

Dear Members of the Committee,

I believe the main goal of The Whole Watershed Act SB969 is to promote stream restorations. My neighborhood in Ellicott City and other groups have had recent success stopping stream restorations. I believe all stream restorations are wrong. There is simply no real science showing that they work. The numbers showing sediment and nutrient removal rates from the EPA and the Chesapeake Bay Program are all based on unproven models. According to a study published 8/30/2020 by the Chesapeake Bay Trust "Based on the input data used in this analysis, there is no obvious pattern between BMP implementation and pollution reduction." The recent CESR report by the Chesapeake Bay Program touted by Senator Elfreth does not call for an increase in stream restorations. In fact the words "stream restoration" only appear twice in the 130 page document. For some reason the authors chose to use the term BMP (best management practice) which includes stream restorations and other practices such as storm water management ponds. Many of the other BMP's are preferred by environmentalists because they don't require the massive tree removal and ecological destruction that accompanies most stream restorations. The failure to do honest cost benefit analysis of stream restorations is why the Bay is not improving. This bill does not include additional funds but creates additional bureaucracy. The creation of a licensing board is a shallow attempt at giving the stream restoration industry more credibility. While people were testifying in support of this bill there was a contractor working in the Little Patuxent River in Ellicott City with a Howard County engineer present. They were working in the water, dumping tons of mud into the river in preparation for installing boulders to protect the streambank. How would a license have prevented this situation.

The summary of SB969 states it is to "...include accelerating the restoration of the Chesapeake Bay..." According to the Bay Journal "MDE in the last decade has made "major changes" to speed up permits, said Lee Curry, the agency's director of water and science. They now meet a goal of approval or rejection within 90 days about 90% of the time, as opposed to 30% of the time formerly, he said." In his testimony in support of SB969 Liam O'Meara president of the Chesapeake Watershed Restoration Professionals said they "... would oppose adding any duplicative or burdensome public notice, engineering, or administrative requirements that would add cost to taxpayers and delay an already lengthy permitting process." This bill would not accelerate progress in the bay, it would accelerate the pace of stream restorations, which is what the developers and industry desire.

In his support of SB969 Erik Michelson of Anne Arundel DPW acknowledges that nothing will really change. He writes the CESR report states:

"A greater emphasis could be focused on shallow areas of the Bay — places where improvements would likely be seen more quickly and that serve as more important habitats for fish and other aquatic life. Those nutrient reduction efforts should be paired with other projects to improve habitats in those areas." The reality is, this already is, and has been, where counties throughout Maryland have been operating for over a decade now, focused on local efforts that ultimately aim to improve the health of the Potomac, the Patuxent, the Severn, the Choptank, and other tributaries to the Chesapeake. And it's where we'll continue to focus as long as the State allows us to continue that work in a cost-effective and timely fashion."

Cost effective to Mr. Michelson means stream restorations. The perverse crediting system established by EPA and MDE incentivizes stream restorations that don't work over other BMP's that don't get enough credit to be worth doing.

Baltimore mayor Brandon Scott even states that “. The legislation does not recognize that most impaired watersheds are already regulated by MDE under an MS4 permit, which requires jurisdictions to submit TMDL implementation plans.” He knows Baltimore will be left out because too many people see the destruction when the tree cutting starts. If you have not been present at the beginning of a stream restoration project where there is significant tree removal you should not vote for this bill because you do not know the real truth. You will not need a scientific study or a 130 page report to know that stream restorations are wrong.

Thanks,

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