraging to fruits and nuts from specific native trees and shrubs that are easy to identify and have healthy populations (such as pawpaw, persimmon, walnut, hazelnut, oaks, hickories, and sumacs) and to specific, easy-to-identify invasive plants. We anticipate that regulations would also need to set limits on times, locations, and amounts of harvests to ensure that sufficient native fruits and nuts are available to

¹ See <https://docs.google.com/spreadsheets/d/1G4eoUbqfp0M8vwNd-EsgVHB0ISrO0350v-0NwbGdKPQ/edit?gid=1701172215#gid=1701172215>.

wildlife and to sustain robust populations of those plant species. Additionally, appropriate disposal of uneaten invasive plant parts should be specified to prevent spread.

Guidance may also be necessary to prevent foragers from collecting poisonous plants or rare, threatened, and endangered species. If foraging wildflowers and other herbaceous species is allowed, it should exclude roots, tubers, and other underground parts, as removing them usually destroys a plant.³ The Committee should also consider how to avoid undermining DNR's long-standing efforts to prevent park visitors from wandering off trail and inadvertently trampling fragile plants, wildlife, and habitats.⁴ We are also concerned that proper enforcement would require additional resources that could be difficult to obtain within the Department's tight budget. Given the challenges of establishing this type of new program, it might be best preceded by a study or piloting in a few areas.

We commend the sponsors for their efforts to broaden sustainable connections of communities with our forested lands. With amendments that address these concerns, the Maryland Sierra Club recommends a favorable report on HB 72.

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³ Tkacik, C., "Foodies have loved ramps to death," *Baltimore Sun*, May 5, 2022 (<https://www.baltimoresun.com/2022/05/04/foodies-have-loved-ramps-to-death-now-baltimore-chefs-aim-to-ramp-up-marylands-supply-of-the-garlicky-tasty-plant/>).

⁴ "Leave No Trace in Maryland State Parks," Maryland DNR, c. 2021 (<https://dnr.maryland.gov/publiclands/pages/lnt.aspx>).