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State “Mini”-NEPA Statutes: *Maryland*



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MD Nat. Res. §§ 1-301 to 305

Current through legislation effective July 1, 2025, of the 2025 Regular Session of the General Assembly.

MD Nat. Res. § 1-301. Definitions.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Environmental effects report” means a report on each proposed State action significantly affecting the environment, natural as well as socioeconomic and historic.
- (c) “Historic resources” means those resources included in the Maryland inventory of historic sites.
- (d) “Proposed State action” means requests for legislative appropriations or other legislative actions that will alter the quality of the air, land, or water resources. It does not include a request for an appropriation or other action with respect to the rehabilitation or maintenance of existing secondary roads.
- (e) “State agencies” includes the executive and administrative departments, offices, boards, commissions, and other units of the State government and any such bodies created by the State.

MD Nat. Res. § 1-302. Declaration of Policy.

- (a) The General Assembly of Maryland finds and declares the facts and policies set forth in this section.
- (b) The protection, preservation, and enhancement of the State’s diverse environment is necessary for the maintenance of the public health and welfare and the continued viability of the economy of the State and is a matter of the highest public priority.
- (c) All State agencies must conduct their affairs with an awareness that they are stewards of the air, land, water, living and historic resources, and that they have an obligation to protect the environment for the use and enjoyment of this and all future generations.



(d) Each person has a fundamental and inalienable right to a healthful environment, and each person has a responsibility to contribute to the protection, preservation, and enhancement of the environment.

(e) It is the continuing policy of the State to cooperate with the federal government, other state governments, the District of Columbia, the political subdivisions of the State, and other concerned public and private organizations and individuals, in a manner calculated to protect, preserve, and enhance the environment.

(f) The determination of an optimum balance between economic development and environmental quality requires the most thoughtful consideration of ecological, economic, developmental, recreational, historic, architectural, aesthetic, and other values.

(g) Beneficial environmental effects of proposed actions can be identified and measures devised to obtain these benefits if environmental evaluations are made a part of the decision-making process of the State.

(h) Adverse environmental effects of proposed actions can be anticipated, minimized, and often eliminated if environmental evaluations are made a part of the decision-making processes of the State.

(i) Environmental effects reports can facilitate the fullest practicable provision of timely public information, understanding, and participation in the decision-making processes of the State.

(j) The General Assembly has an obligation to the people of Maryland to review and evaluate proposed appropriations and other proposed legislation and the conduct of the State agencies in carrying out the policy set forth in this subtitle.

(k) The policies, rules, regulations, and public laws of the State shall be interpreted and administered in accordance with the policies set forth in this subtitle.

MD Nat. Res. § 1-303. Responsibilities and Duties of State Agencies.

All State agencies, except where existing law expressly prohibits, shall identify, develop, and adopt methods and procedures that will assure that:

(1) Environmental amenities and values are given appropriate consideration in planning and decision-making along with economic and technical considerations;



(2) Studies are undertaken to develop and describe appropriate alternatives to present policies, programs, and procedures that involve significant adverse environmental effects or unresolved conflicts concerning uses of available resources; and

(3) Planning and decision-making involving environmental effects are undertaken with the fullest practicable provision of timely public information and understanding and in coordination with public and private organizations and individuals with jurisdiction by law, special expertise, or recognized interest.

MD Nat. Res. § 1-304. Environmental Effects Reports.

(a) As of July 1, 1974, all State agencies shall prepare, in conjunction with each proposed State action significantly affecting the quality of the environment, an environmental effects report including, but not limited to, a discussion of:

(1) The effects of the proposed action on the environment, including adverse and beneficial environmental effects that are reasonably likely if the proposal is implemented or if it is not implemented;

(2) Measures that might be taken to minimize potential adverse environmental effects and maximize potential beneficial environmental effects, including monitoring, maintenance, replacement, operation, and other follow-up activities; and

(3) Reasonable alternatives to the proposed action that might have less adverse environmental effects or greater beneficial environmental effects, including, the alternative of no action.

(b) The Secretary of Natural Resources prior to December 31, 1973, shall issue guidelines to assist State agencies in the preparation of environmental effects reports in accordance with this subtitle and pursuant to the public notice provisions of § 10-112 of the State Government Article, including, but not limited to, provision for:

(1) Comment upon the proposed State action by public and private organizations and individuals with jurisdiction by law, special expertise, or recognized interest prior to the request for legislation;

(2) The possibility of the preparation of single program environmental effects reports if a series of actions taken individually are of minimal significance but if the cumulative effect of the actions on the environment is significant or if a series of actions are related either



geographically or as logical parts in a chain of contemplated actions;

(3) The possibility of the preparation of modified environmental effects reports on remaining decisions significantly affecting the quality of the environment that are parts of actions begun before but not completed by July 1, 1974; and

(4) The issuance of guidelines, in accordance with this subtitle and pursuant to the guidelines issued by the Secretary of Natural Resources, for the preparation of environmental effects reports by each State agency that takes actions that significantly affect the quality of the environment.

MD Nat. Res. § 1-305. Short title.

This subtitle may be cited as the “Maryland Environmental Policy Act”.

