

SB 367 Written Testimony.pdf

Uploaded by: Alexander Villazon

Position: FAV

February 16, 2022

FAVORABLE WITH BILL – SB 0367: Education, Health, and Environmental Affairs – Patuxent River Commission - Membership

Mr. Chairman and Members of the Committee,

We are writing in strong support of Senate Bill 367 on behalf of Waterkeepers Chesapeake, a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As we here at Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are also in support of ensuring that the Patuxent River Commission, Maryland's only River Commission, establish and adhere to criteria for appropriate appointments and to prevent conflicts of interest. The recent dismissal of the Patuxent Riverkeeper Fred Tutman, the commission's most outspoken advocate for the environment, is an egregious example of the consequences a lack of adherence to criteria can lead to. Fred Tutman had served on the commission since 1996 and became the founding Patuxent Riverkeeper in 2004, working on the very same river he was born and raised along. It is difficult to imagine anyone who has a greater vested interest in the health of the Patuxent River than Mr. Tutman, who has been an outspoken advocate for environmental justice and provide a voice for communities opposing development.

Waterkeepers Chesapeake supports Senate Bill 367 and its expressed goals. By preventing the unwarranted removal of future outspoken advocates for the environment, the commission will begin to once again show its priorities are with protecting communities and the environment, as opposed to developers. Therefore, we believe these requirements would properly be carried out under **Senate Bill 367's Program** in order to establish criteria to **ensure appropriate appointments and prevent conflict of interest, as well as requiring a permanent position on the Patuxent River Commission for the Patuxent Riverkeeper.**

For these reasons, we urge a favorable report on SB 367.

Alexander Villazon
Waterkeepers Chesapeake

BWB SB367 Favorable.pdf

Uploaded by: Alice Volpitta

Position: FAV



February 23, 2022

Patuxent River Commission – Membership (SB 367)

Position: FAVORABLE

Dear Chair Pinsky and Members of the Education, Health, and Environmental Affairs Committee:

Blue Water Baltimore, home of the Baltimore Harbor Waterkeeper, is a nonprofit organization with a mission to restore the quality of Baltimore’s rivers, streams, and Harbor to foster a healthy environment, a strong economy, and thriving communities. We write today in support of “Patuxent River Commission – Membership” (Senate Bill 367).

As a fellow Waterkeeper organization, the Patuxent Riverkeeper is our peer in the international Waterkeeper Alliance and serves to speak on behalf of the Patuxent River and amplify the voices of the people who live, work, and recreate within the Patuxent River watershed. A central tenet of the Patuxent Riverkeeper is to uphold the best interests of the river above all else, and in my capacity as Baltimore Harbor Waterkeeper I have seen Fred Tutman fulfill that role consistently over the past eight years. Senate Bill 367 guarantees a seat on the Patuxent River Commission to the Patuxent Riverkeeper, and ensures that advocates for the community and the environment retain their rightful place on the Commission.

In his role as Patuxent Riverkeeper, Fred has fought against dangerous over-development within the watershed for decades, and in December 2021 he was erroneously dismissed from the Patuxent River Commission by the Maryland Department of Planning. He is the eighth generation of his family to be born and raised along the Patuxent and has been a prominent voice for protecting the Patuxent River for decades. He is the nation's only Black Riverkeeper, and he has dedicated his life's work to protecting and restoring this iconic waterway. It is paramount that lifelong advocates like Fred are secured a seat at the table to guide decision makers toward solutions that meaningfully improve the state of the Patuxent River and the Chesapeake Bay.

For these reasons, Blue Water Baltimore, on behalf of our thousands of members and supporters, respectfully urges a Favorable Report on SB 367. Thank you.

Alice Volpitta
Baltimore Harbor Waterkeeper
Blue Water Baltimore
avolpitta@bluewaterbaltimore.org

Please pass SB367.pdf

Uploaded by: Barbara Sollner-Webb

Position: FAV

Please pass SB367 (HB716)

Hello! I am Barbara Sollner-Webb, lifetime Maryland resident. For nearly two-decades is was an active member of the Patuxent River Commission (PRC) -- until being removed last fall, along with the Patuxent Riverkeeper and a few others who also worked hard for the good of the river (and hence were at odds with the Secretary of the Department of Planning).

The PRC is Maryland's only governmental river commission, created in the 1980's as a safety valve for concerns about the decline of the Patuxent River (following years of lawsuits, activism and governmental studies seeking solutions to the steady decline of the State's longest and deepest intrastate river). For very many years, the PRC was impressively effective in helping preserve and enhance the Patuxent River.

Notably, a number of the most positive things that the PRC has been acclaimed for over the years -- including creating a much-used "Patuxent Water Trail" website, initiating a recurring Patuxent Environmental Summit, and running numerous stream clean-ups and tree-planting sessions -- were all done by the Patuxent Riverkeeper, Fred Tutman, who was the longest-serving member of the PRC, until his recent dismissal. As probably everyone here knows, the Patuxent Riverkeeper (Fred Tutman) has an admirable history of working to preserve and enhance the Patuxent River, So it is "curious" that the Secretary of the Department of Planning explained Fred's dismissal by saying he wants "*new perspectives*" for the Commission, suggesting that the Secretary's intended "*new perspectives*" may be different than preserving and enhancing the Patuxent River.

As PRC members, Fred and I had resisted when the Secretary of the Department of Planning tried to insist the PRC could no longer address proposed development projects that the Commission feared could be damaging to the river. Since the PRC's enabling statute includes that role for the Commissioners, Senator Rosapepe and Delegate Healey kindly asked the Maryland's Attorney General, who reinforced that position, angering the Secretary of the Department of Planning. Yet he recently acknowledged in media accounts that he still believes the PRC is his to control. Indeed, he and/or the Governor recently violated the legitimate PRC Commissioner appointment procedure by (i) by not obtaining the "*advice and consent of the [Maryland State] Senate*" before any new Commissioner tis appointed, as is mandated in the PRC's enabling statute, (ii) before that, by not asking advice from the serving Commissioners for new individuals to fill any vacancies, and (iii) by recently making a new appointment who does not fulfill the residency requirements of the enabling statute.

For at least the last 20 years, by far the strongest voices on the PRC speaking for the health of the river have been the five citizen/environmentalist positions, whose selection the PRC's enabling statues mandates must be brought before the Senate, which is not-w being ignored. Thus, we feel it is very important to return at least the Patuxent Riverkeeper's voice and expertise to the PRC, by passing SB367 (HB716.)

Furthermore, please consider amending the legislation by adding to the PRC's roster not only the Patuxent Riverkeeper but also a member of the Patuxent Riverkeeper's Board of Directors, to be chosen by the Patuxent Riverkeeper.

In summary, to hopefully reinstate the PRC to being the best forum in the State for raising and exploring solutions to the problems of a formerly healthy river that now consistently gets a D- in water quality, please pass SB367/HB716. It would be a tribute to the wonderful and recently departed Senator Bernie Fowler who was the inspiring force for the PRC.

Thank you for considering this testimony.

sincerely,
Barbara

Barbara Sollner-Webb
17200 Melbourne Dr, Laurel, MD 20707
Johns Hopkins University School of Medicine Professor emerita
President, West Laurel Civic Association
301-655-552- cell, <bsw@jhmi.edu>

SB 367 amended.pdf

Uploaded by: Cheryl Dyer

Position: FAV

To: Senate Education, Health and Environmental Affairs Committee
Re: SB 367 - Patuxent River Commission
January 27, 2022

I am writing on behalf of **Laurel for the Patuxent Inc**, a nonprofit grassroots organization founded in Laurel in 2019 to protect and preserve the Patuxent River and its environs in and around the City of Laurel.

We wish to add our voices to the support of **SB 367**, the Patuxent River Commission Membership bill.

As full time guardian of the Patuxent River, the Patuxent Riverkeeper should be assured of a seat on the Patuxent River Commission. A Riverkeeper's responsibilities include patrolling local waterways, tracking down sources of pollution, responding to citizen complaints, identifying problems that impact water quality and advocating for environmental laws and regulations to ensure clean water.

With expertise and concern for our beloved river, the Patuxent Riverkeeper spends countless hours performing just these duties with intimate, first hand knowledge from a long partnership with the river and the land. Such a devoted and necessary position should not be excluded from the body that oversees and makes important decisions about our river.

We urge this committee to vote favorably on SB 367. The health of our river and our environment depend upon having informed and wise people in such positions. The Riverkeeper's position should be at the top of the list.

Cheryl Dyer
310 4th Street
Laurel, Maryland
Secretary, Laurel for the Patuxent

SB367 Patuxent River Commish pdf.pdf

Uploaded by: david nemazie

Position: FAV



University of Maryland
CENTER FOR ENVIRONMENTAL SCIENCE

Senate Bill 367: Patuxent River Commission – Membership

Education, Health and Environmental Committee:

Chair: Senator Paul Pinsky; Vice-Chair: Senator Cheryl Kagan

Testimony from:

Dave Nemazie: Chief of Staff, University of Maryland Center for Environmental Science

Thank you for the opportunity to testify in support with an amendment to SB367.

The Patuxent River Commission was formed in the early 1980's dedicated to the stewardship of the Patuxent River and its watershed. It strives to lead and inspire actions to protect, enhance and restore river species as well as the natural, cultural, economic, and recreational values in the watershed. The original act envisioned a Patuxent River ecosystem as vital and productive in 2050 as it was in the 1950s. The Commission includes representatives from watershed stakeholders, the seven counties in the watershed, and the city of Laurel.

The University of Maryland Center for Environmental Science leads the way toward better management of Maryland's natural resources and the protection and restoration of the Chesapeake Bay. The UMCES Chesapeake Biological Laboratory is at the mouth of the Patuxent River on Solomons Island. It was established in 1925 and is the oldest state-supported marine laboratory in continuous operation on the East Coast.

UMCES scientists have not only been VERY active in understanding and restoring the Patuxent River but have also served on the Commission for decades, if not since its origin. These scientists have described the success of the Commission in relation to its multiple voices with varying views working together on difficult issues. The Patuxent RiverKeeper is an important stakeholder who voice for the natural, cultural, economic, and recreational values in the watershed should be heard and formally have a voting seat on the Commission as this bill would require.

With the long history, dedication, and scientific leadership to the Patuxent River and the entire Chesapeake Bay, we believe that UMCES should also have a formal voting seat on the Commission and therefore offer the following Amendment:

a (8) as ex officio members:

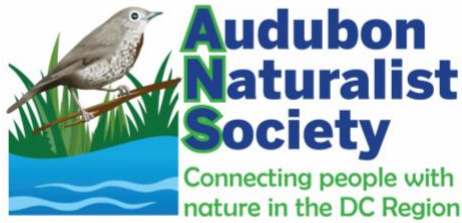
(vii) THE PRESIDENT OF THE UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE OR A DESIGNEE

UMCES hopes the Committee gives this bill and the proposed amendment a favorable report.

2022-02-23-SB367- ANS - FAV.pdf

Uploaded by: Denisse Guitarra

Position: FAV



February 22, 2022

Written Testimony for [SB367](#)- Patuxent River Commission – Membership

Position: Favorable

Dear Senate Education, Health, and Environmental Affairs Committee,

For 125 years, Audubon Naturalist Society (ANS) has inspired people to enjoy, learn about and protect nature. We thank the Senate Education, Health, and Environmental Affairs Committee for the opportunity to provide testimony for SB367- - Patuxent River Commission – Membership.

The Patuxent River directly impacts the health of the Chesapeake Bay watershed area, its residents and wildlife. The Patuxent River Commission (PRC) created 1984 (four years after the 1980 Patuxent River Watershed Act) is Maryland’s only governmental river commission created as a safety valve for concerns about the decline of the Patuxent River. Historically, the PRC has acted as an independent watchdog that has worked tirelessly to help preserve and enhance the Patuxent River, ensuring, for example, that construction projects impinging on the waterway were appropriately designed and implemented to minimize any negative impact on the river from inappropriate land use or excessive sediment releases, etc.

Fred Tutman, The Patuxent River Keeper, has been a crucial member of the PRC for more than two decades. Fred has been an outspoken advocate for a variety of watershed-related environmental justice issues. His recent dismissal by Governor Larry Hogan and MD Secretary of Planning, Robert S. McCord without reasonable cause, along with non-reappointment of other outspoken PRC members, raises grave concerns. Furthermore, in order for the PRC to remain independent, the commission members must demonstrate the knowledge and skills to act in the public interest without any conflicts of interest. For this reason, it is critical that criteria be established to ensure that all members of the PRC share such qualifications, and that the Patuxent River Keeper be included as a full voting member of the PRC. The passage of SB367 requires the addition of the Patuxent Riverkeeper as a full voting member of the PRC Effective June 1, 2022.

The passage of this bill with the recommended amendment would provide critical support to the ongoing existence of an effective, independent PRC able to speak out against projects that would cause irreparable harm to the Patuxent River and its environment, and damage the health and welfare of Maryland’s residents, wildlife, and natural resources. ANS and our 28,000 members and supporters recommend that the Senate Education, Health, and Environmental Affairs Committee support the passage of SB367.

Sincerely,

Pamela Janssen, Conservation Volunteer, Audubon Naturalist Society (ANS)

Denisse Guitarra, Maryland Conservation Advocate, Audubon Naturalist Society (ANS)

Woodend Sanctuary | 8940 Jones Mill Road, Chevy Chase, Maryland 20815 | 301-652-9188

Rust Sanctuary | 802 Childrens Center Road, Leesburg, Virginia 20175 | 703-669-0000

anshome.org

SB 367 Final Testimony.pdf

Uploaded by: Elizabeth Nicholas

Position: FAV



P.O. Box 11075
Takoma Park, MD 20913
(800) 995-6755
www.waterkeeperschesapeake.org
CFC#: 31891

February 24, 2022

FAVORABLE – SB 367: Patuxent River Commission - Membership, with recommended amendment

Chairman Pinsky and Members of the Committee,

We are writing in strong support of Senate Bill 367 on behalf of Waterkeepers Chesapeake, and the 54 organizations that signed the attached letter to the Patuxent River Commission demanding the reinstatement of the commissioners who were recently tossed off the Commission for their dedication to environmental protection. Waterkeepers Chesapeake is a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. As we here at Waterkeepers work to protect and maintain the ability of the public to safely enjoy the waters of our State, we are also in support of ensuring that the Patuxent River Commission, Maryland's only River Commission, establish and adhere to criteria for appropriate appointments and to prevent conflicts of interest. The recent dismissal of the Patuxent Riverkeeper Fred Tutman, the commission's most outspoken advocate for the environment, is an egregious example of the consequences a lack of adherence to criteria can lead to. Fred Tutman had served on the commission since 1996 and became the founding Patuxent Riverkeeper in 2004, working on the very same river he was born and raised along. It is difficult to imagine anyone who has a greater vested interest in the health of the Patuxent River than Mr. Tutman, who has been an outspoken advocate for environmental justice and provide a voice for communities opposing development.

Waterkeepers Chesapeake supports Senate Bill 367 and its expressed goals, but would also recommend that the other members of the Commission who were removed for no cause also be reappointed to the commission. We understand that since Governor Hogan filled all vacancies after removing these

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Assateague COASTKEEPER®
Baltimore Harbor WATERKEEPER®
Chester RIVERKEEPER®
Choptank RIVERKEEPER®
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James RIVERKEEPER®
Lower Susquehanna RIVERKEEPER®
Middle Susquehanna RIVERKEEPER®
Miles-Wye RIVERKEEPER®
Patuxent RIVERKEEPER®
Potomac RIVERKEEPER®

Sassafras RIVERKEEPER®
Severn RIVERKEEPER®
Shenandoah RIVERKEEPER®
South, West & Rhode
RIVERKEEPER®
Upper Potomac RIVERKEEPER®

commissioners, that doing so at this time would increase the number of members of the commission. Thus we request that these members be re-appointed as quickly as possible, with an additional recommendation that those who were improperly appointed step down and allow the wrong to be made right.

By preventing the unwarranted removal of future outspoken advocates for the environment, the commission will begin to once again show its priorities are with protecting communities and the environment, as opposed to developers. Therefore, we believe these requirements would properly be carried out under **Senate Bill 367**.

For these reasons, we thank Chairman Pinsky for his leadership on this issue and urge a favorable report on SB 367.

Betsy Nicholas
Executive Director
Waterkeepers Chesapeake
Betsy@waterkeeperschesapeake.org
202-423-0504 (mobile)

Date: January 28, 2022

To: MD Secretary of Planning Robert S. McCord - robert.mccord@maryland.gov

CC: Governor Larry Hogan - Keiffer.Mitchell@maryland.gov
Sen Bill Ferguson - bill.ferguson@senate.state.md.us
Del. Adrienne A. Jones - adrienne.jones@house.state.md.us
Sec. Ben Grumbles - ben.grumbles@maryland.gov

Dear Secretary McCord:

The 52 undersigned organizations are writing to express our profound concern regarding your actions to dismiss Fred Tutman and others from the Patuxent River Commission, which we believe is outside of your jurisdiction. The justification you articulated to the Baltimore Sun—that Mr. Tutman in particular was not reappointed out of a desire to “have new perspectives added to the commission”—seems short-sighted at best, if not outright disingenuous. The Commission’s enabling legislation clearly states that new “citizen” appointees must be ratified by the Maryland Senate and appointed by Governor Hogan, **we are demanding that these leaders ensure his immediate reinstatement as part of the process.**

As you are well aware, Mr. Tutman has served on the commission since 1996, and it is difficult to imagine anyone who has a greater vested interest in the health of the Patuxent River. As the founding Patuxent Riverkeeper since 2004, his office is located in Upper Marlboro, where Mr. Tutman was born and raised, along the Patuxent, as were seven generations of his ancestors. He still lives on the farm where he grew up, where he grows vegetables, works as a blacksmith and leases cropland on 200 acres.

His perspectives are varied beyond that of a farmer and Prince George’s native son. Mr. Tutman was a broadcast journalist for 25 years before attending law school. Since founding Patuxent Riverkeeper, he has played a role in litigating 19 cases to protect the health of the river and the communities whose lives are intertwined with it. He is an outspoken advocate for environmental justice, and has provided a bullhorn to communities opposing development, particularly minority communities.

He helped these communities by fighting to block construction of a mega-development on watershed farmland, joining a community group’s civil rights complaint accusing the state of Maryland of approving a disproportionate number of power plants near a community where nearly three-quarters of the population is African-American, and, in a precedent-setting win, leading a legal challenge that earned residents and organizations with aesthetic or recreational interest the legal standing to contest proposed development in Maryland.

“It was Fred who opened our eyes to pollution and environmental issues in general,” says former Eagle Harbor Mayor James Crudup.

It is also documented that you have pushed to quell the Commission’s development discussions, which Mr. Tutman has been at the center of, claiming it was beyond the scope of the Commission’s work. Yet the Commission has been addressing land use issues since it was created in 1980, according to former Secretary of Planning Richard Eberhart Hall.

In our opinion, the Patuxent River Commission simply cannot fulfill its mission without the Riverkeeper’s involvement. Your actions have caused the Commission to lose its credibility in the community and you have fractured what had evolved into a hand-in-glove beneficial relationship between private and public conservation on the Patuxent River. If, as you claim, Fred’s ouster from the Commission is not a reaction to his role as a fierce and unapologetic advocate for environmental justice, then your misguided dismissal of Mr. Tutman should be corrected, and you should advocate with the Commission, the Maryland Senate, and Governor Hogan to make that happen immediately.

We look forward to your response. You can contact me at the address above.

Sincerely,

Betsy Nicholas
Executive Director
Waterkeepers Chesapeake
Betsy@waterkeeperschesapeake.org

Action Information
Anacostia Riverkeeper
Arundel Rivers
Assateague Coastal Trust
Audubon Naturalist Society
Beaverdam Creek Watershed Watch Group
Blue Water Baltimore
Chapman Forest Foundation
Chesapeake Climate Action Network
Chesapeake Foundation
Chesapeake Legal Alliance
Clean Water Action
Ecorizons Conservation Consulting

Edgesville Farm
Environmental Integrity Project
Food & Water Watch
Frack-Free Frostburg
Friends of Sligo Creek
Friends of Swann Park
Friends of Ten Mile Creek & Little Seneca Reservoir
Friends of the Nanticoke River
Greenbelt Access Television
Greenbelt Climate Action Network
Gunpowder RIVERKEEPER
HoCo Climate Action
Interfaith Partners for the Chesapeake
Lower Susquehanna Riverkeeper Association
Maryland Pesticide Education Network
Maryland Conservation Council
Mattawoman Watershed Society
MD Campaign for Environmental Human Rights
Middle Susquehanna Riverkeeper Association
Minorities In Aquaculture
Montgomery Countryside Alliance
Mountain Maryland Movement
Namati
Potomac Conservancy
Potomac Riverkeeper Network
Prince George's County Sierra Club
Protect Our Stream Long Reach
Proud Union Retirees of Western Maryland
Safe Skies Maryland
SAVE BARC-STOP the BEP
Shenandoah Riverkeeper
ShoreRivers
Southern Maryland Audubon Society
SouthWings
St. Mary's River Watershed Association
Upper Potomac Riverkeeper
Waterkeeper Alliance
Wicomico Environmental Trust



SB367_MDSierraClub_fav 24Feb2022.pdf

Uploaded by: Josh Tulkin

Position: FAV



Maryland Chapter
P.O. Box 278
Riverdale, MD 20738

Committee: Education, Health and Environmental Affairs

Testimony on: SB367 “Patuxent River Commission - Membership”

Position: Support

Hearing Date: February 24, 2022

The Maryland Chapter of the Sierra Club supports the passage of SB367, which would add the Patuxent Riverkeeper as a voting member of the Patuxent River Commission.

Founded in 2004, the Patuxent Riverkeeper has a mission to conserve, protect and replenish Maryland’s longest and deepest intrastate waterway through strategic advocacy, restoration and education with a goal of long term sustainability for the ecosystem of the entire Patuxent River basin and the people who rely on its future.¹ The role of the Patuxent Riverkeeper is hands on and active through engaging the community in tree plantings, cleanups and running a water trail website. This dedication to the river gives the Patuxent Riverkeeper an invaluable perspective on the overall condition of the river.

The Patuxent River Commission was founded in 1980 and has a long history of working with the Patuxent Riverkeeper on important projects like the Patuxent Environmental Summit. The Commission serves as a steward for the Patuxent River and commits to lead and inspire actions to protect, enhance and restore river species as well as the natural, cultural, economic, and recreational values in the watershed.”² Considering the alignment of the mission of the Patuxent Riverkeeper with the Patuxent River Commission, it makes sense to have the Patuxent Riverkeeper be a permanent member of the commission.

We urge a favorable report.

Lily Fountain
Chair, Natural Places Committee
Lily.Fountain@MDSierra.org

Josh Tulkin
Chapter Director
Josh.Tulkin@MDSierra.org

¹ <http://paxriverkeeper.org/>

² <https://planning.maryland.gov/Pages/OurWork/PaxRiverComm/PatuxentRiverCommInfo.aspx>

SB 367_CBF SUPPORT.pdf

Uploaded by: Robin Jessica Clark

Position: FAV



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 367

Patuxent River Commission – Membership

Date: February 24, 2022

Position: **Support**

To: Education, Health and Environmental Affairs

From: Robin Clark, Maryland Staff Attorney

Chesapeake Bay Foundation **SUPPORTS** SB 367 which adds the Patuxent Riverkeeper as a voting member of the Patuxent River Commission.

The Patuxent River Commission, formed four years after the 1980 Patuxent River Watershed Act sought to protect this important Maryland resource, envisions a Patuxent River ecosystem as vital and productive in 2050 as it was in the 1950s.¹ The PRC includes the seven counties, the city of Laurel, and additional watershed stakeholders and interest groups.²

The PRC serves as a steward for the Patuxent River and commits to lead and inspire actions to protect, enhance and restore river species as well as the natural, cultural, economic, and recreational values in the watershed.³

The Patuxent Riverkeeper's mission is to conserve, protect and replenish Maryland's longest and deepest intrastate waterway.⁴ Through strategic advocacy, restoration and education our goal is long term sustainability for the ecosystem of the entire Patuxent River basin and the people who rely on its future.⁵

The Chesapeake Bay Foundation has witnessed firsthand the Patuxent Riverkeeper's contributions to protecting and restoring the Patuxent River, and to strengthening and supporting a community of advocates within the Patuxent's watershed. It is clear that the Patuxent River Commission cannot fulfill its mission without the Riverkeeper's membership.

CBF urges the Committee's FAVORABLE report on SB 367. For more information, contact Robin Jessica Clark, Maryland Staff Attorney at rclark@cbf.org or 443.995.8753.

¹ [Patuxent River Commission](#), Maryland Department of Planning, last visited February 20, 2022.

² *Id.*

³ *Id.*

⁴ [Patuxent Riverkeeper](#), last visited February 20, 2022.

⁵ *Id.*

Balt Sun Op ed.pdf

Uploaded by: Frederick Tutman

Position: FWA

Was the Patuxent River Commission shake-up an attempt to silence negative discussion of development projects? | GUEST COMMENTARY

By RICHARD EBERHART HALL, ROBERT M. SUMMERS and ANDREW J. MILLER
FOR THE BALTIMORE SUN |

JAN 23, 2022 AT 5:53 AM



Fred Tutman, Patuxent Riverkeeper (Tim Prudente, Capital Gazette) (By Tim Prudente, Capital Gazette)

We were dismayed to read last month about the recent [dismissal](#) of Fred Tutman, founder of the Patuxent Riverkeeper organization, along with multiple other members of the Patuxent River Commission who are respected scientists, farmers, watershed managers and environmental consultants. According to the Maryland Department of Planning's own [webpage](#), the commission "serves as a steward for the Patuxent River and commits to lead and inspire actions to protect, enhance and restore river species as well as the

natural, cultural, economic, and recreational values in the watershed.” It seems that perhaps Mr. Tutman and his colleagues have been doing their jobs too well.

The Patuxent is the largest watershed located entirely within Maryland’s jurisdiction and has been the proving ground for many of the state’s Chesapeake Bay initiatives. The Patuxent River Commission was created to protect the river from the negative impacts of pollution and excessive development, yet the administration has repeatedly tried to suppress Mr. Tutman and other voices of environmental reason on the commission.

Several years ago, the Department of Planning’s Deputy Counsel issued an advice memorandum to the commissioners stating that they do not have the authority to discuss private land use in the watershed. In fact, since it was created in 1984, the commission has frequently debated the environmental impacts of development. The first Patuxent River Policy Plan, created to guide the Watershed jurisdictions in addressing these issues, was approved by the commission that same year. The Policy Plan has been updated regularly by the commission, most recently in 2015, and has been adopted by all seven watershed counties and the state General Assembly. Fortunately, the Planning Department’s incorrect advice was corrected by the attorney general’s chief counsel.

The recent decision to drop Mr. Tutman and others is being interpreted as a retaliatory measure intended to prevent discussion of the negative impacts of development projects and shield them from public scrutiny. The dismissal is particularly painful as we mourn the recent death of Sen. Bernie Fowler of Calvert County, a legendary fighter for the health of the Patuxent and founder of the annual “wade-in,” attended over the years by governors and elected representatives of both parties. Sen. Fowler-style “wade-ins” are now being

held annually in tributaries all over the bay watershed to call attention to water quality restoration efforts.

With this recent action, the administration is seeking to silence important voices on land use and water resource protection. Maryland has historically been a leader in addressing these issues and taking the steps necessary to restore and protect Chesapeake Bay and its tributaries. The administration's actions in this case signify a retreat from a strong legacy of Maryland's environmental leadership.

Mr. Tutman, the nation's only African-American Riverkeeper, represents the eighth generation of his family to be born and raised along the Patuxent and has been a prominent voice for protecting the Patuxent River, one of the most environmentally impacted tributaries to Chesapeake Bay. As Mr. Tutman pointed out in a [2019 article](#) about him, "Citizens along the Patuxent were literally suing before the Clean Water Act was enacted. In fact, the origins of the Save the Bay movement are entirely from the impetus or the example set by Patuxent advocates."

Mr. Tutman is known nationally as a leading advocate for environmental protection and environmental justice, ensuring access to nature and engaging people of color in environmental action. This is an issue of critical importance that is being highlighted by the Chesapeake Bay Program. Gov. Larry Hogan has [recently endorsed](#), along with other regional leaders on the Chesapeake Executive Council, a new Diversity, Equity, Inclusion and Justice strategy that highlights environmental justice and inclusion of people of color in decision-making as important guidelines for the bay restoration effort. Dismissing Mr. Tutman from a position of influence on the Patuxent River Commission certainly runs counter to this much-needed enhancement to the bay restoration effort.

In removing Mr. Tutman and the others from the commission, the administration has made a serious error that will damage Maryland's efforts to restore and protect the Patuxent River and Chesapeake Bay. We urge Gov. Hogan to review and to overrule this decision. It reflects negatively on Maryland's commitment to including a diversity of voices, particularly those of dedicated people like Mr. Tutman who are working to ensure that equity, inclusion and environmental justice are front and center to our efforts for restoring and protecting the Chesapeake Bay and its tributaries for all Marylanders.

Richard Eberhart Hall (richard.eberhart.hall@gmail.com) is a former Maryland secretary of planning. Robert M. Summers (robert.summers.phd@gmail.com) is a former Maryland secretary of the Environment. Andrew J. Miller (miller@umbc.edu) is a professor of geography and environmental systems at UMBC and a former chair of the Chesapeake Bay Program Scientific and Technical Advisory Committee.

Baltimore Sun 1.pdf

Uploaded by: Frederick Tutman

Position: FWA

<https://www.baltimoresun.com/news/environment/bs-md-patuxent-river-commission-politics-20211221-ugduxdh76ra5jkkv5gvwjsucta-story.html>

Patuxent riverkeeper's shocking dismissal from a key Maryland commission heightens conflict over development versus water quality

By SCOTT DANCE

BALTIMORE SUN |

DEC 21, 2021 AT 6:00 AM

The Patuxent River Commission's roots go back decades, to the genesis of the Chesapeake Bay cleanup movement, and its 34 members are appointed by the governor and confirmed by the state Senate. That gives heft to the advisory group's advocacy as steward of the longest river entirely within Maryland borders, though it has no actual powers — just “the power to persuade,” as one member put it.

So it came as a shock to members when the Maryland secretary of planning, whose department houses the commission, tried to tell members in 2018 that they didn't even have the authority to discuss new real estate developments within the Patuxent watershed, even though such projects greatly influence the river's health. The commissioners sought legal clarification, and were advised they could indeed carry on raising concerns.

But now, some members feel they've been muzzled again, and for good — recently informed that they were not reappointed to the commission, without explanation.



Fred Tutman, the Patuxent Riverkeeper, recently was not reappointed to the Patuxent River Commission, a state advisory panel. (By Tim Prudente, Capital Gazette)

That includes Fred Tutman, who has served on the panel for more than two decades and whose work as the Patuxent Riverkeeper, an independent role focused on conservation, is central to the commission's activity and mission. Tutman had been vocal about development concerns, and said he can't think of another reason he'd be dismissed from the commission.

"It says to commissioners, 'If you step out of line, you do so at your own peril,'" Tutman said.

State Planning Secretary Robert McCord said in a statement that the push to quell the commission's development discussions came out of concerns that the state body might overreach into what should be a matter for local governments to handle.

And he said Tutman was not reappointed out of a desire to replace him with "an active farmer with a new perspective." The commission is made up of local government officials, academics, conservationists, developers and farmers, and Tutman was serving in a seat designated for a farmer.

McCord declined to be interviewed but said the suggestion that the decision was retaliatory “is demonstrably false.”

“I wanted to have new perspectives added to the commission,” McCord said in an email.

Tutman said he found that explanation surprising and puzzling, given that he grows vegetables, works as a blacksmith and leases cropland on 200 acres near the Patuxent in Prince George’s County that has been his family’s home for a century. He became the Patuxent Riverkeeper in 2004, six years after his first appointment to the river commission.

“This is a reprisal,” he said.

Chris Perry, the commission’s vice chair, said he shares Tutman’s concerns. Perry said neither he nor commission chair Mike Leszcz, who could not be reached for comment, had been informed about the dismissal or given any explanation for it.

“It certainly doesn’t look good,” Perry said. “The perception is bad.”

The commission dates to 1985, created under state law amid concern that the northern portions of the river’s drainage basin in Howard County were sending pollution downriver into Southern Maryland. Its duties include oversight of river cleanup plans and the ability to “review and comment on plans and reports related to the Patuxent River and its watershed.”

Since the creation of the Patuxent Riverkeeper position, that work has included collaboration with Tutman and his organization on river health report cards, trash pickups, and the creation of a “water trail” for canoes and kayaks to tour the river.

Tutman said he worries that without a seat on the panel, it will become harder to collaborate with the commission — and, by extension, promote the health of

the 115-mile Patuxent. And he worries the group will be less receptive to that sort of outreach going forward.

Others dismissed from the board include Barbara Sollner-Webb, professor emerita of biological chemistry at the Johns Hopkins University; Al Tucker, a physicist and farmer; Andrew Der, an environmental consultant; and John McCoy, watershed manager for the Columbia Association. Members serve staggered four-year terms and are not paid for their work.

Sollner-Webb and Tucker said they were blindsided by the decisions not to reappoint them to the commission, though both recalled contentious confrontations with McCord over the discussions about development projects. In interviews, both raised concern about the independence of the commission and confirmed they had voted in favor of motions that discouraged development near the river.

Commission records show McCoy, on the other hand, voted in support of motions encouraging Howard County to extend a deadline for one controversial development project, the Erickson at Limestone Valley senior living complex in Clarksville. He could not be reached for comment.

New appointees to the commission include:

- Frank Allen, a farmer and president of the Leonardtown-based Patuxent Tidewater Land Trust;
- Margaret Everson, who served as acting director of both the National Park Service and National Fish and Wildlife Service under President Donald Trump;
- Morgan Hall Jr., a Defense Department scientist at Aberdeen Proving Ground who also serves on the board of the Maryland Environmental Service;

- Diep Nguyen-van Houtte, a finance executive who serves on the Patuxent land trust's board;
- Brian E. Riddle, president of Homestead Gardens, a garden supply store in Davidsonville, and serving in a seat designated for a farmer;
- Hiram L. Tanner Jr., a former manager for DC Water, recently named to the Maryland Environmental Service board and serving in a seat designated for a developer; and,
- John B. Tarr, chief engineer for the Prince George's County Soil Conservation District.

What is most frustrating to Tutman is that he said he had the river's interests at heart when he brought up concerns about development. Roofs and pavement increase runoff, which sends more sediment and pollutants into waterways. And it's not as if he or the commission had the power to do any more than highlight that concern to the broader community, he said.

"If all we could do is talk about this stuff, why can't we at least do that?" Tutman asked. "What's the harm?"

McCord said he feared the discussions would "disrespect local planning and zoning authority without any specific legal authority to do so," and worried it could cause confusion if commission members appear in local zoning proceedings "and give the impression that they were representing the view of the PRC."

Still, Tutman's departure is stirring worries for some that the river's health will suffer as a result.

Chesapeake Biological Laboratory Director Tom Miller, who said he recently stepped down from the commission for unrelated reasons, called it "remarkable" that Tutman wasn't reappointed, especially given that the Patuxent is one of the Chesapeake Bay's largest tributaries and in the poorest health.

Sollner-Webb echoed that, in more dramatic terms: “That the Patuxent River Commission feels they have to get rid of the Patuxent Riverkeeper suggests their missions don’t really mesh anymore.”

Perry said Tutman and Sollner-Webb were “leaps and bounds the most active people that were on the commission,” helping set the body’s agenda and lead discussion. He said both “will be sorely missed.”

And, Perry added, that even without a seat on the commission, Tutman continues to show his value to the group and to the river. Just last week, Tutman sent an email to commissioners and Anne Arundel County leaders with evidence about an ongoing sewage leak into the river, Perry said. “I don’t think we can get another commissioner that would be that connected to the river,” Perry said, “so it’s a really huge loss to the Patuxent River Commission to not have Fred on it anymore.”

Carter-Nick-PRC-February-2022.pdf

Uploaded by: Frederick Tutman

Position: FWA



Maryland DEPARTMENT OF PLANNING

February 14, 2022

Worrall Reed “Nick” Carter III
14272 Drapers Mill Road
Greensboro, MD 21639-1345
nmcarter1@verizon.net

Dear Mr. Carter III:

Thank you for your letter regarding Fred Tutman’s service on the Patuxent River Commission (Commission). I want to take this opportunity to respond.

The Annotated Code of Maryland, State Finance and Procurement Article, § 5-814, establishes the membership of the Commission. Further, it defines the term of a Commissioner as four years, but it makes no reference to reappointments beyond the carryover provision that allows a Commissioner to continue to serve until a replacement has been appointed. Commissions, such as these, explicitly provide for the length of a term, so as to encourage fresh ideas and new perspectives being brought to the table at regular intervals.

As you may be aware, Mr. Tutman had served on the Commission since 1996. After extensive discussions with my professional staff concerning the makeup of the Commission and, after careful deliberation, I decided that the Commission was due for fresh ideas and new perspectives. While Mr. Tutman may not have a formal seat on the Commission, I anticipate and welcome his continued advocacy and participation in his role as the Patuxent Riverkeeper.

Again, thank you for your letter. I recognize and value Maryland’s riverkeepers and look forward to continued partnerships to protect Maryland’s environment and natural resources.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert S. McCord", written in a cursive style.

Robert S. McCord, Esq.
Secretary
Maryland Department of Planning

Gerald Winegrad.pdf

Uploaded by: Frederick Tutman

Position: FWA

Gerald W. Winegrad (Former Senator)
1328 Washington Drive
Annapolis, MD 21403
410-280-8956 gwwabc@comcast.net

Re: SUPPORT for HB 716 with Amendments

Dear Chairman and Vice Chairman,

Please accept this letter of endorsement for House Bill 716 which designates the Patuxent Riverkeeper as a voting member of the Patuxent River Commission with amendments I propose below. This bill would correct the egregious move by the Governor and his Secretary of Planning in kicking-off the Patuxent Riverkeeper Fred Tutman and also Barbara Sollner-Webb, Professor Emerita of biological chemistry at the Johns Hopkins University. This was clearly done in retribution because of their strong advocacy for protection of the River especially in standing up against real estate developments that would harm the Patuxent River.

The Secretary of Planning tried to block any decisions by the Commission regarding developments until overruled by the advice of an Assistant Attorney General. Then, after the expiration of the terms of Mr. Tutman and Professor Sollner-Webb, the Governor with the support of the Secretary decided to end their terms by not reappointing these most active members who had served for more than 40 years combined.

You have a letter from dozens of environmental groups protesting this blatant move to silence Patuxent River advocates while the Governor reaps millions of dollars from his land development company, Hogan Companies.

However, HB 716 only corrects the Patuxent Riverkeeper dismissal and needs to be amended to assure advocates can continue to serve on the Commission again. The attached draft would add an additional four members, two of whom shall be appointed by the President of the Senate and two of whom shall be appointed by the Speaker of the House. The two appointees of the President of the Senate and the two appointees of the Speaker of the House shall be made based on their passion and concerns for the conservation and restoration of the Patuxent River as epitomized by the late Senator Bernie Fowler and at least one of the four shall be a resident of Calvert County.

Further, the Commission shall appoint the Chairman from among its members appointed by the President of the Senate or Speaker of the House based on their passion and concerns for the conservation and restoration of the Patuxent River as epitomized by the late Senator Bernie Fowler.

The Commission's powers would be expanded to include review and comment on any project related to land use that may result in the deterioration of the water quality of the Patuxent River and working to achieve the reductions in nitrogen, phosphorus, and sediment to restore the water quality of the Patuxent River and assure the Total Maximum Daily Discharge (TMDL) limits established by the U.S. Environmental Protection Agency are met as required.

The act shall be titled and known as the Senator Bernie Fowler Patuxent River Conservation Law.

These amendments are crucial for the proper emphasis on restoring the Patuxent and honoring its champion—the recently deceased Senator Bernie Fowler with whom I served with for 12 years in the Senate and who loved the Patuxent and died saddened by its polluted state. I worked very closely with Bernie and I can guarantee he would have sponsored this bill had he still been in the Senate.

I urge you to honor Senator Fowler and his legacy by amending this bill as noted and in the attachment and help foster the needed conservation measures to restore the Patuxent.

Respectfully,

Gerald W. Winegrad, Former Senator (1983-1995),
House of Delegates Member (1978-1983)

Letter for Reinstatement of Patuxent Riverkeeper 0

Uploaded by: Frederick Tutman

Position: FWA



P.O. Box 11075
 Takoma Park, MD 20913
 (800) 995-6755
www.waterkeeperschesapeake.org
 CFC#: 31891

Date: January 28, 2022

To: MD Secretary of Planning Robert S. McCord
 robert.mccord@maryland.gov

Dear Secretary McCord:

The 54 undersigned organizations from across the state of Maryland and the nation are writing to express our profound concern regarding your actions to dismiss Fred Tutman and others from the Patuxent River Commission, which we believe is outside of your jurisdiction. The justification you articulated to the Baltimore Sun—that Mr. Tutman in particular was not reappointed out of a desire to “have new perspectives added to the commission”—seems short-sighted at best, if not outright disingenuous. The Commission’s enabling legislation clearly states that new “citizen” appointees must be ratified by the Maryland Senate and appointed by Governor Hogan, **we are demanding that these leaders ensure his immediate reinstatement as part of the process.**

As you are well aware, Mr. Tutman has served on the commission since 1996, and it is difficult to imagine anyone who has a greater vested interest in the health of the Patuxent River. As the founding Patuxent Riverkeeper since 2004, his office is located in Upper Marlboro, where Mr. Tutman was born and raised, along the Patuxent, as were seven generations of his ancestors. He still lives on the farm where he grew up, where he grows vegetables, works as a blacksmith and leases cropland on 200 acres.

His perspectives are varied beyond that of a farmer and Prince George’s native son. Mr. Tutman was a broadcast journalist for 25 years before attending law school. Since founding Patuxent Riverkeeper, he has played a role in litigating 19 cases to protect the health of the river and the communities whose lives are intertwined with it. He is an outspoken advocate for environmental justice, and has provided a bullhorn to communities opposing development, particularly minority communities.

He helped these communities by fighting to block construction of a mega-development on watershed farmland, joining a community group’s civil rights complaint accusing the state of Maryland of approving a disproportionate number of power plants near a community where nearly three-quarters of the population is African-American, and, in a precedent-setting win, leading a legal challenge that earned residents and organizations with aesthetic or recreational interest the legal standing to contest proposed development in Maryland.

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 Assateague COASTKEEPER®
 Baltimore Harbor WATERKEEPER®
 Chester RIVERKEEPER®
 Choptank RIVERKEEPER®
 Gunpowder RIVERKEEPER®

James RIVERKEEPER®
 Lower Susquehanna RIVERKEEPER®
 Middle Susquehanna RIVERKEEPER®
 Miles-Wye RIVERKEEPER®
 Patuxent RIVERKEEPER®
 Potomac RIVERKEEPER®

Sassafras RIVERKEEPER®
 Severn RIVERKEEPER®
 Shenandoah RIVERKEEPER®
 South, West & Rhode
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“It was Fred who opened our eyes to pollution and environmental issues in general,” says former Eagle Harbor Mayor James Crudup.

It is also documented that you have pushed to quell the Commission’s development discussions, which Mr. Tutman has been at the center of, claiming it was beyond the scope of the Commission’s work. Yet the Commission has been addressing land use issues since it was created in 1980, according to former Secretary of Planning Richard Eberhart Hall.

In our opinion, the Patuxent River Commission simply cannot fulfill its mission without the Riverkeeper’s involvement. Your actions have caused the Commission to lose its credibility in the community and you have fractured what had evolved into a hand-in-glove beneficial relationship between private and public conservation on the Patuxent River. If, as you claim, Fred’s ouster from the Commission is not a reaction to his role as a fierce and unapologetic advocate for environmental justice, then your misguided dismissal of Mr. Tutman should be corrected, and you should advocate with the Commission, the Maryland Senate, and Governor Hogan to make that happen immediately.

We look forward to your response. You can contact me at the address above.

Sincerely,



Betsy Nicholas
Executive Director
Waterkeepers Chesapeake
Betsy@waterkeeperschesapeake.org

CC: Governor Larry Hogan - Keiffer.Mitchell@maryland.gov
Sen Bill Ferguson - bill.ferguson@senate.state.md.us
Del. Adrienne A. Jones - adrienne.jones@house.state.md.us
Sec. Ben Grumbles - ben.grumbles@maryland.gov

Action Information
Anacostia Riverkeeper
Arundel Rivers
Assateague Coastal Trust
Audubon Naturalist Society
Beaverdam Creek Watershed Watch Group
Blue Water Baltimore
Chapman Forest Foundation
Chesapeake Climate Action Network
Chesapeake Bay Foundation

Chesapeake Legal Alliance
Citizens to Conserve and Restore Indian Creek
Clean Water Action
Ecorizons Conservation Consulting
Edgesville Farm
Environmental Integrity Project
Food & Water Watch
Frack-Free Frostburg
Friends of Sligo Creek
Friends of Swann Park
Friends of Ten Mile Creek & Little Seneca Reservoir
Friends of the Nanticoke River
Greenbelt Access Television
Greenbelt Biota
Greenbelt Climate Action Network
Gunpowder RIVERKEEPER
HoCo Climate Action
Interfaith Partners for the Chesapeake
Lower Susquehanna Riverkeeper Association
Maryland Pesticide Education Network
Maryland Conservation Council
Mattawoman Watershed Society
MD Campaign for Environmental Human Rights
Middle Susquehanna Riverkeeper Association
Minorities In Aquaculture
Montgomery Countryside Alliance
Mountain Maryland Movement
Namati
Potomac Conservancy
Potomac Riverkeeper Network
Prince George's County Sierra Club
Protect Our Stream Long Reach
Proud Union Retirees of Western Maryland
Safe Skies Maryland
SAVE BARC-STOP the BEP
Shenandoah Riverkeeper
ShoreRivers
Southern Maryland Audubon Society
SouthWings
St. Mary's River Watershed Association
Upper Potomac Riverkeeper
Waterkeeper Alliance

Wicomico Environmental Trust

Patuxent River Eichbaum.pdf

Uploaded by: Frederick Tutman

Position: FWA

William M. Eichbaum
7108 Laverock Lane
Bethesda, Maryland 20817

February 16, 2022

The Honorable Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

Dear Senator Pinsky,

I am writing in support of Senate Bill 367 regarding The Patuxent River Commission. By way of background, I served as Maryland's Assistant Secretary for The Office of Environmental Programs (OEP) from 1980 to 1987 in the then Department of Health and Mental Hygiene. As you will recall OEP was the predecessor to the Maryland Department of the Environment. In my role as Assistant Secretary, I organized the 1981 Charrette of government and non-government stakeholders which developed The Action Plan designed to resolve on going water quality issues in the Patuxent River. I also served as a member of the Patuxent Commission from its inception until 1987.

Senate Bill 367 has the limited purpose of restoring the Patuxent Riverkeeper as a member of the Commission, following Governor Hogan's precipitate replacement of the current Riverkeeper and others. While I support this legislation, it is clear that larger issues are at stake and they are central to achieving a healthy Patuxent River.

Newspaper accounts make it clear that The Hogan Administration seeks to prevent the Commission from addressing land use and development issues in the Patuxent watershed. This attempt runs afoul of both the role of the Commission as originally conceived and the present realities of achieving a clean Patuxent River. In her June, 1984 letter to the public announcing the Commission's plan for the river, Secretary Constance Lieder stated: "The Patuxent River Policy Plan is a land management plan. It is a plan for both the state and seven counties in the watershed." The plan makes clear the Commission's determination that improved land use practices are essential to achieving water quality. In the intervening years, it has been scientifically demonstrated time and again that this policy conclusion is well founded in science.

In conclusion, while I support Senate Bill 367 in its current form I urge the Senate to consider additional language which would make clear that the Commission has an important role to play in assuring that the seven counties of the Watershed manage development and land use decisions so as to improve the River and not harm it.

Sincerely,

(signature on original/on file)

William M. Eichbaum

Pax Commission Letter Boynton.pdf

Uploaded by: Frederick Tutman

Position: FWA

Walter R Boynton, Emeritus Professor
2005 Henry Hutchins Road
Prince Frederick, MD 20678

13 February, 2022

Dear Senator Paul Pinsky and Delegate Mary Lehman

I am writing you today to voice my strong support for the legislation being considered concerning Patuxent River Commission membership (Senate Bill 367). Specifically, this bill requires a seat on the Commission for the Patuxent Riverkeeper. If any seat is specified it certainly should be the Riverkeeper considering the creation and early history of the Commission.

To provide a bit of background I was a faculty member at the University of Maryland's Center for Environmental Science Chesapeake Biological Laboratory beginning in 1975 and I am now an emeritus professor at CBL. My main research and teaching interests had to do with estuarine ecology and, in more recent decades, in restoration of these ecosystems. I was one of two scientists at the Patuxent River Charette providing information about the Patuxent's status and trends and likely responses to further pollution loads. One result of the charette was the recognition that nitrogen as well as phosphorus was driving over enrichment of Bay and river waters...BNR efforts started in the Patuxent and are now both Bay-wide and global. I was an active member of the Federal/State group that designed and implemented the Bay monitoring program and data from this program clearly indicate the Patuxent remains seriously impacted, in fact one of the most impacted in the Bay region. I was also a member of the Patuxent River Commission for many years. Finally, I served on the Patuxent Riverkeeper board for many of the early years of this program and have continued to support, in a variety of ways, Fred Tutman's efforts as Riverkeeper.

So, I am very aware of the issues facing the Patuxent and with the Riverkeepers efforts to restore this river to something close to the vision so well and so often stated by Senator Bernie Fowler...a river with clear water and abundant natural resources. I urge you and your colleagues to pass this modification to the Patuxent River Commission to include a seat for the Riverkeeper. During my time on the Commission Fred was an active and productive member of the commission and he kept the commission focused on Patuxent River issues. His voice needs to be a normal part of the commission.

Sincerely yours,

(signature on original/on file)

Walter Boynton

Pax River Comm letter (00000002).pdf

Uploaded by: Frederick Tutman

Position: FWA

Ralph Eshelman
12178 Preston Dr.
Lusby, MD 20657

18 February 2022

Dear Senator Paul Pinsky and Delegate Mary Lehman,

I am writing to express my strong support for Senate Bill 367 which designates the Patuxent Riverkeeper as a designated member of the Patuxent River Commission. While it would seem logical that this important position would automatically be a member of the Commission, to my surprise I learn this is not the case. This bill will correct this oversight.

I have lived in the Patuxent Watershed on both Mill Creek and Hellen Creek since 1974. From my home, I look out to the Patuxent River. I am the founding director of the Calvert Marine Museum and Patuxent River Appreciations Days (PRAD). I served on the board of the Patuxent Riverkeeper, including co-chair, between 2010 and 2019. I have sat in on several meetings of the Patuxent River Commission and am thus familiar with their work. I am currently working on a comprehensive book on the Patuxent River including a chapter on the environmental issues of the Patuxent. I have boated, kayaked, and canoed many of the tributaries of the river as well as a thirty-mile stretch of the Patuxent River from Queen Anne Landing to Benedict. I have visited every park and hiked most of the trails along the river. I follow the political and scientific accomplishments concerning the river as well as its issues.

I am therefore very aware of the good, the bad, and ugly, of the future of the Patuxent Watershed. I strongly encourage you to include the riverkeeper but I also ask that the watershed manager be included as another key member of the commission. A simple amendment to the current bill can easily make this fix and provide both of these positions a voice to the commission that frankly is much needed.

Additionally, I ask at a later date, a review of the Patuxent River Commission be conducted to ensure the mission of the commission is being carried out as mandated in its original charter. I am most willing to answer any questions you may have regarding these suggestions. Thank you for your consideration. I look forward to seeing the amendment and passage of this bill.

Sincerely yours,

(signature on the original/on file)

Ralph E. Eshelman
410-353-2644