



**Testimony in SUPPORT of HB701
Department of the Environment - Water Resources - Protection of Vernal Pools
(Vernal Pool Wetlands Protection Act of 2026)**

Environment and Transportation Committee
February 16, 2026

Dear Chair Korman and Members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF SB 701** on behalf of Assateague Coastal Trust.

Assateague Coastal Trust is dedicated to its mission of conservation, preservation, and protection of the waterways of Worcester County and Maryland's Lower Eastern Shore. Our work helps ensure that residents and visitors to Maryland's coast forever enjoy the resources provided by our coastal waters. We see this bill as a major step towards not only protecting important parts of Maryland's heritage, but as a means for conserving iconic landscapes.

Vernal pools are ephemeral wetlands that fill with water in winter and dry in summer. **Vernal pools provide essential habitat for amphibians and invertebrates, recharge shallow aquifers, mitigate stormwater, and filter nutrients before they reach downstream waters.**

On the Lower Eastern Shore, these pools are under threat from intense land use practices, and urban expansion. Protecting them is important towards maintaining water quality in the Coastal Bays and to preserve some of the region's iconic species.

In 2023, the U.S. Supreme Court's decision in Sackett v. Environmental Protection Agency significantly narrowed federal Clean Water Act protections. By limiting jurisdiction to wetlands with a continuous surface connection to navigable waters, the Court excluded many ephemeral and geographically isolated wetlands, including most vernal pools on the Lower Eastern Shore. As a result, these resources now face a regulatory gap at the federal level.

HB 701 appropriately addresses that gap by requiring the Maryland Department of the Environment to adopt regulations to identify and protect qualified vernal pools and associated buffer areas statewide.

This clear, science-based regulatory framework will provide consistency for landowners and developers while ensuring that seasonal wetlands are not overlooked simply because they are

dry at the time of review. Early identification and listing of vernal pools will reduce conflicts, improve predictability, and prevent incremental loss of these critical habitats.

For the Lower Eastern Shore and Maryland's Coastal Bays, protecting vernal pools is not optional, it is essential for sustaining water quality, biodiversity, and the economic vitality of our coastal communities.

Assateague Coastal Trust urges an **FAVORABLE REPORT** on **HB 701**.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor Swanson', with a long horizontal line extending to the right.

Taylor Swanson,
Executive Director and Assateague COASTKEEPER
Assateague Coastal Trust