



# CHESAPEAKE BAY FOUNDATION

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## Senate Bill 431

### Fish and Wildlife – Endangered and Threatened Species and Migratory Birds – Regulations, Lists, Petitions, Essential Habitats, and Takings

**Date:** February 17, 2026

**To:** Education, Energy, & Environment Committee

**Position:** **FAVORABLE**

**From:** Gussie Maguire,  
MD Staff Scientist

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The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 431**, which codifies essential protections for threatened and endangered species and their habitats, including providing a specific definition of “harm” to these species. The bill also explicates conditions for delisting species that are no longer threatened or endangered, either through recovery, extinction, or reclassification.

Scientists have declared the current time period as the “sixth mass extinction” event, driven by human impacts, including habitat loss and fragmentation, pollution, invasive species, and climate change. In Maryland alone, nearly 350 species are at risk of extinction or extirpation. Erosion of protections under the federal Endangered Species Act in recent years has placed threatened and endangered species at greater risk than ever before and necessitates strong state protections to prevent future species listings and further decline.

The bill instructs the Department of Natural Resources (DNR) to consider best available data and reasonable threats in the foreseeable future, including environmental variability—already seen throughout the state in response to climate change—when updating state regulation of threatened and endangered species and irreplaceable natural areas. Further, it empowers the DNR Secretary to designate areas as essential habitats for endangered and threatened species. Crucially, SB 431 also defines “harm” to a species to include both acts that kill or injure directly as well as significant change or degradation of their habitat. Common sense indicates that destroying an animal’s home would in turn cause it harm, but this definition ensures that common sense interpretation carries into legal protection.

Finally, the bill requires review of threatened and endangered species regulations at least every 10 years. Given rapidly changing environmental conditions due to climate change, periodic review of regulations to ensure they are sufficiently protective of these species and their habitats are warranted.

**CBF urges the Committee’s FAVORABLE report on SB 431.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

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*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*