Item 5 - Correspondence

From:	Ken Bawer
To:	<u>MCP-Chair</u>
Subject:	Grosvenor/Luxmanor Stream Restoration: Site Plan Amendment 81996023A (Public Hearing, Item 5)
Date:	Wednesday, May 18, 2022 12:18:20 PM
Attachments:	Grosvenory-Luxmanor-Stream Restoration WMCCA Testimony.pdf

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Please find attached the WMCCA testimony for

Grosvenor/Luxmanor Stream Restoration: Site Plan Amendment 81996023A (Public Hearing, Item 5)

Regards,

Ken Bawer

WEST MONTGOMERY COUNTY CITIZENS ASSOCIATION

P.O. Box 59335 • Potomac, Maryland 20854

Founded 1947

May 18, 2022

To: Chair Anderson and Planning Board Members

Subject: Grosvenor/Luxmanor Stream Restoration: Site Plan Amendment 81996023A (Public Hearing, Item 5)

For purposes of amending the Final Forest Conservation Plan. Request to amend FFCP 819960230 for Tuckerman Heights, to permit disturbance of a Category I Forest Conservation Easement in association with stream restoration work to repair erosion damage and stream sedimentation. S. Findley

Dear Chair Anderson and Planning Board Member:

The request to amend this Forest Conservation Plan should be denied. Such a request by the Department of Environmental Protection makes a mockery of both their mission, which is presumably to protect the environment, and the purpose of a Forest Conservation Plan.

Former DEP Administrator Adam Ortiz had said that "DEP has never utilized a Forest Conservation Law exemption for any of our stream restoration projects." (Letter to K. Bawer dated May 25, 2021) That practice would come to an end if this exemption is granted.

The facts about "stream restorations" are that:

1. "Stream restorations" don't restore streams either physically or biologically^{1,2,3,4,5}. They import foreign material (such as rocks, boulders, and fill dirt) into streams and they destroy riparian (or stream-side) forests and ecosystems in their footprint – this complex web of nature can't be recreated by re-planting a few trees.

2. "Stream restorations" don't address the root cause of stream bank erosion, which is stormwater firehosing into streams from upland impervious surfaces such as roofs and roads. As a result, "stream restorations are being blown out across the region.

3. The science tells us we should protect our forested areas since they counteract global warming by carbon sequestration, even if they aren't in pristine condition.

4. The way to "fix" streams is to fix the problem at its source - to control stormwater outside of streams by non-destructive upland practices such as raingardens, bioswales, permeable pavement, tree planting, etc.

The complex web of interactions between fauna, flora, geology, and hydrology that interact in natural areas is irreplaceable and cannot be recreated by engineering projects using bulldozers, excavators, and trucked-in material to create artificial structures in our natural areas (think Humpty Dumpty). We should

be guided by the principal of "Do No Harm" in our stream valleys. See this 3-minute video of a recent destructive "stream restoration": <u>https://youtu.be/NvTvPnG6Qs8</u>



Just as the Chesapeake Bay has environmental value, so do the rich fauna and flora of our stream valleys. There are non-destructive practices in Maryland Department of the Environment's Accounting Guidance that better protect both the Bay and our local streams than by using so-called "stream restorations" which destroy existing streams and streamside forests and replace them with engineered stormwater conveyances.

Thank you for the opportunity to provide out input.

Sincerely,

Kenneth Bawer, Immediate Past President West Montgomery County Citizens Association

REFERENCES:

- (1) Hilderbrand, Robert H., et. al., "Quantifying the ecological uplift and effectiveness of differing stream restoration approaches in Maryland," Final Report Submitted to the Chesapeake Bay Trust for Grant #13141, 2020 (<u>https://cbtrust.org/wp-</u> content/uploads/Hilderbrand-et-al_Quantifying-the-Ecological-Uplift.pdf
- (2) Kaushal, Sujay S. et. al., 2018, "Tree Trade-offs in Stream Restoration Projects: Impact on Riparian Groundwater Quality," University of Maryland, State University of New York ESF, Maryland Department of Transportation State Highway Administration, 2018 Presentation (<u>https://cbtrust.org/wp-content/uploads/Kaushal-and-Wood_UMD_061219.pdf</u>)
- (3) (https://mde.maryland.gov/programs/water/StormwaterManagementProgram/Documents /Final%20Determination%20Dox%20N5%202021/MS4%20Accounting%20Guidance%2 0FINAL%2011%2005%202021.pdf)
- (4) Palmer, M. A. et. al., 2014, "Ecological Restoration of Streams and Rivers: Shifting Strategies and Shifting Goals," Annual Review of Ecology, Evolution, and Systematics. 2014. 45:247–69 (www.ecolsys.annualreviews.org or

https://pdfs.semanticscholar.org/16c8/2018832325d938971f3aa2f48c5d43d036f4.pdf?_ga=2.111241412.1561791066.1610035845-1742957973.1610035845)

- (5) Pedersen ML, Kristensen KK, Friberg N (2014), "Re-Meandering of Lowland Streams: Will Disobeying the Laws of Geomorphology Have Ecological Consequences?" (<u>PLoS</u> <u>ONE 9(9): e108558. doi:10.1371/journal.pone.0108558</u>)
- (6) Stack, B., 2019, "Chesapeake Bay Program Stream Restoration Credits: Moving Toward Functional Lift?", Bill Stack, PE, Deputy Director of Programs, Center for Watershed Protection, September 12th, 2019. (<u>https://www.cwp.org/chesapeake-bay-programstream-restoration-credits-moving-toward-functional-lift/</u>)