

# **ASCM Testimony HB15 Jan242022.pdf**

Uploaded by: Angela Moxley

Position: FAV



January 24, 2022

Audubon Society of Central Maryland  
P.O. Box 660  
Mount Airy, MD 21771

Dear Maryland Delegates:

The Audubon Society of Central Maryland is a 501 c 3 organization, with a mission to protect and restore birds, other wildlife, and their habitats, through stewardship, education, and advocacy, for the benefit of people and the earth. A chapter of the National Audubon Society, our territory includes Carroll, Frederick, Howard, and Montgomery counties, and we own two wildlife sanctuaries, in Mt. Airy and New Market. Those properties are havens for wildlife and people because they are managed to protect and restore native biodiversity.

We are testifying in support of HB15, Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax. This commonsense bill would classify well-known invasive plants according to level of potential harm and facilitate alternative planting of native species that would instead benefit Maryland wildlife, watersheds, and ecosystems. Informed by scientific research, our Audubon members know that native birds, mammals, amphibians, and other wildlife that live in or migrate through local ecological communities depend on the plants that evolved with them in Central Maryland. Further, as a land-based, all-volunteer organization, we know the economic and labor costs involved in removing invasive plants such as Oriental bittersweet, autumn olive, and Ailanthus trees in our efforts to protect and restore our property for its intended use as a beautiful refuge for wildlife and people. This bill would not only reduce our risk and expense from additional aggressive plant invasions from neighboring properties, but would enhance the overall quality of wildlife habitat in our chapter territory and state.

Best known as a bird conservation organization, Audubon takes seriously a responsibility to contribute to landscape regeneration through native plantings. Our volunteers have planted warm season grasses to support native grassland birds, milkweed and nectar plants for monarch butterflies, and countless trees that will support the leaf-eating caterpillars that 96% of terrestrial songbirds depend upon to raise their young. As University of Delaware entomologist Doug Tallamy has shown, it takes 6,000 to 9,000 caterpillars to raise one family of chickadees. These beloved birds, and many others, are declining because instead of caterpillar-rich native trees like oaks and black cherries, our farm edges, backyards, parklands, and neighborhood open spaces have been taken over by non-native plants such as Bradford pear and Princess Pawlonia trees. If we want chickadees at our feeders, orioles in our parks, and



hawks overhead, we need legislation like HB15 that supports the replacement of invasive plant installations with species that have evolved to be part of our Maryland landscapes.

Our Audubon wildlife sanctuaries can't function as isolated islands. We need functioning landscapes that support healthy ecosystems throughout our beautiful state. HB15 would help free us from a bad, outmoded habits and would follow more current scientific understanding of the vital role native plants play in keeping our environment healthy for all. Recent social research has also confirmed that diverse bird communities lead to happier human communities; quality of life for people and nature starts with healthy native plants. The Audubon Society of Central Maryland strongly urges the Maryland legislature to support HB15 to benefit wildlife, native ecosystems, and everyone who depends upon them.

Thank you and best wishes,  
Julie Dunlap, PhD  
Education Chair  
Audubon Society of Central Maryland

# **HB 15\_CBF SUPPORT.pdf**

Uploaded by: Doug Myers

Position: FAV



# CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration  
Environmental Education*

## **House Bill 15**

Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax

Date: January 26, 2022

Position: **Support**

To: Ways and Means, Environment and Transportation From: Doug Myers, Maryland Senior Scientist

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Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 15, which requires State agencies to prioritize using plants native to Maryland in planting projects and exempts the sale of native plants from sales and use tax.

### **Native species provide ecosystem benefits that strengthen mitigation and restoration efforts.**

Environmental restoration, including tree and shrub plantings, is part of the State of Maryland's efforts to meet Maryland's Chesapeake Watershed Implementation Plan. The State also completes plantings to mitigate clear-cutting for new transportation infrastructure and helps to fund local government restoration projects. This legislation ensure that these plantings will be native species that provide the greatest ecosystem benefits.

### **The resiliency and adaptability of native species reduces the need for fertilizer and pesticide use, lessening the potential for pollutant runoff in the Bay.**

The specific adaptations of native plants allow them to flourish in the region with little to no fertilizer. They are more resistant to insects and disease therefore do not require many, if any pesticides. Planting natives in the Bay region reduces the chances of harmful fertilizer and pesticide runoff into the Bay.

### **Native plants provide food and cover for wildlife that are critical to the Bay region's ecosystem.**

Native plants naturally occur in the region in which they have evolved and support other species in the local ecosystem. Local wildlife, such as birds, insects, and mammals are also critically dependent on native plant communities (the zebra swallowtail butterfly, for example, feeds almost exclusively on pawpaw trees during its larval stage).

### **Non-native plants may become invasive species that threaten ecosystems and create additional hurdles to conservation.**

Non-native plants are often not in balance with the local ecosystem and may take over large swaths of land, creating monoculture zones that threaten wildlife living in the local ecosystem. Removal of non-natives can be costly. The Maryland State Highway Administration has spent substantial funding in the removal of non-native plant species along highways and wetland restoration projects.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403  
Phone (410) 268-8816 • Fax (410) 280-3513

*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 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*

**The U.S. Fish and Wildlife Service natives guide may inform development of a list of native species**

HB 15 references the US Fish and Wildlife Service Chesapeake Bay Field Office list of plant invaders. However, the Field Office also offers a comprehensive listing of native plants in the Chesapeake region including trees, shrubs, grasses, ferns and wetland plants.<sup>1</sup> This list may be a helpful reference for the Department in carrying out the legislation's requirement to create a list of plant species native to the State. The guide may also help state agencies and other entities that receive state funding to prioritize native plantings as it lists the various conditions on which these native plants will thrive. These conditions consist of the sunlight requirements, moisture and soil conditions, and preferred region (coastal plain, piedmont, mountains) for each native.

**CBF urges the Committee's FAVORABLE report on HB 15.** For more information, please contact Robin Clark, Maryland Staff Attorney at [rclark@cbf.org](mailto:rclark@cbf.org) and 443.995.8753.

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<sup>1</sup> [Native Plants for Wildlife Habitat and Conservation Landscaping, U.S. Fish and Wildlife Service, 2005.](#)

# **HB15 Testimony\_FAV\_Preservation Maryland.pdf**

Uploaded by: Eleanor Cowan

Position: FAV

Testimony of Elly Cowan  
Director of Government Relations, Preservation Maryland

Before the  
House Ways and Means Committee  
January 26, 2022

Pertaining To: HB15, Invasive and Native Plants- Classification, Listing, Use, and  
Sales and Use Tax

*Support*

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On behalf of the staff and Board of Directors of Preservation Maryland, I thank you for the opportunity to provide testimony on the value of history, preservation, and sustainability in Maryland.

Through our Smart Growth Maryland program, Preservation Maryland advocates for a more environmentally and economically sustainable future that creates opportunities for all Marylanders through better development patterns.

SUPPORT FOR HOUSE BILL 15

Preservation Maryland supports HB15, which would expand the list of invasive plants that are regulated by the state and adds a list of native plants that can be used as alternatives to invasives. The bill also requires state projects to prioritize the use of native plants and incentivizes their use by exempting the state's purchase of native plants from the sales and use tax. We believe that HB15 help reduce the spread and negative ecological consequences of invasive plants, while at the same time promoting the use of native species.

The use of native plants has the environmental benefits of requiring much less watering, fertilizer, and pesticides, and they can prevent water run-off and improve air quality. By eliminating the need for excessive mowing and maintenance, native plants can play a role in reducing pollution. On the other hand, invasive plants can cause millions of dollars in economic and environmental damage and can exacerbate the effects of other environmental threats like climate change. Therefore, we strongly believe that the use of native plants should be encouraged.



However, we understand that making the right choice in what to plant can be difficult without knowing to what is and isn't a native plant. HB15 addresses this issue by requiring the Department of Agriculture to classify Tier 1 and Tier 2 invasive plants in accordance with the National Park Service's and US Fish and Wildlife Service's Plant Invaders of Mid-Atlantic Natural Areas, while also allowing the Department to classify additional plants as well. At the same time, the Department of Natural Resources would be required to create, maintain, and publish on their website a list of plants native to Maryland, identifying which natives can be used as alternatives for invasive counterparts.

Importantly, HB15 also requires state funded projects to prioritize the use of native plants. Armed with the knowledge provided by the lists required above, state projects seeking to plant native plants would be incentivized to do so by exempting sales of native plants to the state from the sales and use tax, ostensibly making those projects more financially viable.

HB15 would go a long way in encouraging the use of native plants, with all the benefits that follow, in landscaping across the state by making it easier to identify the right native plants to use and incentivizing their purchase for state projects.

**Therefore, I respectfully urge a favorable report of House Bill 15.**

Contact: Elly Cowan, Preservation Maryland 443-386-4609

# **20220124 TTM HB0015 Invasive Species.pdf**

Uploaded by: Elizabeth Miller

Position: FAV



**Testimony:** HB0015 Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax  
**Position:** Favorable  
**Committee:** Budget and Taxation Committee and Education, Health and Environmental Affairs Committee  
**Hearing Date:** January 26, 2022

The Green Towson Alliance unites Towson area environmentalists in Baltimore County to achieve a greener, healthier, more beautiful community through collaboration and activism. We support SB0007 to expand the list of invasive plants that are regulated in Maryland. Plants introduced from other continents generally cannot be ingested by insects in our area and as a result are not part of the vital food web that supports our ecosystem. Worse, they can escape into natural areas. These plants become invasive when they out-compete the native plants that support our local food web. Invasive plants are difficult to eradicate, threaten agricultural systems and can have negative public health consequences.

Banning the use and sale of invasive plants is a logical first step in their control. Government agencies and non-governmental organizations are on the frontline attempting to eradicate invasive plants when they inevitably escape our gardens. A 2013 study reports the cost of invasive species to the United States is \$120 billion per year. Our organization works on public and private land to restore healthy habitats by removing invasive plants. This work is tedious and endless. Because of the aggressive nature of invasive plants, it can take months to years to accomplish significant gains. It is demoralizing that the same plants our weed warriors work so diligently to control can be purchased and planted in a garden nearby where animals, wind, and water will spread them right back into the very same natural area.

Maryland's list of invasive plants should include all those that have agricultural and public health consequences. On January 20, 2022 the Department of Agriculture expanded quarantines throughout Maryland to control the spread of the Asian Spotted Lanternfly (*Lycorma delicatula*) due to the insect's negative impact on agricultural operations. Lanternflies feed on 70 different types of crops, but invasive Tree of Heaven (*Ailanthus altissima*), the Lanternfly's favored host plant, is not currently listed as an invasive plant in Maryland.

The invasive plants Barberry and Honeysuckle play a role in Lyme disease. White-footed mice make their nests under the protection of the prickly branches of Barberry (*Berberis thunbergii*) and in the dense roots of Honeysuckle (*Lonicera*) plants. Tick larvae live on the white-footed mouse and there they pick up the bacteria that cause Lyme disease. Controlling the sale of Barberry and Honeysuckle means less cover for the mice and more predation by hawks, fox and owls. Fewer mice equal less Lyme disease in humans. Currently, only one kind of Honeysuckle is banned from sale in Maryland.

Eliminating sales tax from the cost of purchasing plants that are native to Maryland is an excellent incentive for consumers to purchase those plants as alternatives to plants on the invasive list. The savings will also aid those working to restore habitat to natural areas by replacing invasive plants with native plants.

Please support this legislation to stem the damage being done to our natural areas by invasive plants. The Secretary of Agriculture needs to classify each plant identified as invasive in the NPS and US Fish and Wildlife Service Plant Invaders of Mid-Atlantic Natural Areas in a timely manner. We request resources be allocated to complete the lengthy science-based assessments of invasive plants on the list within a three year period.

Thank you for your attention to my testimony,

Beth Miller *for the Green Towson Alliance*  
523 Murdock Road  
Baltimore, MD 21212  
greentowsonalliance@gmail.com

# **HB15 Sponsor Testimony.pdf**

Uploaded by: Eric Luedtke

Position: FAV

ERIC LUEDTKE  
Legislative District 14  
Montgomery County

MAJORITY LEADER

Ways and Means Committee  
Chair, Revenues Subcommittee



The Maryland House of Delegates  
6 Bladen Street, Room 350  
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## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

### SPONSOR TESTIMONY

#### House Bill 15 - Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax

Madame Chair, Member of the Ways and Means Committee

In 1962, a Maryland resident named Rachel Carson published a book called *Silent Spring*. That book detailed, in powerful language, the impact of pesticides like DDT on the environment. And it is credited, in part, with sparking the environmental movements. This book was titled *Silent Spring* in reference to the lack of birdsong and insect sounds in a world where overuse of DDT and similar chemicals had wiped out animal life. Overuse of pesticides, though, is not the only thing that can silence spring.

The natural world is an extraordinary thing. Nature, over the millenia, created an almost unimaginable variety of plants, animals, and other living things that interact in an astoundingly complex, interdependent tapestry. That interdependence, though, means that if we as humans pull one thread on the tapestry, disrupt one part of the web of life, it will inevitably impact others.

This is the case with the replacement of native species by invasive species, both plant and animal. Over the centuries, human beings have introduced a huge number of invasive species to Maryland. As these species have displaced native species, they have increasingly disrupted the natural world. And, like it or not, this has impacted the human world in turn, because we are a part of the tapestry as well.

My home is surrounded by the woods just up the hill from the Patuxent River. My entire front yard is forested. But I rarely see any animal life there. Few birds. Few insects. Few mammals. When I first moved here I was puzzled as to why. But as the growing season continued in that first year, I understood. You see, the entire understory of my front yard consisted of non-native and invasive species. Japanese Stiltgrass. Garlic Mustard. Japanese Barberry. Plants that native species of animals cannot live on. Plants that had created what was for all intents and purposes an ecological desert.

And what's shocking is that we, as a society, keep putting these invasive species in the ground. This is part of the reason native pollinator populations aren't as robust as they once were, threatening agriculture. It's part of the reason wildlife populations aren't as strong as they might otherwise be. And while this is grim, it is solvable. The state has gone about solving this by actively killing and removing these invasive species from certain areas when they grow out of control. House Bill 15 proposes a way to slow the spread of these harmful species at their source.

The bill requires the Department of Agriculture, who currently regulates invasive plant species in Maryland, to adopt the comprehensive US Fish and Wildlife Services list of invasive plant species in our region. This step will prevent the sale of some of the most dangerous invasive plant species and provide consumers with the information necessary to make responsible purchasing decisions. In addition, the bill will require the state to use native plants instead of non-native alternatives whenever possible. In order to make this as simple for agencies as possible, the bill also requires the Department of Natural Resources to develop and publish on their website a list of native plant species for Maryland, including identification of native plants that are feasible alternatives for any Tier 2 invasive plants. Lastly, House Bill 15 will eliminate the sales tax on native plants to further incentivize their purchase.

House Bill 15 is a simple approach to solving an issue that poses a major threat to ecosystems and agricultural land across the state. I thank you for your consideration of this proposal and ask the Committee to issue a favorable report.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eric Luedtke", with a stylized flourish at the end.

Delegate Eric Luedtke

# **HB 15\_CWRP\_Testimony\_Favorable.pdf**

Uploaded by: Isaac Meyer

Position: FAV



## **Chesapeake Watershed Restoration Professionals**

January 26, 2022

Hon. Vanessa Atterbeary  
Chair, Environment and Transportation  
Room 131  
House Office Building  
Annapolis, Maryland 21401

Chairman Atterbeary, Vice-Chair Washington and members of the Committee,

On behalf of the Chesapeake Watershed Restoration Professionals (CWRP), we strongly support HB 15 – Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax. CWRP was founded in November of 2020 and represents Maryland professionals whose daily work improves the health of Maryland's waters and our prized Chesapeake Bay. We thank Delegate Luedtke for leading the charge on this important issue.

This bill requires the Department of Agriculture (MDA) to classify approximately 75 invasive species, as identified by the National Park Service and U.S. Fish and Wildlife Service, as either tier 1 or tier 2 invasive plants. Additionally, the bill would require MDA to publish native plants that could be used in lieu of a tier 2 invasive species.

The problem of invasive plant species is not unique to Maryland. However, Maryland is unique in that it is the home of the Chesapeake Bay. Improving the health quality of the Bay is critical and invasive plant species play a critical role in meeting that objective. Once an invasive plant species is planted, it is often impossible to eradicate, usually at the expense of native plants. House Bill 15 is a small, but important, step toward changing behavior. In addition to listing suitable tier 2 replacement plants, exempting the sales and use tax on native plants will significantly incentivize the use of native plants.

We thank the committee for their consideration of this important legislation and the issues we have raised. We look forward to working with you in the coming years to strengthen Maryland's environmental laws.

Sincerely,

Liam O'Meara  
President  
Chesapeake Watershed Restoration Professionals

# **Final MNPS-Jil Swearingen Testimony for SB7+HB15 1**

Uploaded by: Jil Swearingen

Position: FAV



## **Maryland Native Plant Society**

P.O. Box 4877, Silver Spring, MD 20914 • [www.mdflora.org](http://www.mdflora.org)

Appreciation • Education • Conservation

**Testimony:** SB7 & HB15 Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax

**Position:** Favorable

**Committee:** Budget and Taxation Committee and Education, Health and Environmental Affairs Committee

**Hearing Date:** January 25, 2022

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The Maryland Native Plant Society (MNPS) is a non-profit organization established in 1972 to ***promote awareness, appreciation, and conservation of Maryland's native plants and their habitats***. MNPS pursues its mission through education, research, advocacy, and service activities. The society has 1,700 members and an additional 3,500 non-member supporters of programs, field trips, and conferences. There is a high degree of interest in protecting and conserving Maryland's native flora and fauna—which are interdependent—and threatened by habitat destruction, invasive species, and climate change.

The MNPS supports SB7 and HB15 with the following comments:

1. The use of the **Plant Invaders of Mid-Atlantic Natural Areas** book (National Park Service and U.S. Fish and Wildlife Service, 5th ed., 2017) as the source for the invasive plant species to be classified as Tier 1 or Tier 2 Invasive Plants is a reasonable approach. The 80 species featured in the book—which is intended for public education and awareness—were chosen for their documented invasiveness in natural areas as reported by well-known, respected, published experts. These species represent about one-sixth of the total number of documented invasive plants in the mid-Atlantic region, according to the Mid-Atlantic Invaders Tool ([invasive.org/midatlantic](http://invasive.org/midatlantic)), which includes only species that can be referenced by reputable sources.
2. The process of assessing invasive species using the USDA's Weed Risk Assessment protocol, is intensive, time-consuming and expensive. A single species assessment can take 120 or more hours. **It is imperative that the state approve sufficient funding to cover the cost of assessments for the additional species to be evaluated and that a timeline of 3 years for completion of these assessments be established as part of this legislation.**
3. Most of the invasive plants impacting natural areas in the United States and Maryland were introduced for ornamental purposes, and many are still grown by the nursery trade and available for purchase.
4. Requiring the Maryland DNR to create and publish a list of Maryland native plant species on the DNR website is an excellent idea. An up-to-date list of native plant species (and

non-native and invasive species) is available through the **Maryland Plant Atlas** and the **Maryland Biodiversity Project**.

5. MNPS strongly supports the requirement that state funds may not be used to purchase or plant an invasive plant species for an outdoor project ~~except where absolutely necessary~~, like turf on ball fields. This is a crucial step in reducing the number of problematic pest plants that continue to be planted in parks, gardens, and other areas. **Invasive plants will spread beyond plantings into natural areas** and, possibly more importantly, their use **sends the wrong message to the public**.
6. Requiring state agencies and other entities that receive state funding to use Maryland native plants for all planting projects is an excellent idea. The MNPS suggests that native plants be further defined to include **local ecotypes** adapted to **Maryland's ecoregions**. Requiring that locally native plant species be grown and used in plantings will help ensure the preservation of the critical **genetic identity** and diversity of Maryland's native plant species. Including a reasonable timeframe of 3-5 years for accomplishing this goal is recommended.

Respectfully,

Jil Swearingen  
Board Member  
Maryland Native Plant Society

# **HB15\_MDSierraClub\_fav – 26Jan2022.pdf**

Uploaded by: Josh Tulkin

Position: FAV



P.O. Box 278  
Riverdale, MD 20738

**Committee: Ways and Means**

**Testimony on: HB 15 “Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax”**

**Position: Support**

**Hearing Date: January 26, 2022**

The Maryland Sierra Club submits this testimony in strong support of HB 15. This bill would require that any plants identified in the *Plant Invaders of Mid-Atlantic Natural Areas* report be assigned by the Department of Agriculture (DOA) to the regulations on invasive plants. DOA would be able to add additional plants to the Tier 1 (causing severe harm), or Tier 2 (likely to result in substantial impact) categories. HB 15 would also require the Department of Natural Resources (DNR) to publish a list of plants native to Maryland that would provide information on suitable alternatives to invasive plants. In addition, the bill would require that state agencies prioritize the use of native plants whenever possible and require DNR to inform nurseries and landscapers of the provisions of this bill. It would also eliminate the sales tax on native plants.

This bill will significantly benefit the agricultural, economic, and environmental health of Maryland. In Maryland invasive plants cause millions of dollars in economic and environmental damage to trees, crops, and wildlife, and impede recreation activities in Maryland.

Fast growing invasive plants deprive native plants of soil, water, nutrients, space, and light. Invasive plants have an unfair competitive advantage because they have no natural checks on their growth, such as pests or diseases, and may be unpalatable, so they can grow faster, crowd out or prevent the emergence of native plants, and become predominant, endangering necessary biodiversity.

Adaptation of ecosystems is an extremely slow process. Because they did not evolve here, invasive plants introduced hundreds of years ago by colonists have become naturalized in our region but often do not provide nutrients to Maryland wildlife. As with more recently introduced nonnative invasive plants, this threatens the dwindling populations of insects, small mammals, and birds in Maryland.

Furthermore, invasive plants can reduce crop yields, and many are unpalatable or toxic to livestock. They threaten ecosystem integrity, degrade cultural resources, and potentially interfere with visitor experiences in parks. They are also endangering our forests, since invasives such as English Ivy kill trees faster than forest stewards can manage them.

Benefits of stopping further introduction of invasive plants include:

- Preserved forest canopy which mitigates temperature extremes, e.g., hotspots

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

- Increased carbon sequestration
- Decreased stormwater problems, as a diversity of native plants with different root depths allows the ground to hold more water
- Increased biodiversity, with more wildflowers such as spring beauty, native shrubs such as blackberry, and trees such as pawpaw in the Maryland landscape.

Finally, invasive plant species can impact several ecosystem properties, such as soil cover, nutrient cycling, wildfire resilience, and hydrology. Therefore, controlling invasive plants is a necessary step towards the restoration of an ecosystem.<sup>1</sup>

The Maryland Sierra Club strongly supports this bill because we need accessible and up-to-date lists of both invasive plants and their native alternatives to better inform and guide stakeholders. To help ensure healthier ecosystems and a strong Maryland economy, the Maryland Sierra Club urges a favorable report on HB15.

Lily Fountain  
Chair, Natural Places Committee  
lily.fountain@mdsierra.org

Josh Tulkin  
Chapter Director  
Josh.Tulkin@MDSierra.org

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<sup>1</sup> Weidlich, E.W.A., Florido, F. G., Sorrini, T. B. & Brancalion, P. H. S. (2020). Controlling invasive plant species in ecological restoration: A global review; *Journal of Global Ecology*, 08 May.

# **MOS HB0015 Invasive and Native Plants.pdf**

Uploaded by: Kurt Schwarz

Position: FAV





January 24, 2022

## **HB0015: Invasive and Native Plants—Classification, Listing, Use, and Sales and Use Tax**

### **Position: Support: HB0015**

The Maryland Ornithological Society (MOS) asks that the House Ways and Means Committee give a favorable report of HB0015 and move it to the full House.

MOS supports this bill as it will promote the use of native plants over non-native. Studies have confirmed that native bird species prefer, and prosper in habitats with native plants, and suffer in those dominated by non-native plants. Wood Thrush and Veery, species of greatest conservation need, respond positively to increased native vegetation.<sup>1</sup> Nonnative plant landscapes also negatively affect reproduction in birds.<sup>2</sup> For these reasons, we support the bill, as it would promote native plantings, and benefit the birds we admire and seek to protect.

A recent study showed that North America lost 3 billion birds, 29% of its total bird population, since the 1970s.<sup>3</sup> According to the Maryland Bird Conservation Partnership (MBCP), “Maryland (has) features that support an impressive diversity of ecosystems, habitats, and species...(and) due to a variety of threats, some 143 species of birds have been recognized as ‘Species of Greatest Conservation Need’”<sup>4</sup>.

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

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<sup>1</sup> Conover, A., et al, Effects of Nonnative Plants on Bird Communities in Suburban Forest Fragments, 07/17/2019,  
[https://www.nrs.fs.fed.us/disturbance/invasive\\_species/nonnative\\_plants\\_birds/](https://www.nrs.fs.fed.us/disturbance/invasive_species/nonnative_plants_birds/)

<sup>2</sup> Narango, L. et al, Nonnative plants reduce population growth of an insectivorous bird., PNAS, November 6, 2018,  
<https://www.pnas.org/content/pnas/115/45/11549.full.pdf>

<sup>3</sup> Rosenberg, et al, Decline of the North American Avifauna, Science, vol 366, issue 6461, pp. 120-124, 4 October 2019,  
<https://science.sciencemag.org/content/366/6461/120>

<sup>4</sup> Maryland Bird Conservation Partnership, Maryland Species of Greatest Conservation Need, <https://marylandbirds.org/md-species-of-concern>

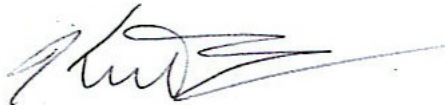
activities in 2011, the Total Industrial Output (TIO), which includes, direct, indirect, and induced effects, totaled over \$909 million, produced 10,807 full- and part-time jobs, and generated \$88.4 million in state and local tax revenue. Nationally, Americans who watch and feed birds contribute \$41 billion to the nation's economy every year.<sup>5</sup>

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.

We therefore ask you to support and pass the Invasive and Native Plants bill HB0015.

MOS is a Maryland-based volunteer organization of some 1800 members, with 15 chapters in Maryland. We are devoted to the study and preservation of birds and their habitat.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kurt R. Schwarz', with a long horizontal flourish extending to the right.

Kurt R. Schwarz  
Conservation Chair  
Maryland Ornithological Society  
[www.mdbirds.org](http://www.mdbirds.org)  
7329 Wildwood Ct.  
Columbia, MD 21046  
410-461-1643  
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<sup>5</sup> 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>

# **Sign On Letter Testimony SUPPORT HB0015 Invasive a**

Uploaded by: Mark Southerland

Position: FAV

**Testimony:** HB0015 Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax  
**Position:** Favorable  
**Committee:** Ways and Means and Environment and Transportation  
**Hearing Date:** January 26, 2022

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**As a follow up to the successful 2021 bill, HB92 Procurement – Invasive Plant Species – Prohibition on Use of State Funds,** this bill expands the list of invasive plants that are regulated and adds a list of native plants that can serve as substitutes.

**Our ecosystems don't adapt to invasive plants.** When a species is introduced into our country many believe that in time it will be adopted into the native ecosystem and serve functions that native plants do. However, this is not true. In fact many birds, mammals and especially insects are very specific on what they will eat as a food source. Even in hundreds of years this might not change. With this advantage, introduced plants grow quickly in their new environment and crowd out the native plants. Therefore, an introduced plant may become invasive in the wild when it grows faster and uses up the resources that native plants need to thrive. This can result in a loss of species, including pollinators, and overall biodiversity.

**Native plants support biodiversity.** The World Health Organization has identified the loss of biodiversity as one of the main threats to human health.<sup>1</sup> Native plants have been shown to increase diversity of wildlife because they sustain healthy ecosystems. Native plants are the food source for native insects, birds, and mammals, and when they thrive, we thrive. President Biden's 30x30 national goal to preserve at least 30 percent of U.S. lands by 2030 was initiated with the goal of saving biodiversity. This initiative will be enhanced by the use of native plants.

**The demand for native plants creates opportunity.** With the increased demand for native plants, nurseries and growers can respond to a reliable market demand and benefit economically. Native plants typically sell for higher prices than non-native plants and this specialty market can become a successful opportunity for local businesses.

The State of Maryland can and should support biodiversity and human health, by decreasing the use and sale of invasive plants, while encouraging native plants instead. We are asking for a favorable report on HB0015.

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<sup>1</sup> <https://www.who.int/news-room/fact-sheets/detail/biodiversity-and-health>

Mark Southerland PhD  
Legislative Director  
Safe Skies Maryland  
<https://mdbirds.org/safeskiesmaryland>



Paulette Hammond  
President  
Maryland Conservation Council



**Maryland Conservation Council**  
*Protecting Maryland's Natural Heritage Since 1969*

Nina Beth Cardin, Director  
Maryland Campaign for Environmental Human Rights  
<https://mdehr.org>



Angela Moxley  
President  
Audubon Society of Central Maryland



David Curson  
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**Audubon** | MID-ATLANTIC

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Rob Jenkins  
Herring Run Nursery Manager  
Mary Lewis  
Herring Run Nursery Assistant Manager  
Blue Water Baltimore



Zack Kelleher  
Sassafras Riverkeeper



Emily Ranson  
Maryland Program Director  
Clean Water Action



Chris Williams  
President and CEO  
Anacostia Watershed Society



# **HB 15\_mgoldstein\_fav 2022.pdf**

Uploaded by: Mathew Goldstein

Position: FAV



Secular Maryland

secularmaryland@tutanota.com

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January 26, 2022

The Honorable Vanessa E. Atterbeary  
Ways and Means Committee  
Room 131  
House Office Building  
Annapolis, Maryland 21401

Re: FAVORABLE HB0015 Invasive and Native Plants - Classification, Listing, Use, and Sales and Use Tax

Chairwoman and Members of the Committee:

This bill requires that each entity that receives State funding and each State agency prioritize the use of plants native to the State and exempts the sale of plants native to the State from the sales and use tax.

A native plant is one which likely had a presence within our state prior to European settlement. Our native wildlife evolved with the plants here, some can only feed on plants they co-evolved with. Native plants supply food for insects and wildlife that are food for other wildlife. They also provide wildlife habitat more generally (cover and places to rear their young). Native plants are well adapted to our climate and soils and as a result are generally easier to grow and easier to maintain, needing little or no pruning, deadheading, watering, or fertilizing. Please vote for this bill.

# **HB15- National Aquarium - Native Plants - House.pd**

Uploaded by: Ryan Fredriksson

Position: FAV





Date: January 26, 2022

Bill: HB15 – Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax

Position: Support

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Dear Chair Atterbeary and Members of the Committee:

The National Wildlife Federation and its Maryland affiliate, the National Aquarium, respectfully request a favorable report for **HB 15 – Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax**, which will increase the number of plants recognized as invasive species by the state and promote the use of native plant species within Maryland.

HB 15 expands the State’s current list of plants classified as either Tier 1 invasive plants or Tier 2 invasive plants to reflect the plants identified by the U.S. Fish and Wildlife Service’s (USFWS) “Plant Invaders of Mid-Atlantic Natural Areas.” Of the 83 invasive species named in the book, only 12 currently appear on Maryland Department of Agriculture’s Tier 1 & 2 Invasive Plants list.

It is important to note that the USFWS list of invasive plants in the Mid-Atlantic is only a partial list of the most troublesome species. Experts have identified more than 600 plants that are invasive or at risk of becoming invasive in the Mid-Atlantic.<sup>1</sup> The state currently recognizes 19 plants as Tier 1 or Tier 2 invasive species. At a minimum, the state should adopt the USFWS list for invasive species in the Mid-Atlantic by adding them to the existing Tier 1 and Tier 2 plants.

This bill also requires state agencies and entities that receive state funding to prioritize the use of native plants for projects, whenever possible. This is an important component of continuing to promote native plant use and can also help increase the market for native plant growers in Maryland.

Native plant species have grown naturally in our region for thousands of years and are well adapted to our soil conditions and our climate. They help improve water quality because, unlike their nonnative counterparts, they do not rely on additional watering, fertilizers and pesticides to thrive. They also play an important role in supporting local wildlife and migratory species. Planting native species attracts local pollinators from caterpillars to birds and crucial bees, which help us all by pollinating everything from cultivated crops to wildflowers. When non-native plants with no natural controls to limit their spread are planted, native plants are often unable to compete for available sunlight, water and nutrients and disappear along with the support system for native wildlife.

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<sup>1</sup> Mid-Atlantic Invaders Tool – [invasive.org/MidAtlantic](https://invasive.org/MidAtlantic)

Saving wildlife and habitats is one of the National Aquarium's three strategic conservation goals. The Aquarium plants native trees, gardens, and wetland grasses throughout the Chesapeake Bay watershed to provide habitat for wildlife and promote coastal resiliency. Over the last 20 years, the National Aquarium has planted 2 million native plants throughout the watershed, including through partnership with the National Wildlife Federation's Garden for Wildlife program. This program educates and empowers people to use native plants to save wildlife and is the country's longest-running movement dedicated to helping local wildlife and wild spaces.

By passing HB 15, Maryland will be taking a meaningful step towards protecting our local ecosystem and wildlife. **We urge the Committee to issue a favorable report on HB 15.**

Contact:

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# **Invasive & Native Plants Testimony - House.docx.pdf**

Uploaded by: Taylor Smith-Hams

Position: FAV



January 24, 2022

**Invasive and Native Plants - Classification, Listing, Use, and Sales and Use Tax (HB0015)**  
**Position: FAVORABLE**

Dear Chairperson Atterbeary and Members of the Ways and Means Committee,

Blue Water Baltimore's mission is to restore the quality of Baltimore's rivers, streams and Harbor to foster a healthy environment, a strong economy, and thriving communities. A core part of our work is operating the Herring Run Nursery, which specializes in plants native to Maryland and the Chesapeake Bay watershed. **We write today in support of the Invasive and Native Plants - Classification, Listing, Use, and Sales and Use Tax (HB0015).**

Our non-profit Nursery offers more than 250 native species of trees, shrubs, vines, flowers, and more to retail and wholesale customers alike. Native plants offer a multitude of benefits. They help reduce stormwater pollution entering the Chesapeake Bay by reducing nutrient runoff and requiring less chemical inputs than non-native plants. Native plants have deeper root systems than non-natives and are better at stabilizing soils and preventing sediment runoff. They also provide critical habitat and food for butterflies, birds, and pollinators. Ecosystem health is increasingly important with rising concerns over climate change and declining pollinator populations, and native plants are an integral part of a healthy and functioning ecosystem.

HB0015 will support the growth of native plants in Maryland by providing clear classifications of invasive and native plants; requiring the Department of Natural Resources (DNR) to develop and maintain a public list of Maryland's native plants on its website with information about native plants that can be planted as alternatives to invasive plants; requiring state agencies and state-funded projects to prioritize native plants for all planting projects; and exempting native plant sales from Maryland's sales tax.

Our nursery staff is responsible for engaging and educating Baltimore communities about the many benefits and uses of native plants. We promote opportunities for Green Stormwater Infrastructure and conservation landscaping whenever possible. Our team also develops landscape designs and provides plant material for community and residential projects that create harmony between aesthetic preferences and ecosystem benefits. A list of native plants provided by DNR will be beneficial to our organization because there is often confusion about whether a plant is native or not depending on the source of information. Additionally, removing sales tax on native plants will benefit our customers and encourage more people to choose natives.

We urge a favorable report on HB0015.

Sincerely,

Rob Jenkins  
Herring Run Nursery Manager

Mary Lewis  
Herring Run Nursery Assistant Manager

## **MDA - HB 15 - Letter of Info - Invasive and Native**

Uploaded by: Cassie Shirk

Position: INFO



# Maryland Department of Agriculture

*Office of the Secretary*

**Larry Hogan**, Governor  
**Boyd K. Rutherford**, Lt. Governor  
**Joseph Bartenfelder**, Secretary  
**Julianne A. Oberg**, Deputy Secretary

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## Maryland Department of Agriculture

### Legislative Comment

**Date:** January 26, 2022

**BILL NUMBER:** House Bill 15

**SHORT TITLE:** Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax

**MDA POSITION:** Information

HB 15 tasks the Maryland Department of Agriculture (MDA) with classifying each plant listed in the National Park Service (NPS) and U.S. Fish and Wildlife Service (USFWS) Plant Invaders of Mid-Atlantic Natural Areas brochure as Tier 1 or Tier 2. There are 75 plants listed in the brochure. Thirty-one of the plants listed would not require listing under the Invasive Plant Advisory Committee (IPAC) law because of one of the following reasons:

1. They are presently on the IPAC list, or
2. They are listed as a MDA noxious weed, or
3. They are listed as a federal noxious weed, or
4. They are not sold in the nursery trade.

This leaves 44 plants that would require a weed risk assessment (WRA) to be completed. WRA's are a scientific review of the invasiveness of a plant, and require many hours of research of peer reviewed journal articles, review of maps and GIS data, along with state specific data for each plant that is held in the Maryland Department of Natural Resources (DNR). It requires additional software, which also requires additional training. In some cases, WRAs have taken 4-6 weeks to complete, per plant. WRAs are completed in concert with DNR and the University of Maryland, if needed.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at [cassie.shirk@maryland.gov](mailto:cassie.shirk@maryland.gov) or 410-841-5886.