

VERNAL POOL PROTECTION ACT OF 2026

SPONSORS:

DELEGATE TERRI HILL – HB 701

SENATOR MARY WASHINGTON – SB 523

FEBRUARY 7, 2026

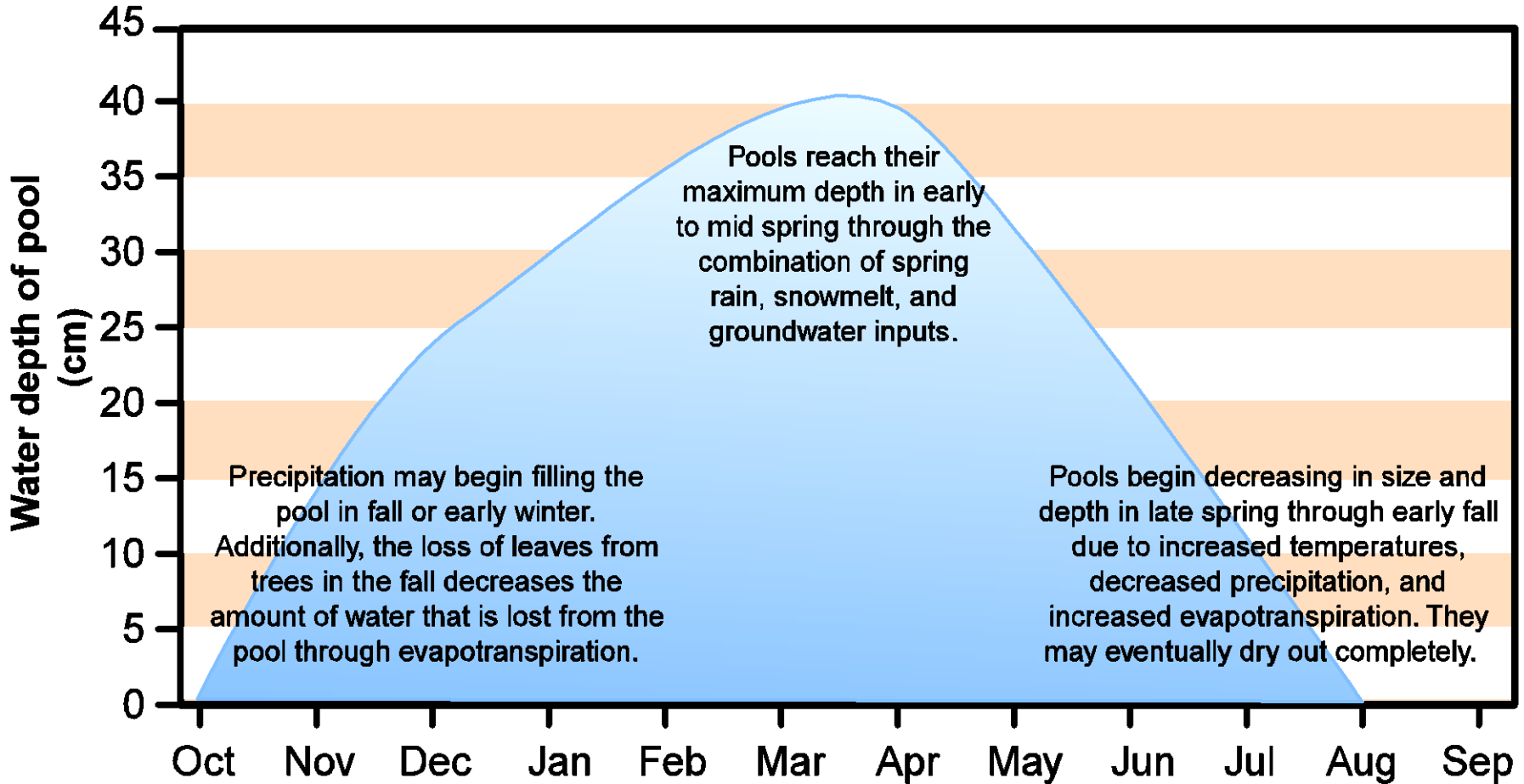
Mark Southerland PhD
vernalpoolpartners.org



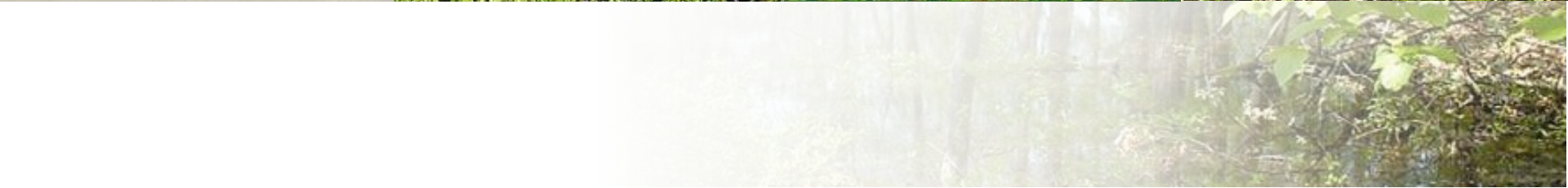
DEFINITION

“Vernal pools are **dynamic habitats** with cycles of standing water and periodic dry downs that exclude permanent populations of predatory fish”





BIODIVERSITY





WHY SHOULD WE CARE?

Ecological Services for Species

- Important breeding habitat for amphibians
- Support of aquatic and terrestrial food webs
- Stepping stones within the landscape

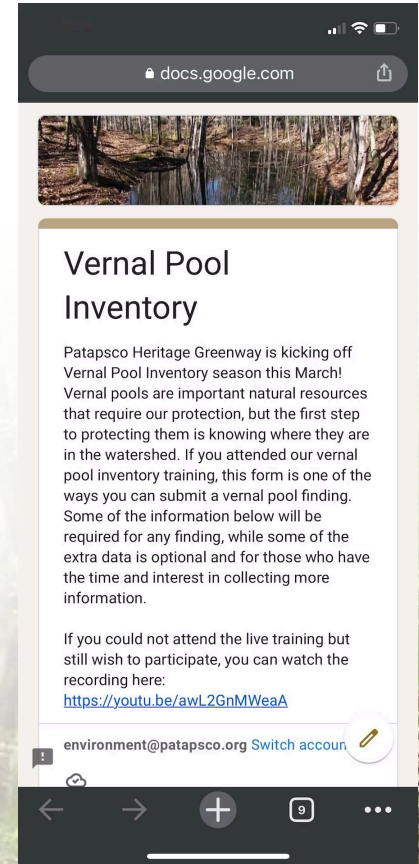
Ecological Services for People

- Pollution removal
- Groundwater replenishment
- Natural mosquito control
- Connection to nature



VERNAL POOL INVENTORY

- Pilot year began in March 2021
- What do we ask of Community Scientists?
 1. Go out on your own time to walk the watershed
 2. Look for vernal pools
 3. Collect required (and optional) data
 4. Submit data directly on your smartphone into our Google Form or take notes and submit when you get home



SOURCES

- **Lesley Brown and Robin Jung, *An Introduction to Mid-Atlantic vernal Pools*, EPA, 2005** [USEPA: An Introduction to Mid-Atlantic Seasonal Pools](#)
- Elizabeth Colburn, *Vernal Pools: Natural History and Conservation*, 2004
- *Maine's Citizen's Guide to Locating and Documenting Vernal Pools*, 2003
- Thomas Biebighauser, *A Guide to Creating Vernal Ponds*, 2003
- Henry Wilbur, Complex life cycles, *Annual Review of Ecology and Systematics* 11:67-93, 1980

FIRST HEARD IN ENVIRONMENT AND TRANSPORTATION COMMITTEE IN 2024



BILL HISTORY

- In 2024, Joint Chairman's Report asked MDE to prepare a consistent definition of vernal pools for use in regulations
- In 2025, MDE provided comments throughout session and over the summer
- For 2026, Vernal Pool Partners made three major revisions to address MDE concerns



MDE DEFINITION OF VERNAL POOL

“Vernal pool” means a confined depression that:

- a) Has surface water for at least two consecutive months between November and May in a typical year (average of 30-year record of rainfall);
- b) Experiences a drawdown to 6 inches or less of water within the depression between June and September in a typical year;
- c) Provides persistent or breeding habitat for certain species, particularly native amphibians, and invertebrates that are:

- i) Obligate animal species requiring vernal pools as an essential part of their life cycle; or
- ii) Facultative animal species that at least occasionally use vernal pools;
- d) Contains less than 30% aerial cover of emergent vegetation within the basin when full;
- e) Is predominantly or partially shaded by woody vegetation;
- f) Is less than 5 acres in size; and
- g) May have intermittent, non-permanent connections to other water bodies.

VERNAL POOL PROTECTION ACT OF 2026

- Act would protect “qualified” vernal pools supporting obligate species, including a buffer needed to support full life cycle
- Act would create a list of qualified vernal pools that MDE would use in reviewing development permits
- Protection and mitigation would mimic those in current MDE wetlands regulations

ADVOCATE FOR HB 701 VERNAL POOL PROTECTION ACT OF 2026

Please send an email or letter or phone call to
MDE asking for their support of the bill:

- MDE Director of Government Relations – Jeremy Baker
jeremy.baker@maryland.gov
- MDE Director of Water and Science – Lee Currey
lee.currey@maryland.gov



Join Vernal Pool Partners:
mark@vernalpoolpartners.org

ADVOCATE FOR HB 701 VERNAL POOL PROTECTION ACT OF 2026

February 18 at 1 pm is hearing date

House Environment and Transportation Committee

- Send message of support to your delegate and committee Chair – Marc.Korman@house.maryland.gov
Vice Chair – Michele.Guyton@house.maryland.gov
- Ask for a favorable report out of committee to full House



ADVOCATE FOR SB 523 VERNAL POOL PROTECTION ACT OF 2026

February 24 at 1 pm is hearing date

Senate Education, Energy, and Environment Committee

- Send message of support to your delegate and committee Chair – Brian.Feldman@senate.maryland.gov
Vice Chair – Cheryl.Kagan@senate.Maryland.gov
- Ask for a favorable report out of committee to full House

