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February 16, 2026

To: Chair Korman, Vice-Chair Guyton, and members of the Maryland House Committee on the Environment and Transportation

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

Subject: Favorable Testimony for Maryland HB 578 Fish and Wildlife - Endangered and Threatened Species and Migratory Birds - Regulations, Lists, Petitions, Essential Habitats, and Takings

Audubon Mid-Atlantic submits this testimony in support of House Bill 578. Audubon Mid-Atlantic is the regional office of 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. HB 578 brings much needed protections to birds and their habitats in Maryland.

For more than a century, the Migratory Bird Treaty Act has provided the foundation for our country's bird conservation efforts. It has meant not only protecting birds from illegal shooting and poaching, but also from avoidable impacts from industrial activities. These impacts, known as "incidental take," result in millions of preventable bird deaths every year. In April of 2025 the U.S. Department of the Interior revoked a key policy under the Migratory Bird Treaty Act, which protects birds from avoidable deaths caused by large-scale and industrial activities. Protections from incidental take have successfully been implemented by both Republican and Democratic administrations for decades and have saved millions of birds, while helping maintain an annual \$279 billion economic impact from birding and associated activities, a pastime that 96 million Americans partake and invest in every year. This law is vital for the conservation of more than 1,000 species of birds, including nearly 400 species found in Maryland. HB 578 will reinstate this vital bird protection in Maryland.

Science tells us birds are in decline due to pollution and habitat loss. Bird populations have declined by 3 billion birds since 1970 across North America. 1/3 of all Maryland bird species experienced significant population declines in the past 50 years. Our iconic Baltimore Oriole, and other species of shorebirds, warblers, and songbirds that help celebrate Maryland's natural and cultural identity all face significant decline. It is particularly important now for Maryland to protect our natural resources and bird habitat as sustained attacks on long settled core conservation protections continue at the federal level. Ongoing attempts to weaken the Migratory Bird Protection Act, the Endangered Species Act, and clean water protections at the federal level mean Maryland must act to protect our environment and long-standing core bird protections. HB 578 gives Maryland the ability to continue those important bird protections at the state level.

We know that oil and gas interests are the reason for the federal assault on long-standing bird protections. The reason these protections were removed was to placate fossil fuel interests. If a major oil spill was to kill thousands of birds in Chesapeake Bay, oil companies would currently not face any consequences for those bird deaths, nor would they be required to mitigate any future potential harm. The protections laid out in the Migratory Bird Treaty Act were a key part of accountability and recovery after Deepwater Horizon and Exxon Valdez for the bird deaths they caused. Maryland deserves those protections for our birds, or ecosystems, and our communities. HB 578 brings those protections back to Maryland. This back-and-forth policy swing is not just bad for birds, but it is also bad for businesses that rely on a clear and consistent legal environment.

Birds in Maryland bring joy by filling the sky with flashes of color and brilliant songs. They provide priceless ecosystem services, and they are pillars of our economy with birders spending \$100s of millions of dollars annually in Maryland.

By putting measures in place that protect birds from harmful practices Maryland will continue to be held up as a conservation leader in the protection of birds now and in the future.

Audubon Mid-Atlantic respectfully urges a favorable review of House Bill 578.

Thank You,

Jim Brown
Policy Director
Audubon Mid-Atlantic