



February 17, 2025

The Honorable, Marc Korman, Chair
House Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

Favorable w Amendment: HB 894 – Incidental Taking – Bats

Dear Chair, Korman and Committee Members:

The NAIOP Maryland Chapters represent approximately seven hundred companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to request your favorable with amendments report on HB 894

The bill would create an administrative process for the Maryland Department of Natural Resources (DNR) to authorize incidental takes of the Indiana bat, Northern long-eared bat, and Tricolor bat. While we support the intent of this legislation and recognize the need for a clear and effective process, we believe the bill would be more efficient if it were to align the state's process more with existing federal permitting requirements. This would avoid redundancy and streamline compliance.

Rather than creating a separate, duplicative state process for incidental take authorizations, we encourage an amendment that allows DNR to accept federal incidental take permits issued by the U.S. Fish and Wildlife Service (USFWS) as sufficient for state authorization. The federal process already requires rigorous conservation plans, mitigation strategies, and funding assurances. By recognizing federal permits, Maryland can ensure species protection while reducing unnecessary administrative burdens on permit applicants and conservation projects.

Aligning the state and federal process will create a more streamlined approach that would provide the necessary regulatory clarity while maintaining the conservation goals outlined in the bill.

For these reasons, NAIOP respectfully requests your favorable with amendments report on HB 894.

Sincerely,

A handwritten signature in blue ink, appearing to read "T.M. Ballentine".

Tom Ballentine, Vice President for Policy
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Environment and Transportation Committee Members
Nick Manis – Manis, Canning Assoc.