

Tuesday, March 5, 2024

**TO:** Brian Feldman, Chair of the Senate Education, Energy and Environment Committee, and Committee Members

**FROM:** Deborah Landau, PhD, The Nature Conservancy, Director of Ecological Management; Michelle Dietz, The Nature Conservancy, Director of Government Relations

**POSITION:** Support SB 915 Agriculture – Invasive Plant Species – Regulation (Biodiversity and Agriculture Protection Act)

The Nature Conservancy (TNC) supports SB 915 offered by Senator Brooks Foley. TNC is a global conservation organization working to conserve the lands and waters on which all life depends. In Maryland, our work focuses on delivering science-based, on-the-ground solutions that secure clean water and healthy living environments for our communities, reducing greenhouse gas emissions and increasing resilience in the face of a changing climate. We are dedicated to a future where people and nature thrive together.

Maryland has almost 300 known invasive plant species. In 2011, Maryland legislators enacted the state's first law to regulate the sale of terrestrial invasive plants. This legislation established a two-tier system, with the prohibition of Tier 1 plants and warning signage for Tier 2 plants. In the years since the original legislation was enacted, only 6 plants have been prohibited and listed under Tier 1, and 13 listed under Tier 2, despite the growing impact of invasive plants on Maryland's ecosystems and biodiversity, parks, private property, and agricultural lands. Staff from The Nature Conservancy worked to pass the original legislation on invasive plants. The bill was crafted with good intentions to lead to actual change in invasive species management in Maryland; however, in practice, this bill's implementation has proven to be an arduous process. The evaluation process to list plant species as invasive is lengthy and has become cumbersome. Due to state agency staffing capacity challenges, species that are known to be invasive have yet to be assessed.

SB 915 would work to streamline invasive plants' regulation and create a process that will result in more harmful invasive plants being identified in Maryland. The bill will increase the number of Tier 1 species that are prohibited from sale and propagation by expanding the regulatory process to include aquatic vegetation and requiring Tier 2 species to be transferred to the Prohibited List with a reasonable transition time as to minimize impacts to nursery trade and sellers. This adjustment will ensure that destructive species that are widely established, like English ivy and running bamboo, are included in sale prohibitions. And finally, the bill will replace the state's existing and time-consuming risk assessment tool with a more efficient status assessment protocol. Maryland needs to address invasive plants more quickly to reduce eradication and management costs in the future. The proposed assessment tool is in use and has been proven effective by other Mid-Atlantic states, including Delaware.

The Nature Conservancy thanks Senator Brooks for introducing SB 915 which will help to protect Maryland's natural areas, including our state's rare and threatened native species, by adjusting the process in which invasive plant species are assessed and regulated in the state.

**Therefore, we urge a favorable report on SB 915.**