

Committee: House Environment & Transportation

Legislation: SB523

Position: SUPPORT

Date: April 2, 2026

Dear Chair Korman, Vice Chair Guyton, and members of the committee:

The Severn River Association strongly supports SB523, as amended, which will protect vernal pools, a type of critical habitat that is widespread throughout the State, but for which regulatory protections are sorely lacking.

Definition

A vernal pool is a type of ephemeral wetland that only exists for part of the year, such that fish are unable to colonize the pool, which allows for a proliferation of fauna which could not survive fish predation. Such fauna include, but are not limited to, invertebrates like fairy shrimp, snails, and caddisflies, amphibians like mole salamanders, wood frogs, and eastern spadefoots, and spotted turtles. The vernal pools are important breeding habitat for amphibians, support of aquatic and terrestrial food webs, and provide periodic “stepping stones” within the landscape that allow freedom of movement for vernal pool obligate species.

Apart from the benefits to wildlife, vernal pools deliver ecosystem services for humans also. Specifically, vernal pools provide natural pollution removal through stormwater infiltration, groundwater replenishment that can cool spring-fed streams, natural mosquito control via predation on mosquitoes and their larvae by the amphibians that live in them, and a meaningful connection to nature due to their biotic richness and proximity to inhabited areas.

The Problem

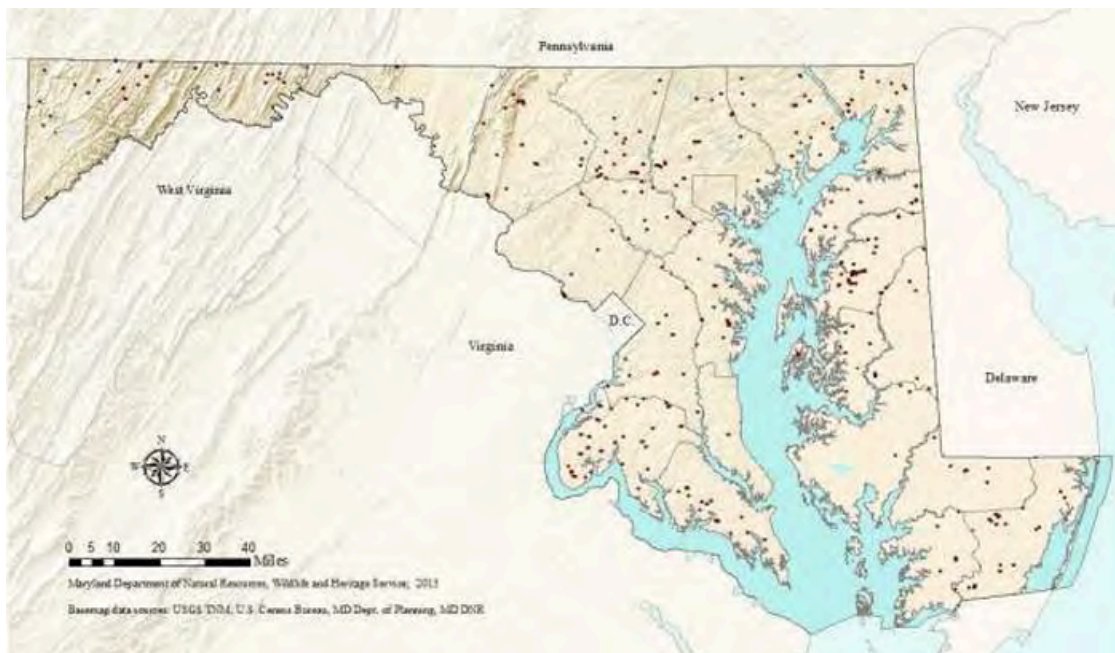
Nontidal wetlands enjoy regulatory protection, rightfully so, but they are defined by the presence of hydric soils, wetland hydrology, and hydrophytic vegetation, which are often missing from a vernal pool due to its impermanence. Vernal pools are nonetheless important habitat for a variety of species and merit protection to preserve the state’s biodiversity.

The Solution

SB523 proposes to require the Department of Environment to develop regulations that would identify and map vernal pools within the state, and establish protective measures including buffers and carefully tailored impact restrictions which largely mirror the protections currently on the books for

nontidal wetlands. Under the bill, the Department would identify “qualified” vernal pools as those providing necessary habitat for amphibian and invertebrate species that require these pools to survive and catalogue these areas for protection. The Maryland Department of Environment already defines vernal pools as a “key wildlife habitat” in its Guidance for Stream Restoration Based on Key Wildlife Habitats: Piedmont and Coastal Plain Streams with Associated Wetlands.¹

Importantly, the action called for by SB523 should not be onerous or expensive for the MDE to accomplish, as much of the area likely to harbor vernal pools is already fairly well established. “Vernal Pools occur throughout the state as scattered, isolated habitats. They are most numerous on the Lower Coastal Plain, especially on the mid to upper Eastern Shore, and uncommon west of the Fall Line.” (id at A-1-10). Indeed, the recurring locations for many vernal pools are already known:



Mapped Locations of Vernal Pools in Maryland. Source: MD DNR.

(id at A-1-11). There will need to be updates to the State’s data on vernal pools periodically and additional vernal pools are sure to be located and protected as a result of passing SB523, but the State is not starting from a blank slate.

Moreover, the regulatory provisions called for by the bill enjoy a close analogue in existing nontidal wetland protections so that element need not be created from whole cloth. The bulk of the work called for by SB523 is to marry the existing knowledge of locations of vernal pools to an existing regulatory framework. By so doing, the State will finally be providing regulatory protection for habitats

¹ [Guidance for Stream Restorations_CP & Piedmont - Google Docs](#)

that “serve as critical foundations and support networks...for all plant and animal species in Maryland.”
(id at A-1-1)

Conclusion

While nontidal wetlands have appropriately enjoyed regulatory protection for decades, vernal pools, which provide critical habitat for a variety of the State’s wildlife and a variety of ecosystem services for its citizens, have no such protection. SB523 will change this paradigm and the Severn River Association urges a favorable report.

Respectfully submitted,



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