



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

March 26, 2025

BILL NUMBER: **Senate Bill 946 - Third Reader**

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

DEPARTMENT’S POSITION: **SUPPORT**

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports the third reader version of SB 946. 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 bill as amended provides for the authority of the Secretary of Natural Resources to be consistent over all Maryland’s listed Endangered bat 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 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 an incidental take permit for certain species of bats even if they are listed as State Endangered.

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