



February 13, 2026

**Department of the Environment - Water Resources - Protection of Vernal Pools
Vernal Pool Wetlands Protection Act of 2026 (SB523)
Position: FAVORABLE**

Dear Chair Feldman, Vice Chair Kagan, and honorable members of the Senate Education, Energy, and the Environment Committee:

Blue Water Baltimore is a local nonprofit organization with a mission to protect and restore the quality of Baltimore's rivers, streams, and Harbor to foster a healthy environment, a strong economy, and thriving communities. **On behalf of Blue Water Baltimore and our 1,900 supporters, I write to express our strong support for SB523.**

Blue Water Baltimore, home of the Baltimore Harbor Waterkeeper, is part of the global Waterkeeper Alliance that is composed of over 300 watchdog organizations with a mission to protect and restore waterways all over the world. Our licensed Waterkeeper jurisdiction includes the entirety of the Patapsco and Back River watersheds which extend into Anne Arundel County, Baltimore County, Baltimore City, Carroll County, and Howard County.

In every corner of our watershed, there exist vital ecological hubs of biodiversity called "vernal pools" that act as green sponges across the landscape. Vernal pools are seasonal wetlands that replenish groundwater, filter polluted stormwater, and provide critical breeding grounds and habitat for a variety of obligate and facultative species of salamanders, frogs, turtles, dragonflies, reptiles, snakes, and small crustaceans. **Vernal pools are incredibly important components of our natural ecosystems, but they aren't currently adequately protected by the federal Clean Water Act or by corresponding state law in Maryland.**

A recent Supreme Court decision in *Sackett vs. EPA*, coupled with a disastrous new definition of "Waters of the United States" (WOTUS) proposed by the EPA in November 2025, has stripped innumerable waterways of their federal protections under the Clean Water Act.¹ The new WOTUS definition completely ignores the basic truths of Earth science and foundations of hydrogeology by making the assertion that groundwater connections to surface waters are inconsequential, just because we can't see them. These new definitions take an anthropocentric view of our natural world to an alarming extreme, which is resulting in immeasurable harm to people and ecosystems by allowing for the systematic devastation of our nation's waterways. **These federal rules will quite literally pave the way for the destruction of many of the natural green sponges we have left in Maryland; but the Vernal Pool Wetlands Protection Act of 2026 would stand in the way of that destruction.**

¹ Updated Definition of Waters of the United States. United States Environmental Protection Agency. Last updated January 21, 2026. <https://www.epa.gov/wotus/updated-definition-waters-united-states>

919 West 34th St., P.O. Box 4863 • Baltimore, MD 21211 • www.BlueWaterBaltimore.org



Several years ago, we worked hard with our coalition partners to support the passage of the Clean Water Justice Act of 2024. This piece of legislation successfully filled many of the gaps left by the *Sackett vs. EPA* decision by ensuring state-level protections for nontidal wetlands and streams. However, it left behind vernal pools despite the fact that they, too, are vital components of our watersheds. **This bill would protect qualified vernal pools and their buffers not currently protected as nontidal wetlands in the State, while leveraging existing nontidal wetlands permitting and mitigation programs for cost-effective implementation.**

For all of the reasons outlined above, Blue Water Baltimore urges this committee to issue a favorable report on SB523.

Sincerely,

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