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Bernie Fowler, tireless Maryland advocate for clean water, dies

Timothy B. Wheeler

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Through the years, Maryland state Sen. Bernie Fowler worked passionately to restore water quality in the Patuxent River and Chesapeake, urging others to “never, never, never give up.”

Dave Harp

Those sneakers are going to be hard to fill.

Clyde Bernard Fowler, tireless champion and agitator for cleaning up his beloved Patuxent River and the rest of the Chesapeake Bay, died Sunday at the age of 97.

Over five decades of public and private life, the former Maryland state senator known to everyone simply as “Bernie” **never gave up** trying to curb the pollution he saw threatening the region’s once-vibrant waterways. He pressed for legislative remedies and even joined in bringing a pair of lawsuits when nothing else seemed to be working. He also took his case directly to the public in a way that proved contagious.

Starting in 1988, Fowler led an annual “wade in” from the banks of the Patuxent, where he had netted for soft crabs as a young man in the 1940s and ‘50s, to dramatize the need to restore its clarity and vitality. He frequently recalled that in those days he could wade out into the river and still see his sneaker-clad toes when the water was chest deep on his lanky 6-foot frame.



The worn, white sneakers of Bernie Fowler, a former Maryland state senator who grew up crabbing in the Patuxent River, were an icon of his annual Patuxent River wade-ins. The “sneaker index” — the water depth at which point Fowler lost sight of his feet — became an informal but important yardstick for judging progress in restoring the river.

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The wade-ins drew media coverage and politicians, and the “sneaker index” — the water depth at which point Fowler lost sight of his feet — became an informal but important yardstick for judging progress or its lack in restoring the Patuxent.

“We’ve lost a real titan of the Bay community,” said Ann Swanson, executive director of the Chesapeake Bay Commission. Fowler sat on that tri-state legislative advisory body for 37 years, she said, first as a state senator, then as a citizen member and finally as an emeritus.

“The wade-in was just a beautiful example where Bernie combined science with community involvement,” Swanson said. “He made his sneakers a scientific tool, a Secchi disk. And then he combined it with politicians and music and floats and picnics. Because he knew if you’re going to accomplish environmental protection it has to be fun.”

In an **oral history interview** for the Calvert Marine Museum, Fowler said the idea for staging the wade-ins came from Tom Wisner, the late folk singer, environmentalist and educator known as the Bard of the Chesapeake. For years, Fowler had been recounting what he characterized as his “corn pone” tale about seeing his sneakers, when Wisner suggested he reenact it to “send a signal to everybody that you are still wading out there looking to find your feet.”

So, Fowler donned the garb of his youth — coveralls, blue denim shirt, straw hat and white sneakers. They waded in at Broomes Island, where Fowler had crabbed and run a boat rental business for a while after he returned from serving in the Navy during World War II.

The first event drew maybe a dozen people, Fowler recalled, and they picnicked and sang songs afterward. The Patuxent wade-in has grown since then, but retained the same festive flavor, and with encouragement from Fowler it inspired copycat events on other Bay rivers.

One politician who joined Fowler for his wade-ins more than any other was Rep. Steny Hoyer, a Democrat who has represented Southern Maryland in Congress for 40 years and now serves as House Majority Leader. He issued a statement calling Fowler a mentor and “dear, dear friend.”

“The Patuxent and Chesapeake are cleaner and clearer because he had the courage to stand up to polluters and organized Marylanders to take action for conservation,” Hoyer said.



Maryland state Sen. Bernie Fowler and Tom Wisner, a folk singer, environmentalist and educator, share a laugh during a Patuxent River wade-in in the late 1980s.

David Harp/Chesapeakephotos.com

For Fowler, the wade-in was the fun side of what to him was otherwise a serious struggle. He became increasingly concerned through the 1960s and 1970s about the state of the Patuxent, and he reached out to scientists at the Chesapeake Biological Laboratory in Solomons — whom he'd first met, serendipitously, playing in an adult softball league — seeking verification that there was something wrong.

“Bernie wanted to become somewhat appropriately educated on the water quality issue because his strong feeling — almost like a gut-level feeling — was that the water was now different than what it used to be,” said Walter Boynton, then a young marine ecologist at CBL, now emeritus. “Quantitatively, he was absolutely right.”

But while underwater grasses had disappeared and the river grown increasingly murky, state officials insisted it was fine. The secretary of natural resources even suggested that the nutrients flowing from sewage treatment plants upriver were food for fish. Steaming over the

state's indifference, Fowler, who had been elected a Calvert County commissioner in 1970, convinced the leaders of his and two other Southern Maryland counties to sue the state and upriver counties.

“Bernie was a big thinker and fearless,” said Greg Bowen, former longtime Calvert County planner who is now executive director of the American Chestnut Land Trust. Going up against the state of Maryland seemed daunting, Bowen said, but “that was Bernie Fowler. If he believed in something he was going to do all he could.”



Maryland state Senator Bernie Fowler, at center wearing a hat, leads the 2016 Patuxent River wade-in to make an informal check on river clarity and rally public support for the river's restoration.

Dave Harp

After hearing testimony from scientists, a federal judge sided with the Southern Maryland counties. That led to a three-day meeting at which state and local officials, scientists and citizens hammered out a new plan for upgrading the river's sewage treatment plants, with the aim of taking water clarity back to what it had been in the 1950s.

That 1981 accord, which for the first time emphasized the need to reduce nitrogen as well as phosphorus, proved to be the forerunner for the 1983 summit between Maryland, Virginia and the federal government, which produced the first Chesapeake Bay restoration agreement.

Elected state senator in 1982, Fowler continued to press for cleanup of Maryland's waters. In 1988, for instance, the same year of his first wade-in, he succeeded in getting a law passed that would fine the state's counties if their wastewater treatment plants failed to meet their discharge limits.

He signed on as a co-plaintiff in yet another lawsuit in 2009, this one brought by the Chesapeake Bay Foundation after the state-federal Chesapeake Bay Program had missed one voluntary restoration deadline and was on the verge of missing a second. The lawsuit sought to force the U.S. Environmental Protection Agency to put the Bay on a "pollution diet" as called for in the federal Clean Water Act. In a settlement, the EPA agreed to a timetable for the Baywide total maximum daily load. Imposed at the end of 2010, it requires the states and District of Columbia by the end of 2025 to take all steps needed to reduce nitrogen, phosphorus and sediment to targeted levels.

Early in his political career, Fowler also sought to dampen the environmental impacts of the sprawling development transforming Calvert County in the 1970s, Bowen said. As a county commissioner, Fowler worked with residents to develop the Pleasant Peninsula Plan, a long-range growth blueprint that emphasized the need to preserve land.

Fowler served more than 30 years on the Patuxent River Commission, a legislatively authorized body set up in 1984 to advocate for the restoration of the river he said was in his blood.

Patuxent Riverkeeper Fred Tutman called Fowler a good friend and ally with whom he worked on multiple issues affecting the river. Tutman said that shortly after he became the riverkeeper there, Fowler introduced him around the region. Over the years, he added, he sought Fowler's advice repeatedly, particularly for his knowledge of the political landscape.

"We'll miss him," Tutman said. "All that institutional memory, all that knowledge, all that history, it's all gone. He knew a lot, and he'd been through every struggle that river encountered."

But in recent years, Fowler grew increasingly frustrated that the river wasn't improving as he'd hoped to see in his lifetime.

“We’ve seen some modest improvements in recent years in the river,” Bowen said, “but that was a great sadness for Bernie that we were not able to bring the river back as he remembered it, at least not yet.”

Fowler also expressed impatience with the pace of Bay restoration in general and feared that it was losing steam.

“He was horrified with the current condition,” Swanson said, “and he was also terrified that once his generation passed, that no one would recall the vibrance he had seen. And so ... he did everything possible to communicate that vibrance to a younger community.”

One of those younger people was Dia Brown, who met Fowler while in high school in Calvert County, where she helped organize Crochet for the Bay to raise funds for environmental projects. Fowler joined her and some of her classmates for a wade-in in her hometown of Chesapeake Beach, she said, and she got to know him while helping archive his life story for the Calvert Marine Museum. She's majoring in civil engineering now at University of Vermont, where she remains passionate about the environment and hopes to find ways to make buildings greener.

This past June, when Fowler waded into his beloved Patuxent for the last time, he lost sight of his sneaker-clad toes when the water passed 34 inches in depth — far short of what he remembered in his youth. The most recent Bay report card issued this year by the University of Maryland Center for Environmental Science gave the river a D minus.

Through the years, though, Fowler repeatedly vowed — and urged others — to “never, never, never give up.”



Maryland House Majority Leader Steny Hoyer measures the depth of water at which state Sen. Bernie Fowler could see his toes after the 2016 Patuxent River wade-in.

Dave Harp

Now, Swanson said, with the loss of Fowler and other veteran environmental advocates like Tayloe Murphy, a former Virginia natural resources secretary and legislator who died earlier this year, the Bay restoration is facing a generational challenge.

“It leaves a large hole for all of us to fill,” she said.

A celebration of life service originally planned for Dec. 29 has been postponed because of concerns about the upswing in COVID-19. A new date has not yet been set.

Tim Wheeler

Tim Wheeler is the Bay Journal's associate editor and senior writer, based in Maryland. You can reach him at 410-409-3469 or twheeler@bayjournal.com.