



April 2, 2026

SB523 Department of Natural Resources – Water Resources – Identification of Vernal Pools (Vernal Pool Wetlands Protection Act of 2026)

TESTIMONY OF SAFE SKIES MARYLAND -- Support

Environment & Transportation Committee Members,

Safe Skies Maryland is a program of the Maryland Ornithological Society, focused on protecting wild bird populations throughout their habitats and in every season. We recognize vernal pools as a key element in woods and wetlands that support birds, and other wildlife in healthy ecosystems birds depend on. Safe Skies' supporters find that this bill would protect qualified vernal pools, and we strongly favor passing this bill into law. We would like to thank the bill's co-sponsors and the MDE for developing language that preserves vernal pools without creating undue administrative burdens.

Vernal pools, or seasonal ponds, are very valuable because they offer unique protections that are not possible in regular ponds. As a type of freshwater wetland that is water-filled only from early winter through mid-summer; but dry otherwise, there can be no fish. Certain animals that cannot survive the predation of fish will thrive in this special habitat. Vernal pools can be any size and are found in wooded areas or meadows, where they support frogs and salamanders and other animals that would perish in a pond with fish. Because of their distinct ecology they support a special variety of animals as well as perform valuable ecosystem services in replenishing groundwater and filtering stormwater flows.

Birds can also benefit from this rich ecosystem. Teaming with insect life, ephemeral wetlands provide food as well as water to adult birds and their nestlings. They can also find shelter in dense grassy vegetation that often accompanies vernal pools.

Specifically, the Rusty Blackbird tends to nest near vernal pools and benefits from the abundant food source of insects while raising its young. The Rusty Blackbird is a species of conservation concern that needs our protection. Once a common North American Bird, the populations of Rusty Blackbirds have decreased 89-99% in over the last 40 years¹. When we protect vernal pools, we increase habitat for the Rusty Blackbird, which increases its chance for survival.

The Rusty Blackbird is just one example of a bird that specifically thrives nesting near a vernal pool. Many other birds also benefit from visiting vernal pools, such as ducks, songbirds, egrets and herons. They find food, water and shelter in this seasonal resource.

To continue the good stewardship of our waters, it is important that Maryland take this initial important step of identifying vernal pools. Once identified and located, these pools can be better understood and protected in the future. The nearby states of Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, and Maine have already enacted protection or certification programs for protecting vernal pools.

¹ <https://ebird.org/news/unlocking-the-rusty-blackbird-mystery>

This bill as amended with suggestions from the Maryland Department of the Environment (MDE) and Department of Natural Resources (DNR) is a solid first step to identify these vernal pools in a way that is affordable to the state as well as collaborative with stakeholders.

We ask for a favorable report on SB 523.

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