



March 9, 2022

SB0783: Constitutional Amendment – Environmental Rights

Position: Support

The Maryland Ornithological Society (MOS) whole-heartedly supports HB0791: Constitutional Amendment—Environmental Rights. We ask that the Senate Judicial Proceedings Committee issue a favorable report on the bill and move it to the floor of the House of Delegates.

This bill would grant every citizen a fundamental and inalienable right to a healthful and sustainable environment. It further would make the state a trustee of the state's natural resources, requiring it to protect said resources for the benefit of present and future generations. This amendment would create an enforceable right to a healthful environment, strengthen the state's and local governments' ability to protect natural resources, and would promote environmental justice.

This bill will empower underserved communities' ability to protect themselves from environmental harm. Almost 80% of incinerators in the U.S. are located in marginalized communities, i.e. low-income and/or communities of color.¹ Here in Maryland, the Bresco incinerator threatens the health of communities in Curtis Bay in Baltimore.²

MOS supports this amendment as it will allow us and other bird enthusiasts to hold the state and local governments accountable for protecting the birds and their habitats, that we seek. The birds are a vital and integral part of our functioning ecosystem, but they lack a voice. It is up to us to support them in their struggle to survive and reproduce, and fill their roles in the ecosystem.

Maryland sits in a vital position along one of the four major migration flyways, Maryland, the Atlantic Flyway, and billions of migrating birds pass through our state each migration season. Our State bird, the Baltimore Oriole, is one such migrant that returns yearly to breed and departs in Fall for wintering grounds in Central and South America. Indeed, according to the Maryland Bird Conservation Partnership (MBCP), "Maryland (has) features that support an impressive diversity of

¹ Li, Rina, Nearly 80% of US incinerators located in marginalized communities, report reveals, May 23, 2019, <https://www.wastedive.com/news/majority-of-us-incinerators-located-in-marginalized-communities-report-r/555375/>

² Shen, Fern, Bresco incinerator is poisoning families, protesters outside Young's house say, October 11, 2020, <https://www.baltimorebrew.com/2020/10/11/bresco-incinerator-is-poisoning-families-protesters-outside-youngs-house-say/>

ecosystems, habitats, and species. Because of a variety of threats, some 143 species of birds have been recognized as ‘Species of Greatest Conservation Need’’. The MBCP further notes that, “Over 200 species of birds breed in Maryland, more than half of which are considered to be Species of Greatest Conservation Need.” Many species that breed in the state migrate to other areas outside of breeding season. Given the mobility of birds, planning at the landscape level and considering species needs during their full life cycle is important.

The diversity of bird species and their habitats is under increasing threat. Unless concerted efforts are taken in the near future Maryland will lose some of its greatest assets – healthy natural systems and the wide range of birds, plants, and other wildlife that they support. Maryland risks economic impact as well as a decrease in quality of life. An estimated 900,000 residents and non-residents enjoy birding in the state. While Marylanders generated \$483 million from wildlife-watching activities in 2011, the Total Industrial Output (TIO), which includes, direct, indirect, and induced effects, totaled over \$909 million, produced 10,807 full- and part-time jobs, and generated \$88.4 million in state and local tax revenue. Nationally, Americans who watch and feed birds contribute \$41 billion to the nation’s economy every year.³

Birds provide invaluable ecological services in areas of pest control, seed dispersal, and pollination. The immediate threats to their survival and a disruption to our symbiotic relationship with them are matters of great importance for a variety of reasons.

It is for these reasons we support our birds and their habitat, and urge the passage of SB0783: Constitutional Amendment—Environmental Rights.

The Maryland Ornithological Society (MOS) is a statewide nonprofit organization established in 1945 and devoted to the study and conservation of birds. Currently we have 15 chapters and approximately 1,800 members. Some are scientists and naturalists, but our membership includes people of all ages and all walks of life, from physicists to firefighters, legislators to landscapers. Birding is one of the fastest growing types of outdoor recreation.

Sincerely,

Kurt R. Schwarz
Conservation Chair
MOS
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³ US Fish and Wildlife Service, Economic Impact: Birds, Birdwatching and the U.S. Economy, November 16, 2017, <https://www.fws.gov/birds/bird-enthusiasts/bird-watching/valuing-birds.php>

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