



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 19, 2025

BILL NUMBER: House Bill 894

SHORT TITLE: Endangered and Threatened Species – Incidental Taking – Bats

DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports HB 894 and suggests the addition of the Small-footed Bat to the species listed in the bill.

Allowing the authority provided under this bill to the Secretary of Natural Resources will increase the flexibility of the Department’s bat conservation efforts and could allow the implementation of a federal-approved Habitat Conservation Plan for Endangered bats in Maryland.

The Small-footed Bat is listed as Endangered in Maryland, but is not equivalently listed in federal law. The addition of the Small-footed Bat to this bill would make the authority of the Secretary of Natural Resources consistent over all Maryland’s listed Endangered bat species.

The original text has the incorrect nomenclature for the Tricolored Bat. This amendment will update the bill to the standardized common name for this species.

BACKGROUND INFORMATION

With the 2006 advent of the bat-killing fungal disease White Nose Syndrome in North America, numerous cave-dwelling bat species underwent catastrophic population declines. As a result, the US Fish and Wildlife Service declared the Northern Long-eared Bat an Endangered species. The US Fish and Wildlife Service also indicated its intention to list the Tricolored Bat as Endangered.

Maryland lists all federally-listed species which occur in the State at (at least) the level of the federal listing. Maryland law makes no allowance for the incidental take of endangered species. Federal law does allow for incidental take in specific circumstances.

One mechanism for dealing with the additional requirements of the Endangered Species Act on the federal level is through the compilation of an approved Habitat Conservation Plan. A Habitat Conservation Plan allows for the assumption of some risk of incidental take of an Endangered species as long as land management activity occurs within a conservation rubric defined in the plan, creating an

Contact: Emily Wilson, Director, Legislative and Constituent Services (Acting)
emilyh.wilson@maryland.gov ♦ 410-260-8426 (office) ♦ 443-223-1176 (cell)

opportunity to allow some level of risk for individuals while furthering a conservation matrix for the benefit of the species as a whole.

BILL EXPLANATION

This bill would allow the Secretary of Natural Resources to issue a an incidental take permit for certain species of bats even if they are listed as State Endangered.

BY:

(To be offered in the Environment and Transportation Committee)

AMENDMENT TO HOUSE BILL 894

(First Reading File Bill)

On page 4, in line 20, and on page 5, in lines 8 and 15, in each instance, after “**BAT,**” insert “**THE EASTERN SMALL-FOOTED BAT,**”.

On page 4, in line 21, and on page 5, in lines 9 and 16, in each instance, strike “**TRICOLOR**” and substitute “**TRICOLORED**”.