

The Honorable Brian Feldman, Chair
Senate Education, Energy and Environment Committee
Miller Senate Office Building, 2 East
11 Bladen Street
Annapolis, MD 21401

Testimony in Support – Senate Bill 688 – Environment – Stream and Floodplain Restoration Projects – Requirements and Limitations

Dear Chair Feldman and Members of the Committee:

My name is Aaron Fisher, here in support of Senate Bill 688. The key challenge in streambank restoration work is that it foolhardily believes we can engineer a better waterway—we are **Mansplaining Mother Nature**.

Ever since I can recall Maryland has prioritized Saving the Bay. 40+ years of stormwater work and over \$15 billion in restoration activities has resulted in 2025 being the 2nd lowest crab count on record in the Chesapeake Bay.¹ Mother Nature is telling us we aren't succeeding. Not listening would be insulting.

For millions of years rain fell everywhere, and it was managed locally; it infiltrated where it fell. Development—houses, roads, and parking lots—disrupts this distributed model of stormwater management. Prioritizing on-site management practices, within a defined property line, is the most natural effort to restore water quality in Maryland. Research by the University of Maryland shows this is not only possible, but cost-effective. SB688 does just this, while appropriately carving out exceptions to protect property and lives.

Diving deeper the challenge with managing runoff in a stream channel is predicting how much water and how quickly it will arrive at the stream. This is further complicated by climate change amplifying the size and intensity of storms. MDE is wisely already engaged in the process of updating their standards to reflect this new reality.

However, it doesn't take much water to go from gentle stream to raging whitewater. It takes ~1/2 " of water to float a car! Reducing the amount and speed of the water's movement in the watershed is critical to ensuring success in managing stormwater. Upland or out-of-stream practices do just this and potentially avoid the need for in-stream work.

¹ *Chesapeake Bay Restoration Spending Report SFY2023 and 2025 Chesapeake Bay Blue Crab Winter Dredge Survey*

Under study by the University of Maryland², low maintenance permeable pavement practices in Maryland have shown performance 4x greater than expected. Infiltration is the key to this success. This work in the Anacostia watershed challenged the maxim that clay soil is an impediment to infiltration. Sensors showed the clay soil infiltrated water up to 20x faster than rules anticipated. Furthermore, there was no run-off from this roadway. This very repeatable kind of work reduces the burden downstream on Maryland waterways.

Many other jurisdictions nationally are similarly prioritizing infiltration practices on-site. Their stormwater manuals emulated Maryland leadership for many years. They similarly encountered underperformance in terms of water quality and quantity and have adjusted course. Maryland would be wise to listen to the lessons Mother Nature is teaching us.

I am a 4th generation Marylander. I am a pragmatic environmentalist. I've worked for water non-profits and construction companies. This is the kind of bill that shows a learning within the law, doing more of what works. Not, just doing more of the same.

Thank you for your consideration and urge a favorable report on SB688.

² Butters, Siena and Davis, Alan P. *University of Maryland Study* (2023).