

Coalition to Stop Stream Destruction

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Subject: Written testimony for July 8 public hearing on Master Plan of Highways and Transitways (MPOHT) - 2025 Technical Update

Position: Remove Highway M-83 from MPOHT

References:

<https://montgomeryplanning.org/planning/transportation/highway-planning/master-plan-of-highways-and-transitways/2025-technical-update/>
https://montgomeryplanning.org/wp-content/uploads/2025/04/MPOHT_Climate_Assessment.pdf

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

We urge you to approve the Planning Boards' recommendation to remove the northern section of Highway M-83 from the Master Plan of Highways and Transitways (MPOHT).

Please [see the video](#) we submitted as part of our testimony and additional videos with this QR code:



The video makes the following points:

- This is a video of the Glenallan stream “restoration” near Brookside Gardens taken last November.
- Damage done to streams by the **M83 extension** will be mitigated by engineered stream “restorations” like this at some other county location.
- Heavy construction equipment is in the stream bed itself.
- Any animals like frogs, toads, turtles, snakes, salamanders, and small mammals that can’t outrun the equipment are crushed.
- Dumped fill material buries any small animals alive.
- Large, mature trees are cut. The protected trees will still have their critical root zones compacted and will probably die.
- These large trees will be replaced by saplings. After clearcutting, full ecological recovery, including soil stabilization and biodiversity restoration can take over a century.
- **The M83 project** will destroy the forest in its path like this, and the required so-called mitigation will destroy the forest at the mitigation site.

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- The stream at the mitigation site will be turned into an engineered stormwater conveyance like this, filled with rock rubble.
- Published papers analyzed over 700 engineered “restorations” to show that water quality and ecological function are not improved, are sometimes worse, and less than half stopped stream erosion.
- Our DEP and Parks hide tree numbers to be cut, falsely claiming that wildlife habitat loss by forest clearcutting is temporary – quickly mitigated by planting saplings,
- They falsely claim that invasives will be removed and then successfully controlled (they never are), concealing that small animals will be crushed or buried alive,
- and they hide the loss of property values due to viewshed destruction, increased traffic noise, and decreased shade, privacy, and nature-based recreation..
- Please remove M-83 from the Master Plan of Highways and Transitways.

One deleterious aspect of this proposed road which needs to be considered is not just the environmental damage that will be done in the path of the highway, but the destruction that will be caused by the federally required mitigation projects.

The law requires that damage that *will* be done to the stream and wetlands by this highway must be mitigated by stream and wetland “restorations” to improve the ecology at a different location. In theory, the damage done by the road construction will be balanced (or zeroed-out) by the restorations at other locations – a zero-sum game.

Unfortunately, the published science which analyzed over 700 stream “restorations,” documentation of washed out projects in Montgomery County, and ground observations of environmental damage (see references and photographs in the [linked presentation](#)¹ and a [video of the Glenallan stream “restoration”](#)²) lead to the unavoidable conclusion that mitigation projects do not balance or zero-out the damage done by construction projects. In fact, Montgomery County Department of Environmental Protection (DEP) has admitted that *none* of their past stream “restorations” have improved stream ecology as measured by industry standard BMI measurements.³ There is no scientific basis for claiming that any stream “restoration” will mitigate environmental harm done by construction of M-83.

To put it a different way, two wrongs – first the M-83 construction damage and then the “mitigation” damage - don’t make a right.

As an example of the damage done by stream “restorations, see the 11/16/2024 photo below from the Glenallan stream “restoration,” a joint DEP-Parks project.

¹ https://drive.google.com/file/d/1dos8SmOF5_evuI8Y_CWuUMVNHZoVP1Sf/view?usp=sharing

² <https://www.youtube.com/watch?v=91O2bAdT8PY>

³ 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.

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The environmental destruction caused by stream restorations can be also be seen in a [video of Gaithersburg Solitaire Court stream “restoration”](#)⁴.

Loss of the tree canopy in this densely populated area of Montgomery County near the unbuilt section of M-83 will increase air, water, and noise pollution, and increase heat stress by creating a new urban heat corridor. These negative health impacts, especially to young children, must be factored into the decision. Plus, this project will decrease property values by destroying the viewshed of the woods and increase utility costs due to the new highway’s heat island effect.

Funds should instead be spent on common-sense mass transit projects such as Bus Rapid Transit or an elevated trolley along I-270 or Rt. 355 such as the one in San Diego⁵. Road building has never solved the congestion problem and it never will. The late Ron Kirby, former head of the Washington Council of Government’s Transportation Planning Board had a mantra that we can’t road-build our way out of congestion. Just look at the congestion on Beltway and I-66 in Virginia after all their added lanes. And we all know the definition of insanity sometimes attributed to Einstein, which is “doing the same thing over and over again and expecting a different result.”

⁴ <https://www.youtube.com/watch?v=NvTvPnG6Qs8>

⁵ <https://www.govisitsandiego.com/getting-around/public-transportation/san-diego-trolley/>

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Finally, a quote from Aldo Leopold: “We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.”

If M-83 is built, when a small child asks why the stream valley was destroyed, the answer will have to be “because some people wanted to get to work or the store a little bit faster.”

Again, we urge you to approve the Planning Boards’ recommendation to remove the northern section of Highway M-83 from the Master Plan of Highways and Transitways (MPOHT).

Thank-you for your consideration.

Respectfully submitted,

Kenneth Bawer
Coalition to Stop Stream Destruction

BACKGROUND INFORMATION

- Video of Gaithersburg Solitaire Court stream “restoration”:
<https://www.youtube.com/watch?v=NvTvPnG6Qs8>
- Video of the Glenallan stream “restoration”
<https://www.youtube.com/watch?v=91O2bAdT8PY&feature=youtu.be>
- Link to presentation that gives some background information on stormwater control and the damage done by stream “restorations” for stormwater control. It includes references to scientific papers: https://drive.google.com/file/d/1dos8SmOF5_evuI8Y_CWuUMVNHZoVP1Sf/view?usp=sharing
- Link to comments on Maryland Department of Transportation’s State Highway Administration’s draft MS4 permit that includes generic comments on stream “restorations”:
(<https://drive.google.com/file/d/1cncF1E32jrxppqd5ghzZ2AsJjWt5P0O/view?usp=sharing>)
- Link to comments on Chesapeake Bay Program update (“Beyond 2025”) to Chesapeake Bay Watershed Agreement:
(<https://drive.google.com/file/d/1dBBEVLkvRCCKOlaw4RRDOU0B35exnS64/view?usp=sharing>)
- Link to March 12, 2024 letter that debunks Montgomery County Department of Environmental Protection’s false claims about stream “restorations”:
(<https://drive.google.com/file/d/1YDGJwW1IwOQTdlNgNK1NuivBwNSmPV3X/view>)
- Link to Mo Co [DEP’s false claims](#) in their 12/19/2024 response to our call for a ban.
(<https://drive.google.com/file/d/1-e85ZiQfYBrySjswPgk61dnJIXTwYmMw/view?usp=sharing>)

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- Link to January 17, 2025 letter that debunks Montgomery Parks' false claims about stream "restorations": Parks' greenwashing comments (<https://drive.google.com/file/d/1DaaxUY-H1l2wghmrhHi-5yW8XY2snMKi/view?usp=sharing>).

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July 9, 2025

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Subject: 2nd Written testimony for July 8 public hearing on Master Plan of Highways and Transitways (MPOHT) - 2025 Technical Update

Position: Remove Highway M-83 from MPOHT

References:

<https://montgomeryplanning.org/planning/transportation/highway-planning/master-plan-of-highways-and-transitways/2025-technical-update/>

https://montgomeryplanning.org/wp-content/uploads/2025/04/MPOHT_Climate_Assessment.pdf

Written testimony:

<https://www.montgomerycountymd.gov/COUNCIL/OnDemand/testimony/20250708/item3.html>

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

In an effort to keep the Council focused on scientific evidence, not anecdotes, please consider the following. Any damage to streams and wetlands by M-83 construction must be mitigated per federal regulations. My previous written testimony described why attempted mitigation for stream damage does not work per the published science.

The same is true for attempted wetland mitigation. The following was stated by Mr. Robert Nelson in his written testimony and was repeated in his July 8 oral testimony:

“From my experience in Goshen, thirty acres of wetlands have been created only three blocks from my home at a current cost of about \$135,000 per acre. Lost wetlands can be recreated! We know that.”

This is misinformation. The published science shows that wetland mitigation either does not work or is impossible to prove. Per R. H. Hunt,

“...we do not have established methodology that can uniformly evaluate a wetland’s function, or that is useful for providing guidelines that enhance wetland restoration/creation success. ...What are some of the issues surrounding wetland mitigation? It is not widely accepted that mitigation projects are successful. Although the current wetland permit programs assume that wetland loss is being ameliorated, no long-term, interdisciplinary research shows unequivocally that a created

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wetland has fully replaced the lost function resulting from a wetland's destruction. Secondly, there is a concern that created wetlands do not provide in-kind compensation. That is, many hard-to-create wetland types (such as fens, bogs and sedge meadows) are being replaced with common, easy-to-create wetland types (cattail marsh), or the "quality" of the resulting mitigation wetland is not equal to the wetland that was destroyed. A third concern is that placing mitigation projects in areas distant from the destroyed wetland will result in the wetland functions being replaced in areas away from where they are needed and/or in areas that are not wetland deficient. Finally, there is great interest in mitigation "banks" large wetland restoration or creation projects that can serve as compensation credit for wetland losses elsewhere in a given region. While many people agree that large, intact wetland acreage is desirable, there is some concern that mitigation banking projects will not provide meaningful mitigation of the cumulative effects of widely distributed, small-acreage wetland loss."¹

Per D. M. Mateos, "Frequently, however, attempts at wetland restoration fail to restore ecosystem structure and functions to preimpact levels..."²

A key message from R. J. McInnes and S. Alexander is that "Restoration is not a substitute for protecting and ensuring the wise use of wetlands, i.e., the potential to restore a wetland is not a justification or suitable trade-off for the continued degradation of wetlands. Furthermore, ...experience shows that a "restored" wetland rarely provides the full range and magnitude of services delivered by a wetland that has not been degraded."³

Again, we urge you to approve the Planning Boards' recommendation to remove the northern section of Highway M-83 from the Master Plan of Highways and Transitways (MPOHT).

Thank-you for your consideration.

Respectfully submitted,

Kenneth Bawer
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¹ "Do Created Wetlands Replace the Wetlands that are Destroyed?", by Randall J. Hunt, 1996, U.S. Department of the Interior U.S. Geological Survey Fact Sheet FS-246-96 <https://pubs.usgs.gov/fs/1996/0246/report.pdf>

² David Moreno Mateos, Wetland Restoration and Creation: An Overview, May 2018, In book: The Wetland Book (pp.1965-1975), Harvard University (<https://www.researchgate.net/>)

³ R. J. McInnes and S. Alexander, "The Benefits of Wetland Restoration," 2013, Technical Report, Report number: Ramsar STRP Briefing Note no. 4, Affiliation: Ramsar Scientific and Technical Review Panel (https://www.researchgate.net/publication/280526877_The_benefits_of_wetland_restoration)