



# Maryland Native Plant Society

APPRECIATION CONSERVATION EDUCATION

**Testimony:** SB431, Endangered and Threatened Species and Migratory Birds – Regulations, Lists, Petitions, Essential Habitats, and Takings

**Committee:** Education, Energy and the Environment

**Hearing Date:** February 17, 2026

**Position:** FAVORABLE

Chair Feldman, Vice Chair Kagan, and honorable members of the Committee:

The Maryland Native Plant Society supports Senate Bill 431, which clarifies and strengthens protections for Maryland’s plants, wildlife, and natural areas in the face of potential federal weakening of the Endangered Species Act (ESA).

Ensuring the survival of threatened and endangered plants and wildlife is contingent upon not just protecting individual species but also protecting the habitat that the species needs to survive. This concept of protecting an endangered species and its habitat from “harm” is currently part of the Federal ESA; however, the U. S. Fish & Wildlife Service and the National Oceanic & Atmospheric Administration are seeking to limit the definition of “harm” to only apply to the deliberate killing or injuring of a protected species. Codifying the current broader definition of “harm” in Maryland law will provide needed protections for our endangered plants and wildlife.

This bill also addresses the need to periodically review and update the list of Maryland’s Irreplaceable Natural Areas (INAs). Following legislation in 2022 creating the INA program, the Department of Natural Resources designated 326 INAs across our state. INAs are areas “with habitat necessary to support a unique natural community or a plant or animal species listed as Threatened or Endangered by the State.”<sup>1</sup> These areas are critical to protect Maryland’s rare plants, wildlife, and unique ecosystems.

**The Maryland Native Plant Society respectfully urges a favorable report on SB431.**

Jill Fonda Allen  
Board, Maryland Native Plant Society  
jill.fonda.cgc@gmail.com

Judy Fulton  
President, Maryland Native Plant Society  
Jfulton5@gmail.com

<sup>1</sup> Maryland Department of Natural Resources. 2023. Accessed 2/13/26. Maryland's Irreplaceable Natural Areas. <https://dnr.maryland.gov/wildlife/pages/ina.aspx>