



**Maryland Office**  
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February 11, 2025

**To:** Chairman Brian Feldman and members of the Maryland Senate Committee on Education, Energy and the Environment

**From:** Jim Brown, Policy Director, Audubon Mid-Atlantic

**Subject:** SB 399 Natural Resources - Wildland Areas - Overhead Transmission Lines - Opposed

Audubon Mid-Atlantic submits this testimony in opposition to Senate Bill 399. Audubon Mid-Atlantic is the regional office of the National Audubon Society, representing over 35,000 Marylanders who advocate for the protection of birds, bird habitat, and policies aiming to protect both birds and human communities in the face of increasing environmental challenges, habitat loss, pollution, and climate change.

SB399 threatens some of Maryland's most sensitive and pristine Wildlands, including: the first Wildland designated in 1973 on Big Savage Mountain, Bear Pen Wildland in Savage River State Forest and Dan's Mountain Wildland. The proposed alignment also threatens several Important Bird Areas (IBAs). IBAs are identified by the National Audubon Society as places of critical local and hemispheric importance to the survival of both resident and migrating birds for the habit they provide. In Maryland, IBAs represent the highest quality remaining habitats for vulnerable bird species. IBAs should therefore be given the utmost protection from development pressures. This proposed transmission line threatens the following IBAs: Savage River, The Glades, Allegany-Garrett Grasslands, and Dan's Mountain.

The Avian Science tells us birds are in decline due to habitat loss and habitat fragmentation. 1/3 of eastern forest bird species experienced significant population declines in the past 50 years. That represents almost 3 billion birds lost in that time. Audubon's work therefore focuses on policies and land-use plans that bring bird populations back. Having reviewed the proposed legislation and route mapping currently available, we can confidently say that the proposed alignment and SB 399 is not a project that brings birds back.

The Science also tells us:

- Eastern U.S. habitat is becoming increasingly fragmented
- Fragmentation leads to lower productivity in bird populations

Forests such as those in and adjacent to Savage River State Forest, Dan's Mountain, and Meadow Mountain provide critical landscape diversity for birds to nest, rest, breed, and feed. The benefits to birds and people of the ridges, slopes and riverine valleys will be reduced if continued forest fragmentation is allowed. Some of the most at-risk species for the impacted region and associated IBAs are Blackburnian Warbler, Canada Warbler, Wood Thrush, and Winter Wren, Blue-headed Vireo, Louisiana Waterthrush, Hermit Thrush and Cerulean Warbler.

As noted in Audubon's 2023 report *Birds and Transmission*, Audubon supports the rapid deployment of appropriately sited transmission to update the nation's grid, but these upgrades must place an emphasis on mitigating the impact to birds, and be sited and designed in a way that does not threaten rare, protected and ecologically sensitive areas. SB 399 will accelerate Maryland's habitat loss while removing critical protections to some of the last wild places in Maryland and our special forested Appalachian woodland ridges.

Audubon urges the Committee to consider the following while considering this proposed legislation:

- The passage of SB399 would mean that the Legislature has pre-approved an exemption and an alignment for the development of the transmission line through the State Wildlands if the PSC issues a Certificate. This legislation is unnecessary as a process exists for authorization of a transmission line exemption in a Wildland, but requires public notice and a hearing.
- The ridges of Western Maryland's ridge and valley province are home to some of our best, most contiguous forest habitat - a key feature for breeding and migratory birds.
- Audubon Mid-Atlantic always advocates for avoiding fragmentation and reducing edge effects in these forested flyways as dividing forest parcels has been shown to dramatically reduce habitat quality for our priority forest dwelling birds, including rare and threatened warblers.
- The fragmentation will particularly affect declining species designated as species of greatest conservation need like wood thrush and cerulean warblers because of their reliance on large patches of uninterrupted woodlands. These forested ridgelines of western Maryland are of global significance for the population of cerulean warblers.
- Audubon opposes habitat fragmentation particularly in this sensitive area of Western Maryland which is home to some of the last contiguous forest blocks in the region, particularly when alternative routing and retrofitting existing infrastructure corridors, or exploring a new tunnel are all viable alternative options.

Audubon Mid-Atlantic respectfully urges an unfavorable review of this legislation and this proposed transmission alignment

Thank You,

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