

Coalition to Stop Stream Destruction

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Montgomery County Council
Council Office Building
100 Maryland Avenue, 6th Floor
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Subject: Written testimony on Fiscal Year 2026 (FY26) Operating Budget

Position: Against: Decrease Funding for DEP

References:

FY26 budget documents <https://www.montgomerycountymd.gov/omb/publications.html>

FY26 Recommended Capital Budget and Amendments to the FY25-30 Capital Improvements Program (CIP):

<https://apps.montgomerycountymd.gov/BASISCAPITAL/Common/biennialindex.aspx?FY=2026&VER=REC>

Office of Management and Budget, Open Budget

<https://www.montgomerycountymd.gov/omb/open-budget.html>

Office of Management and Budget, Operating Budget

<https://apps.montgomerycountymd.gov/BASISOPERATING/Common/Index.aspx>

Dear Council President Stewart, Vice President Jawando, and Councilmembers:

I'm sure that each of you have carefully read all 83 pages of [my testimony on the FY26 Capital Budget](#)¹. In that testimony, I urged you to shift funds from so-called stream "restoration" projects to out-of-stream stormwater control projects such as permeable pavement, bioretentions, and rain gardens that would address the root cause of stream erosion.

In the FY26 Operating Budget, the Coalition to Stop Stream Destruction (CSSD) urges you to decrease funding for the Department of Environmental Protection (DEP) in order to protect residents from the environmental destruction DEP promotes and administers through their engineered stream "restoration" projects. Specifically, salaries for personnel who promote so-called stream "restorations via misinformation and disinformation, and who recommend, select, or administer stream "restorations" should be eliminated since DEP is lying to the public, the County Executive, and the County Council about the purported benefits of stream "restorations."

¹ CSSD FY26 Capital Budget Testimony:

https://drive.google.com/file/d/1D0OOLm_Aei8IRpPoxPpnFvnTXWJW8eq/view?usp=sharing

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A recent example of DEP's greenwashing and Orwellian "newspeak" is their April 3, 2025 edition of "My Green Montgomery" which included the following utter nonsense:

"We're excited to share our new video, All About Stream Restoration! The video highlights the importance of stream restoration projects happening in the County and the crucial role they play in preserving and improving the health of our local waters. The video also explains the process and benefits of stream restoration, highlighting the positive impact on the environment. [Click here to watch the video \(in English or Spanish\) or to learn more!](#)"

These statements are clear evidence that DEP has bought into the propaganda of the \$25 billion "stream restoration industrial complex" which asks us to reject the evidence of environmental destruction that we see and hear with our own eyes and ears. DEP's statements are demonstrably false given the published science, photographic documentation of the destruction stream "restorations" cause, failed projects in Montgomery County, and DEP's own statements.

I recently submitted a complaint to the County Office of the Inspector General alleging waste, fraud, and abuse against DEP. In support of my claim, I included a copy of [my testimony on the FY26 Capital Budget](#)². In that testimony, I showed that DEP is wasting tax dollars by greenwashing the purported benefits of stream "restorations" using misinformation and disinformation while conveniently ignoring or misrepresenting the scientific evidence³ that stream "restorations" are ineffective, that DEP has admitted that none of their past 56 projects⁴ improved stream ecology⁵, and provided photographic documentation that stream "restorations" in the county do not stabilize streams – they are being washed out and require expensive repairs.

To give just one example of DEP's false proclamations, they wrote⁶, "With data from scientists and engineers over the last 20 years, stream restoration has proven to be effective in addressing stream erosion and sedimentation problems and restoring stream health." This is a total

² CSSD FY26 Capital Budget Testimony:

https://drive.google.com/file/d/1D7OOLLm_Aei8IRpPoxPpnFvnTXWJW8eq/view?usp=sharing

³ The one time that DEP tried to bolster their contention that upland stormwater control does not stop stream erosion by referencing a scientific study, DEP misrepresented the papers' conclusions with bogus interpretations: "Effectiveness of stormwater management practices in protecting stream channel stability" Thompson, Tess Wynn et al., (2023) "Effectiveness of stormwater management practices in protecting stream channel stability," presented at the 2023 Maryland Water Monitoring Council Annual Conference (11/17/2023) . Not yet posted to

<https://cbtrust.org/grants/restoration-research/>

From <https://dnr.maryland.gov/streams/Documents/MWMC/AGENDA-MWMC-Annual-Conference-2023.pdf> , link to presentation at <https://drive.google.com/file/d/1isYAs58zVsLJ9H1VOiu4PvzMuYvSplf3/view>

⁴ Montgomery County, Maryland Department of Environmental Protection, Watershed Restoration Projects, <https://apps2.montgomerycountymd.gov/MCGSPAApps/Project.aspx?id=2> , searched on "stream Restoration" for COMPLETED projects.

⁵ Montgomery County Department of Environmental Protection presentation to Stormwater Partners Network on January 16, 2024. "We have not seen benthic [macroinvertebrate] improvement in any of our stream restorations." BMIs are a standard measure of stream health.

⁶ DEP note from Amy Stevens to Catherine Lemp on 12/19/2024 regarding the Glenallan stream "restoration."

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fabrication with no supporting scientific evidence. In short, DEP is doing a snow job on the public and elected officials that rises to the level of waste, fraud, and abuse.

While OIG decided not to initiate an investigation at this time for reasons they did not share, they did not refute any of the factual evidence I provided in my FY26 Capital Budget testimony. Unfortunately, OIC said “we believe [the County Council is] the most appropriate entity to address your concerns. So here I am.

Some Councilmembers have said that they rely on DEP’s expert advice – and that is a huge problem since DEP has been expounding misinformation and disinformation in direct contradiction to the published science and observations of their past projects. Montgomery County is beginning to sound like the current federal administration.

DEP cannot refute the fact that scientific papers analyzed over 700 stream “restorations” and concluded that stream “restorations” do not work. DEP has admitted that none of their past projects have improved stream ecology⁷. Yet a DEP web page states, “By restoring streams to their natural state, we can help improve water quality, ...protect wildlife habitats, and promote the overall health of the environment. These projects focus on stabilizing eroded streambanks, reducing pollution, and enhancing biodiversity.”⁸ None of these statements are true. DEP cannot back up those statements with factual data. DEP’s conclusion that stream “restorations” stabilize stream banks is based solely on pre-construction theoretical calculations and cursory post-construction visual inspections. DEP has provided no hard data to back up their claims.

Plus, DEP statements about “positive impacts to the environment” are refuted by both their own results – they have seen no biological improvement in any of their stream “restorations”⁹ - and photographic and video evidence.

For example, the photos below and a [video of the Glenallan stream “restoration”](#)¹⁰ show that the joint DEP/Parks project is clear cutting forests (what DEP calls “careful protection of trees”¹¹) for a misguided stream “restoration.”

⁷ Montgomery County Department of Environmental Protection presentation to Stormwater Partners Network on January 16, 2024. “We have not seen benthic [macroinvertebrate] improvement in any of our stream restorations.” BMIs are a standard measure of stream health.

⁸ <https://mygreenmontgomery.org/2025/all-about-stream-restoration-watch-the-video/>

⁹ Montgomery County Department of Environmental Protection presentation to Stormwater Partners Network on January 16, 2024. “We have not seen benthic [macroinvertebrate] improvement in any of our stream restorations.” BMIs are a standard measure of stream health.

¹⁰ <https://www.youtube.com/watch?v=91O2bAdT8PY>

¹¹ 12/19/2024 note from Montgomery County Department of Environmental Protection (DEP) to Cathy Lemp regarding CSSD’s call to ban stream “restorations.”

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(Above: examples of what DEP calls “careful protection of trees”¹² at the Glenallan Tributary stream “restoration” near Brookside Garden from [video of the Glenallan stream “restoration”](#))

Another example of DEP’s duplicity is their web site that says stream “restorations” provide benefits “...by reducing stream bank erosion, minimizing the down-cutting of stream bed, and restoring aquatic ecosystems (natural stream system).”¹³ Again, none of these statements are true according to the published science and ground observations. DEP cannot support this disinformation with factual data.

That stream “restorations” do not stop erosion is evidenced by the fact that they are being damaged by post-construction storms and then require expensive repairs. For example, some washed-out projects in Montgomery County include:

- Old Farm Creek in North Bethesda (scheduled to be repaired for \$800K)
- Grosvenor Luxmanor in North Bethesda (scheduled to be repaired in 2025 for \$4.8M)
- Lower Booze Creek in Potomac (repaired for \$3.6M).

¹² 12/19/2024 note from Montgomery County Department of Environmental Protection (DEP) to Cathy Lemp regarding CSSD’s call to ban stream “restorations.”

¹³ <https://www.montgomerycountymd.gov/DEP/water/clean-water-montgomery/watershed/stream-restoration.html>

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These are not, as DEP claims¹⁴, cherry-picked examples. DEP protests with arm-wavy statements and bogus arguments that are not fact-based, but has yet to prove otherwise.

Common sense dictates that stormwater damage to streams needs to be addressed at its source, not in streams themselves, by using out-of-stream stormwater control practices such as permeable pavement, bioretentions, rain gardens, tree planting, etc. on both public and private land.

Among the many falsehoods and claims made in writing to the public by the DEP/Parks team about the Glenallan stream “restoration” which are debunked in my Capital Budget testimony¹⁵ are the following:

- They falsely claim that stream “restoration” is “a science-backed practice recognized ...to provide both water quality and ecological benefits.”
- They falsely claim that “These projects have been shown to improve water quality, reduce erosion... and enhance habitat.”
- They falsely imply that stream “restorations” are *required* to meet TMDL and MS4 permit requirements.
- They falsely claim that “stream restoration projects involve temporary disturbances” rather than permanent or long-term ones.
- They fail to acknowledge that the published scientific literature shows that stream “restorations” do not stabilize streams, improve water quality, or improve ecological function.
- They fail to act on the knowledge that stream “restorations” do not stop the root cause of stream erosion - uncontrolled stormwater from developed areas that firehoses into streams.
- They falsely claim that they have the full support of all adjacent property owners.
- They falsely imply that because the project was permitted, that doing it is the right thing.
- They falsely claim that tree removal is minimal and that the remaining trees are adequately protected.
- They falsely imply that projects will have a successful invasives management plan.
- They falsely imply that “a robust planting plan” will mitigate the damage done by clearcutting the original forest.

¹⁴ Statement by DEP during public tour of future Grosvenor Luxmanor stream “restoration sites on 2/21/2024.

¹⁵ CSSD FY26 Capital Budget Testimony:

https://drive.google.com/file/d/1D0OOLLm_Aei8IRpPoxPpnFvnTXWJW8eq/view?usp=sharing

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- They fail to disclose that the “geotextile materials” being used is actually plastic sheeting which will break down into microplastics when it is washed-out and exposed to light.
- They falsely claim that there is not enough upland space for out-of-stream projects.

This is an attack on science that parallels what the Trump administration is doing at the federal level.

The proposed Operating Budget is simply throwing tax dollars away by paying DEP personnel to promote misinformation and disinformation about engineered stream “restorations” and to allow DEP to administer these unnecessary and misguided projects that destroy existing natural areas. These projects destroy countless trees that is the exact opposite of the county’s stated goal in their Climate Smart Campaign: “Plant a tree; trees remove carbon from the air, cool the planet, provide habitat and beautify our neighborhoods.”¹⁶ In addition, stream “restorations” do the exact opposite of the county’s Climate Action Plan which has a goal to “Retain, increase, and restore terrestrial ecosystems including forests, meadows, wetlands, green spaces, and urban trees.”¹⁷ DEP’s website states that “Trees contribute to the economic and social vitality of every community. Trees clean the air and water, reduce the cost of cooling and heating homes and businesses, increase biodiversity, and increase our general sense of well-being.” And yet, hypocritically, DEP continues to promote the clearcutting of countless trees, shrubs, and other forest plants in our natural areas for unnecessary stream “restorations.” That is a gross mismanagement of county funds.

Since the science is clear and overwhelming, we must conclude that the use of stream “restorations” is a political decision. Do we throw our natural areas under the bus to create engineered stormwater conveyances or do we control stormwater runoff in public spaces, as much as possible, and then ask the private sector to pull their own weight instead of dumping their stormwater into public streams. I can hear it now – “But the builders will all go to Fairfax County.” We have heard that false narrative every time that business is asked to contribute their fair share. Its time our elected representatives put our quality of life over the profits of the development industry.

The operating budget for DEP personnel who have been lying to the public and to our elected officials about the bogus benefits of so-called stream “restorations” should be eliminated.

Thank you for considering this input.

Sincerely,

Kenneth Bawer
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8 Cleveland Court

¹⁶ Montgomery County Launches Climate Smart Campaign with the Slogan ‘BIG CHANGE Starts Small’
For Immediate Release: Tuesday, January 28, 2025

https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=46483

¹⁷ MONTGOMERY COUNTY CLIMATE ACTION PLAN, Building a Healthy, Equitable, Resilient Community, JUNE 2021,
<https://www.montgomerycountymd.gov/climate/Resources/Files/climate/climate-action-plan.pdf>

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