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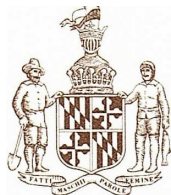
Howard County

Health and Government Operations
Committee

Subcommittees

Government Operations and
Health Facilities

Public Health and Minority
Health Disparities



THE MARYLAND HOUSE OF DELEGATES

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SUPPORT

HB729 - Department of the Environment – Nontidal Wetlands – Protection of Vernal Pools (Vernal Pool Wetlands Protection Act of 2024)

Chair Korman, Vice Chair Boyce, and Members of the Environment and Transportation Committee,

HB729 strengthens existing protections for vernal pool wetlands in Maryland. Doing so is particularly important since the U.S. Supreme Court in *Sackett vs. Environmental Protection Agency* rescinded EPA’s authority to do so as, by definition, vernal pools are not wetlands lying alongside “relatively permanent waterways... connected to traditional interstate navigable waters”^{1, 6, 7}

Rather, vernal pools are a specialized category of nontidal, seasonal depressional wetlands, typically water-filled from early winter through mid-summer and dry during other times of the year. Their unique, small-scale ecosystems contribute significantly to Maryland’s biodiversity by providing critical habitat and protection for breeding and raising offspring for species such as wood frogs, mole salamanders, fairy shrimp, and the endangered Tiger Salamander.²

Vernal pools serve critical roles in mitigating environmental threats to human life through their capacity to:

- Absorb stormwater, which reduces flooding and erosion.³
- Filter out pollutants that enter waterways and drinking water supplies.³
- Remove carbon dioxide from the atmosphere, mitigating risks and impacts of climate change and improving air quality.^{3, 4, 5}

HB729 requires MDE establish regulations to

- (1) Define vernal pools and clarifies MDE’s authority to regulate them.
- (2) Establish regulations for protecting and preserving vernal pools in Maryland.
- (3) Establishes protections of 100-foot buffers around vernal pools.
- (4) Develop a plan for enumerating and identifying the locations of vernal pools in Maryland.

The plan developed under the legislation, if implemented, would facilitate the monitoring and protection of these seasonal wetlands and creation of reliable maps. The maps could potentially mitigate financial risks of property development in parts of the state when the presence of wetlands was not previously recognized. Structures built on seasonal wetlands are more susceptible to flooding, leading to property damage, costly repairs, and higher flood insurance premiums.⁸ Having reliable information about the absence or presence of vernal pools would be of value.

As legislators, we are responsible for ensuring a clean, healthy, and vibrant environment and protecting the state’s biodiversity. **HB729** helps uphold that responsibility with respect to a fragile and important part of our aquatic ecosystem. I urge a favorable report.

A handwritten signature in black ink, appearing to read 'Terri Hill'.

¹ https://www.supremecourt.gov/opinions/22pdf/21-454_4g15.pdf

² [Continuous Hydrologic and Water Quality Monitoring of Vernal Ponds](#)

³ [Vernal Pool Conservation and Management](#)

⁴ [Climate Change: Atmospheric Carbon Dioxide](#)

⁵ [Air Quality and Climate Connections](#)

⁶ [SCOTUS Sackett v. Environmental Protection Agency](#)

⁷ [Clean Water Act - US CODE 2018 Title 33 Chapter 26](#)

⁸ [Direct and Indirect Impacts of Urbanization on Wetland Quality](#)