

Sayers, Margery

From: Keith Ohlinger <kohlinger05@verizon.net>
Sent: Friday, June 30, 2017 5:30 AM
To: CouncilMail
Subject: CB 60.

Hi All:

Last night I attended the meeting held by the Dayton Rural Preservation Society. Wow. On so many levels. Wow.

Keith Ohlinger
Heritage Hill Farm

Sayers, Margery

From: michael pantos <mjpantos@yahoo.com>
Sent: Thursday, June 29, 2017 9:14 PM
To: CouncilMail
Subject: Opposition to CB60

Attention Howard County Council Members:

DO NOT pass CB60 without MAJOR AMENDMENTS blocking potential LOOPHOLES. As is CB60 does not adequately protect our families, our children, and our communities from industrial mulching on farmland including RR, RC, ag preserve, and cluster subdivision parcels, leading to public safety, health and environmental risks.

Dr. Michael Pantos

Sayers, Margery

From: vstewartmo <vstewartmo@aol.com>
Sent: Thursday, June 29, 2017 8:29 PM
To: CouncilMail
Subject: CB-60 in the Rural West

Don't let this happen. Do not pass CB60 without major amendments that protect our community without major amendments which include: protect clean air; ensure our ground water coming from our wells is not polluted; stop 18 wheelers plying our narrow roads and jeopardizing our children waiting for school busses; protect our Chesapeake Bay from runoff. Industrial mulching should not be allowed on Farm Preservation property.

Thank you.

Victoria Stewart-Moore
3400 Jennings Chapel Rd
Woodbine

Sent from my Verizon, Samsung Galaxy smartphone

Sayers, Margery

From: Chris Esveld <theesvelds@verizon.net>
Sent: Thursday, June 29, 2017 7:53 PM
To: CouncilMail
Subject: CB60

I wish to bring to your attention my concern with CB-60 that is coming up for a vote on July 17, 2017. I strongly oppose passage of this bill unless it includes amendments to protect the health and safety of the residents in Howard County.

Chris Esveld

Sent from my iPhone

Sayers, Margery

From: John Allen <johnl.k.allen@me.com>
Sent: Thursday, June 29, 2017 7:20 PM
To: CouncilMail
Subject: CB60

We strongly oppose CB 60! You are putting thousands of people at risk for 2 business men!!! This reeks or corruption! Those that proposed this should be ashamed of themselves!

Sincerely,
John Allen

Sent from my iPhone

Sayers, Margery

From: Gregg Fernandes <fernandes_gregg@yahoo.com>
Sent: Thursday, June 29, 2017 7:30 PM
To: CouncilMail
Subject: Opposition to CB60

I am writing to communicate my strong opposition to CB60. I will not vote or support for any council member that supports industrial mulching on AG preserve land.

Gregg Fernandes
Dayton Maryland

[Sent from Yahoo Mail for iPhone](#)

Sayers, Margery

From: Michael P <mjpantos@yahoo.com>
Sent: Thursday, June 29, 2017 7:20 PM
To: CouncilMail
Subject: Opposition to CB60

We oppose industrial mulching on farmland including RR, RC, ag preserve. We oppose CB60 without major ammendments

Sent from [BlueMail](#)

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Thursday, June 29, 2017 4:37 PM
To: Kittleman, Allan; CouncilMail; Melanie Dzwonchyk
Subject: CB60-2017 Industrial Mulch vs. 2 Acres.

There has been some discussion on Next Door and in some email traffic I've seen about 2 acres is not sufficient to be Industrial Mulch Production.

I had a briefing chart that I used at the Task Force that addresses that issue. Here is some data from the [Maryland Solid Waste Management Report - 2014. \[See Tables 12- pages 15-16\]](#)

Grant County Mulch is an NWWRF in Frederick County. They have an NWWRF Permit for 3 acres. They marketed 36,131 tons of waste. That is 12,000 tons of marketed waste per acre per year. For two acres that would amount to 24,000 tons of marketed waste per year.

24,000 tons of marketed waste would place 5th in the top producers of NWWRF in the State of Maryland,

I call that industrial.

Feel free to re-post on Next Door.

Best Regards,
Jim

Sayers, Margery

From: Barb Ridenour <toolie12@yahoo.com>
Sent: Thursday, June 29, 2017 11:58 AM
To: CouncilMail
Subject: CB60-2017

The rumors are flying again in western Howard County. The story is that despite his earlier promises to stand with the western Howard County community against the industrial use of agricultural land for industrial mulching, County Executive Kittleman has instead decided to support his personal friend, Robert Orndorff, as Orndorff again tries to find a way of using a piece of farmland purchased several years ago in Dayton for industrialized mulching. One rumor this time is that Kittleman and Orndorff have some sort of business arrangement whereby Orndorff supported the expansion of Rt. 32 to Linden Church and in exchange Kittleman not only supports Orndorff's request for a zoning variance for the Dayton farm property but also is given preference in acquiring the lumber that will be generated in the land clearing that will be necessary to widen Rt. 32. Given that Orndorff, is a very wealthy industrialist with a long-standing personal grudge against the Dayton community and not a farmer, you can understand why rumors are flying again in our area with this new proposed legislation.

When all of this came up before, our big concerns were air quality, safety and water quality. There is a flyer going around our community referring to an incident where a small child was killed by a large mulch truck as the truck drove past a school bus. The flyer is inflammatory and doesn't address the more serious safety issues. We already have many large trucks going up and down Ten Oaks. They aren't particularly observant of the speed limit in front of Dayton Oaks Elementary or elsewhere and many of them have more than their share of trouble staying in their lane on our twisty country roads. But neither are other vehicles. The increase in number of trucks is a concern but we'll live with it. The real concerns are the long-term environmental damage that seems to come with industrial mulching. These facilities may claim they aren't a fire hazard but fires do seem to be very very common in this industry, But the big concern is the long-term risk to our western Howard County water supply when industrial processing/dyeing of mulch is happening on a piece of property on well and septic. There are byproducts from this kind of processing. Some of the chemicals involved are carcinogenic. What happens to our groundwater when this stuff is dumped on the ground on a piece of property that contains protected wetland. Is there a large piece of property anywhere in western Howard County that doesn't contain at least some wetland areas? I researched this issue when we went through the initial push for industrial mulching on farmland several years ago. The chances of this kind of operation on a property on well/septic contaminating groundwater was about a hundred percent. In cases that had gone to court, the eventual solution to remediate the damage was to pipe in city water to the affected areas, paid for by the taxpayer. The figures I saw for this even several years ago were 50 million dollars or more. On top of that, also consider the liability issues of the contaminated groundwater created by an industrial mulching enterprise on farmland were to make families sick. Imagine the damage to your own political careers if you support this kind of effort on farmland and this kind of damage occurred.

Typically the sort of area that allows this kind of activity is a poor, rural area with no other options for land use and with citizens who aren't necessarily as educated up front about the risks. That isn't the case here at all. You have very educated citizens in Howard County who will be documenting this every step of the way and making note not only of how you all decide to vote but of the evidence you reviewed as you made your decision. It would seem likely given our voter base that you even might have personal liability if you knew up front the kind of environmental damage that would likely occur and you still supported this kind of activity.

Please protect our county! Please stand with our citizens and stand against Executive Kittleman and vote down CB60. Thank you!!!

Barb Ridenour

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Thursday, June 29, 2017 11:10 AM
To: Kittleman, Allan; CouncilMail; Melanie Dzwonchyk; Team Kittleman
Subject: CB60-2017 - A Foundation Becomes a Sand Castle.

For those that did not attend the Planning Board Meeting a justification for the need for CB60-2017 [Formerly ZRA-180] was the zero-waste land fill policy by the State of Maryland. That is no longer valid.

Hogan cancels O'Malley's zero-waste regulations

By [Josh Hicks](#) June 28 at 5:59 PM

Maryland Gov. Larry Hogan (R) has rescinded the [zero-waste landfill rules](#) that his predecessor, Democrat Martin O'Malley, put in place during his final days in office.

The governor announced his plan to cancel the policy during the Maryland Municipal League's annual summer conference, saying the requirements had become a burden for local governments.

"We listened to the calls for action from municipalities and counties all across the state regarding the zero-waste directive, which usurped local government authority and was causing so many problems for towns, cities and counties," Hogan said....." continued at: [Hogan cancels O'Malley's zero-waste regulations](#)

Best Regards,

Jim Nickel

Sayers, Margery

From: Rob Bovello <rbovello@aol.com>
Sent: Thursday, June 29, 2017 10:43 AM
To: CouncilMail
Subject: Mulch manufacturing plant

Dear Sir or madam, I am sending this email regarding my concern over CB-60 and calling for amendments to protect the rural communities it will put at risk as it currently stands. I do not want a mulch manufacturing facility and all of the negative aspects that it brings in Dayton.

Thank You, Rob Bovello (Dayton Resident)

Sayers, Margery

From: Janet Kraus <janetkraus1@msn.com>
Sent: Thursday, June 29, 2017 8:12 AM
To: CouncilMail
Subject: KILL CB60-2017

There are TOO MANY risks and irresponsibly unanswered questions regarding CB60-2017. It is clear that the county does not have the interest/manpower to ensure that requirements are followed. Allowing operators to police themselves has PROVEN to be a joke. Not sure why the county has turned its back on previous commitments to concerned Dayton residents. Soothe your consciences by poking a large mulch stick in CB60-2017 and pronouncing it dead. Show that you care more about the people you represent than for the dollars. Our county will flourish just fine if you do what is RIGHT! We have MANY neighbors that agree!!

Janet & Jim Kraus
Dayton, MD

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Wednesday, June 28, 2017 5:51 PM
To: Kittleman, Allan; CouncilMail; Melanie Dzwonchyk; Team Kittleman
Subject: CB60-2017 Part 3 of 3 - Water Contamination Risk

Dayton Areas Residents and other interested parties.

In Parts 1 and 2, I highlighted:

- CB60-2017 presents a fire risk to Howard County residents. There was just a fire this May on Kabik Ct. that drew fire service resources from three counties. That fire was a direct result of the operator not following MDE guidelines and/or MDE not enforcing them.
- CB60-2017 presents a health hazard to Howard County residents from airborne wood dust and other infectious agents to include mold, fungal spores and bacteria.
- The DPZ has designed a regulation that they do not intend to enforce, nor can they reasonably expect MDE to enforce.
- The Task Force majority was comprised of members who were biased in favor of business and rejected out of hand the evidence that was presented to them.

In Part 3 of 3, I'll address the health issue related to water contamination.

In August 2014, the Task Force was briefed on the risk of groundwater metals contamination and the conclusions were well documented. Various studies showed that: (1) wood waste disposal resulted in groundwater pollution and this was caused by leaching of metals into groundwater, (2) neurological disorders could be acquired due to manganese contamination, and (3) there were negative impacts to the birth weight of babies born to women with higher blood levels of manganese.

No counter argument to the science was offered by the Task Force majority. In the technical staff report, DPZ just states that the risks were considered. They conclude that if the operators follow MDE guidelines the risk will be mitigated. There is no proof offered the risks will be mitigated and DPZ knows that operators in Howard County and elsewhere in Maryland have not followed guidelines. Of the three wood waste facilities I'm aware of in Howard County I can show proof that not one of them has complied with state and/or county regulations. The full presentation can be seen here: [Groundwater Metals Contamination from Wood Waste Recycling Facilities](#)

In April of this year I became aware of a study that was completed by the Suffolk County Health Department and shortly thereafter sent an email to our Howard County government officials and provided them a link to that study, [Investigation of the Impacts to Groundwater Quality from Compost/Vegetative Organic Waste Management Facilities](#), also known as wood waste and compost facilities. The study examined 11 sites in Suffolk County and found all 11 sites had water contamination. At those 11 sites, there were 113 test results that exceeded safe groundwater and/or drinking standard. If you would like to count them yourself, here they are:

[Table 14 - Analytes Exceeding a Groundwater and/or Drinking Water Standard](#)

Three of those sites affected rural residential wells and Suffolk County ran public water supply to those areas as a result. Subsequently, I wrote to the County Executive asking what the Howard County Health Department thought of that study and what plan does the County Executive have for remediation, if not running public water supply to affected areas. He continues to ignore those questions.

A few years after we moved into Dayton, I decided that the lay of our property was amenable to constructing a pond. It would be spring fed. Some MD State folks came out to give some advice on the pond construction. It would be about an acre, the state would stock the pond with fish and they gave me a quick description of the construction. A one acre pond, stocked with fish in my back yard. My wife and I could sit out on the deck and enjoy. Our dogs could go swimming any time they wanted. Awesome.

However, what they were telling me would result in cutting off my spring water from the adjacent farm. That farmer had a small dairy herd that roamed and drank from that stream. To me that pond became a non-starter. I wasn't going to cut off the Brown's dairy cows from water. It looks like I cared more about Buddy's dairy cows getting water than Howard County Government cares about the health and safety risk to Howard County residents. Is our Howard County Government willing to make that trade-off for mulch and compost?

Everyone needs to tell the County Council this is UNACCEPTABLE: [Howard County Council](#)

**Please attend the Town Hall meeting on Thursday, 29 Jun from 7-9 pm at the Dayton Oaks Elementary School
Sponsored by the Dayton Rural Preservation Society (DRPS).**

Best Regards,
Jim Nickel

Sayers, Margery

From: Betty Routh <kcmom09@yahoo.com>
Sent: Wednesday, June 28, 2017 12:03 PM
To: CouncilMail
Subject: Mulching in Dayton Oaks

To Whom it May Concern:

A mulching facility in the quiet and clean neighborhoods of Howard County is unacceptable. I can understand that a facility like this would be located in a business district that is equipped to handle the traffic load and noise (Jessup). But here? In Dayton Oaks? The idea is absurd.

Sincerely,

Betty Routh

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Tuesday, June 27, 2017 4:17 PM
Cc: Kittleman, Allan; CouncilMail; Melanie Dzwonchyk; Team Kittleman
Subject: CB60-2017 Part 2 of 3 - Cancer and Respiratory Risks

Dayton Areas Residents and other interested parties.

In Part 1 of 3, I highlighted :

- CB60-2017 presents a health and safety risk to Howard County residents.
- The County Executive has filed a Council Bill that reneged on his campaign pledge of keeping Commercial Industrial Mulch operations off Agricultural Preservation properties.
- I reported on what the DPZ has stated they are incapable of, or, unwilling to enforce.
- DPZ will rely solely on MDE knowing full well that is unrealistic.
- That was illustrated with the photo of a mulch fire on Kabik Ct. that the Howard County Fire Department assisted in putting out. That mulch pile was 68' high. Yet, DPZ insists that wouldn't happen with MDE regulations.
- I also provided a link to a presentation given at the Task Force in 2014 on Fire Risk.

In Part 2 of 3, I'll address the health issue related to airborne wood dust and infectious agents. I will provide you the links to the two presentations given to the Task Force in 2014 on that subject.

The first presentation was given by Victor Velculescu, M.D., Ph.D. His presentation covered the health hazards of industrial mulch processing due to wood dust and infectious agents such as mold, fungi and bacteria. The risks were significant. Various cancers, allergic and mucosal effects, kidney failure, dermatitis, and allergic respiratory effects to name a few. Airborne wood dust can travel >1,500 ft. and airborne infectious agents have been shown to travel distances of > 3 mi. His presentation can be found here: [Health Hazards of Industrial Wood Waste](#)

I gave the 2nd presentation. My presentation addressed a collection of research studies that were generally related to respiratory effects and you'll find some overlap between Dr. Velculescu's presentation and mine. I also conducted an informal study based on data collected from the complaints, i.e., Inspection Requests, that were sent to DPZ for action. I found many of the complaints to be shared among the residents and mapped them. I was surprised at the tight grouping of the people complaining in a dispersal pattern downwind. You'll find my full presentation here: [Woodbine Case Study](#)

The majority report of the Task Force generally ignored the presentations. At the conclusion of the two presentations, one member of the majority countered with ... "We just don't believe it." There was a built in bias to the Task Force. One member was operating an unauthorized Natural Wood Waste Facility in Howard County, another member was operating a commercial NWWRF on M1/M2 and a third member of the Task Force admitted at the meeting that he was "technically" required to obtain an NWWRF permit but didn't obtain one.

While I was preparing this study I tried on 3 occasions to get the Howard County Health Department to contact the people in Woodbine about the health related complaints and no action was ever taken. The Head of the Department was at a meeting where I brought that up and his explanation was that he didn't send anyone out because there were no regulations that authorized him to do anything if there was a problem. He never offered a suggestion about what might be done about that. There was another member of the Task Force that shared with me his thoughts on the presentation by Dr. Velculescu. "I saw Victor's presentation. What difference does it make? It's [carcinogens] everywhere."

That should give you a perspective of the members of the Task Force that comprised the majority.

Everyone needs to tell the County Council this is UNACCEPTABLE: [Howard County Council](#)

**Please attend the Town Hall meeting on Thursday, 29 Jun from 7-9 pm at the Dayton Oaks Elementary School
Sponsored by the Dayton Rural Preservation Society (DRPS).**

Best Regards,
Jim Nickel

Sayers, Margery

From: Albert Risdorfer <arisdorfer@yahoo.com>
Sent: Tuesday, June 27, 2017 3:55 PM
To: CouncilMail
Subject: Opposed to CB-60

County Council,

I am a 16 year resident of Dayton in Howard County. I have loved it here because of its beauty and safety as well as it's incredibly convenient location in the Northeast Corridor. But since 2014 there has been this persistent push by certain interests to build industrial composting and mulching facilities in our neighborhood which will disturb everything that makes this place so great.

I want to inform every member of the council that I strongly oppose building any such facility. At the very least this bill needs to be amended to prohibit industrial composting and mulching on both Maryland AND Howard County ag preserve lands.

My neighbors and I have been fighting this for some time but now apparently we have been betrayed by Kittleman and many of you. DO YOUR JOB! Do what is right for the citizens of the county or trust me when I say, that I and many of us, will settle the score come election day.

Al Risdorfer
14013 Big Branch Dr
Dayton MD 21036

AUT VIAM INVENIAM AUT FACIAM

Sayers, Margery

From: brandy4417@gmail.com
Sent: Tuesday, June 27, 2017 2:48 PM
To: CouncilMail
Subject: CB 60 Industrial Mulch in the area

Good afternoon

I am sending this email to express my opposition of the proposed industrial mulching area in the Dayton/Clarksville area.

This is a beautiful rural area that we do not want exposed to this sort of industry. We bought our home here, at a hefty price, to provide our children with a safe, "clean" and prominent environment. It is relatively low noise, low traffic from cars and otherwise, and low pollution. As I said, we paid a PREMIUM to live here and raise our children.

We are opposed to bringing in any industry that jeopardizes the exact qualities we bought into.

Regards, Brandy Leonard

Sayers, Margery

From: Karen Klein <karenkklein@gmail.com>
Sent: Tuesday, June 27, 2017 2:00 PM
To: CouncilMail
Subject: CB 60

My apologies for the mistake. CB 60, not CB 90! Karen Klein Sent from my iPhone

Sayers, Margery

From: Karen Klein <karenkklein@gmail.com>
Sent: Tuesday, June 27, 2017 1:59 PM
To: CouncilMail
Subject: Opposed to CB 90

Hi, I just wanted to tell you that I am strongly opposed to CB 90. I plan to come to one of the upcoming meetings with my children to indicate why I am opposed to this Thank you.
Karen Klein

Sent from my iPhone

Sayers, Margery

From: Bill & Anne <stillpoint.haven@verizon.net>
Sent: Tuesday, June 27, 2017 1:48 PM
To: CouncilMail; Kittleman, Allan
Cc: 'Bill Hayden'; 'Anne Elixhauser'
Subject: Commercial Mulching Might Start Again in Dayton

Hello Mr. Kittleman and council members,

We participated in the citizen's protest and push-back on the commercial mulching operation in the Dayton-Glenwood area just 3 years ago when all of you agreed and committed to not using agricultural preservation land for big commercial operations like this.

I understand the circumstances have changed with the widening of Rt 32, but that's not an adequate rationale to go back on your commitment to us. The charm and public schools of this area have attracted a lot of well educated, affluent families to move here, and the widening of 32 and the development of Clarksville will only accelerate that trend. Unless it gets spoiled by this type of commercial operation, and the lost trust in our local government for renegeing on existing commitments and regional zoning agreements.

So please stand by your 2014 commitment to us and find another solution for these commercial operations.

Thank you,

Bill Hayden

Bill Hayden & Anne Elixhauser
Clarksville, MD
301-854-0087

In the present moment, spirit is kindled -- even a little spark glows.
When you cling to the past, the spark is covered with ash.

Sri Sri Ravi Shankar

Sayers, Margery

From: Om Prakash Gupta <omgupta1@gmail.com>
Sent: Tuesday, June 27, 2017 12:45 PM
To: CouncilMail
Subject: STRONG OPPOSITION TO CB-60

Dear Howard County Council:

As a long term resident of Triadelphia Ridge in Howard County, I am strongly opposed to the proposed bill CB-60 which will permit industrial mulching on agriculture preserve farmland near my house in Dayton MD. This would not only harm the environment such as ground water, county roads, but also create hazards for children or largely residential communities that surround the farmland in Dayton area, due to constant presenece of huge dump trucks, and create noise and air pollution issuses due to mulching operations. Please help preserve the health and quality of life in Howard County that we have come to expect in Howard County, and have voted for in the past, and do not allow the CB-60 to pass.

Best Regards
Om and Jyoti Gupta
14085 Big Branch Drive
Dayton MD, 21036

Sayers, Margery

From: Priscilla Trubin <oldtrube@aol.com>
Sent: Tuesday, June 27, 2017 10:53 AM
To: CouncilMail
Subject: CB60-2017

I am a resident of Western Howard County, a regular voter- not very politically active, but I am dismayed that the issue of industrial mulch factories on agricultural land has resurfaced to make us sick and pollute our fast diminishing land. My understanding, even though I am a lay person, is that there is scientific proof that our air and water will be affected if this bill becomes law. Who is protecting our health? The Council? The County Executive? Certainly not the Zoning Commission. They have allowed at least three subdivisions to be built on former carriage roads out here. There are 46 houses slated to be built behind my house with access onto Green Bridge Road, a road that doesn't even have a shoulder. Where is the "planning" in the Howard County Plan? I am disgusted with the secrecy and the lack of representation of my and my neighbors' interests. As regards CB60-2017, it is no coincidence that this bill is being considered in the summer when so many residents go away.

If you respond to this email, it will be a miracle.

Sincerely,

Priscilla Trubin

[5162 Green Bridge Rd](#)

[Dayton, MD 21036](#)

[410-925-4357](#)

Sent from my iPhone

Sayers, Margery

From: David Smith <dosmith99@gmail.com>
Sent: Tuesday, June 27, 2017 9:48 AM
To: CouncilMail
Subject: CB-60 Concerns

Good Morning,

I'm writing this letter to express my opposition to CB-60 as it is currently written. I am a resident of Dayton and feel there are several loopholes to allow industrial size mulching facilities that can be disguised as a "Tree Farm", even on Agriculture Preservation farmland. There are several negative factors which will effect local residents: wood dust particles in the air, increased truck traffic on roads were are kid's bus stop are located, possible water contamination, increased fire risk, loud grinding machines, decreased property values.

Please do not move forward with CB-60 until this loophole is fixed. I appreciate your understanding.

Regards,
David Smith

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Tuesday, June 27, 2017 7:39 AM
To: Kittleman, Allan; CouncilMail; Melanie Dzwonchyk
Subject: CB60-2017
Attachments: DRPS Note from President_062517_V2.docx; Jun 29, 2017 Community Meeting Flyer.pdf

Howard County Residents,

Attached is a note from the President of DRPS related to CB60-2017 and the flyer that is being distributed around the county.

As I mentioned in my email yesterday, if this Council Bill passes the consequences to residents are not revocable. Any operation that obtains conditional approval will retain it even if some future legislation were to discontinue the operation.

These operations do you belong is rural residential neighborhoods under the pretense of helping farmers. In our area of Dayton, RLO has a contract to clear 33 acres of forest when Rt. 32 is expanded between Rt. 108 and the Linden Church Road exit. If CB60-2017 passes those 33 acres of forest will be able to be processed on Agricultural Preservation land in Dayton. That's not Agricultural Preservation. That is a commercial industrial operation. CB60-2017 is NOT "People - Not Politics"

Please write to the [Howard County Council](#) to state your opposition to CB60-2017.

Best Regards,
Jim Nickel

Note from the President

Dayton Rural Preservation Society, <http://www.preservedayton.com>

June 25, 2017

Hello to all from within all four corners of Howard County that constitute our large support base. We thank each and every one of you for stepping up back in 2014 to stand by our side in numbers at several community and Howard County Council meetings as a show of our opposition to industrial mulching on ag preserve farmland in the County. Unfortunately, it is time to rally the troops, and quickly, for the next round of the fight that lies ahead for July. The small core team that has been representing your interests on this industrial mulching issue continuously since passage of favorable CB-20 has intentionally kept our supporters on the sideline to keep you ready to mobilize and spring into action if/when needed. That time is NOW. Definitely. We were happy with CB-20 then and are NOT happy now. Please read on.

For three long years we have been trying to hold down the fort for all we accomplished together with passage of CB-20 in June, 2014, through many Mulch Task Force and several meetings with County Executive Kittleman, the County Council, and the Director of Department of Planning and Zoning (DPZ), Val Lazdins. We now find ourselves in a position to once again fight our way through another ZRA on industrial mulch/composting, this time in the form of ZRA 180, officially introduced as CB60-2017 on June 22 by DPZ on behalf of County Executive Kittleman. CB-60 as it currently reads presents many opportunities for industrial mulching to occur that will put rural families at risk for many safety and health concerns, and is therefore unacceptable to the rural communities throughout Howard County.

As a community, each and every one of us needs to make the necessary time to do our part for the cause. First up for a strong showing is the community meeting to be held this **Thurs June 29 at Dayton Oaks Elementary School from 7-9pm** in the cafeteria to provide an important update and call to action (press will be in attendance). We will walk through all that has transpired since 2014 and lay out what lies ahead over the next five weeks. At that meeting we will request that EVERYONE send an email to the County Council over the next week to express your concern over CB-60 and call for amendments to protect the rural communities it will put at risk as it currently stands (that Council email address is councilmail@howardcountymd.gov). You can also access the Council email address directly through the <http://cc.howardcountymd.gov> website and navigating to the active link to 'Email all Council Members' through the 'Contact Us' tab across the top bar.

Next step will be, for everyone willing, to **sign up on July 5 to testify Mon July 17 at the first County Council meeting** that will take place then (Banneker Room, George Howard Building). You can sign up to testify at <http://cc.howardcountymd.gov> by clicking on 'Testify' along the top bar. You will have up to 3 minutes (you do not need to use the entire time) at the County

Council meeting on July 17 to tell the council why you think CB-60 is a bad idea for Howard County.

We are requesting and urging everyone to make plans to overflow the Banneker Room as a strong show of support for **our opposition to CB-60 without major amendments**. We need **1,000 people** to be present on July 17. From that meeting to introduce the legislation and for those who signed up July 5 to testify, the County Council will hold another session to vote on the legislation two weeks later. That Council meeting (also in the Banneker Room) will take place on Mon July 31. It is imperative we have an amazing, even astounding, turnout of **1,000 people also on July 31** to ensure the full County Council feels the weight of our strong opposition as they vote on this important zoning legislation.

County Executive Kittleman made a strong campaign promise back in 2014 when we gave him a platform to voice his position on the issue of industrial mulching. He publicly stated:

"In response to your inquiry regarding industrial mulching on agricultural farm land, I can unequivocally state that I am opposed. There have been three major public hearings on this issues: one at Dayton Oaks Elementary School, one in Sykesville and another at the Ten Oaks Ballroom with an estimated attendance of over five hundred, where I stated that I firmly opposed industrial mulching. As County Executive, I will actively continue my opposition."

From the content of CB-60 that was presented by County Executive Kittleman, we are very disappointed that he has not even kept half of his campaign promise, at best. This new industrial mulch/composting legislation does NOT include any restrictions on State of MD (MALPF) ag preserve farmland. Essentially half of Howard County is State of MD ag, with the other half Howard County ag (ALPP). The county council, with Calvin Ball as Chair, introduced **Amendment 5** to CB-20 which prohibits industrial mulching on MD ag farmland. We argued then, and again now, that not addressing both MD and Howard County ag farmland is tantamount to fencing only half of your yard and expecting that to prevent things from wandering in.

Beyond this huge oversight, which is intentional negligence in our opinion, there are loopholes in CB-60 as it currently exists that will allow industrial mulching and industrial composting to occur. We will talk more on June 29 and in the coming weeks about what amendments are absolutely needed to keep calm and order to this industrial mulching issue. As it stands now, industrial operators playing farmer in disguise will be able to purchase ag preserve on the cheap, only to move their industrial processes onto the farmland and into your communities, to present risks to families that we simply will NOT accept.

To quickly recap, **please plan on taking action on these dates:**

June 29, 7-9pm. Attend community meeting at Dayton Oaks Elementary School.

July 5, online. Sign up to testify at <http://cc.howardcountymd.gov> by clicking on 'Testify' along the top bar. You will have up to 3 minutes at the County Council meeting on July 17 to tell the

council why you think CB-60 is a bad idea for Howard County.

July 17, 7pm. Attend County Council meeting at George Howard Building, Banneker Room, to show opposition for CB-60. We need 1,000+ people here.

July 31, 7pm. Attend County Council meeting at George Howard Building, Banneker Room, as County Council votes on CB-60. We need 1,000+ people here.

We will need to be more unified and more widespread in our opposition than ever before to achieve success again. Please spread the word to your family, friends and colleagues that live anywhere in Howard County, and not just the rural West, since this is truly a countywide issue. With appreciation for the sacrifices each of you will make over the next five weeks,

Best,

John Tegeris, PhD

President, DRPS

If you oppose industrial mulching on rural farmland, the fight continues. It's not over yet.

1,000 People, 1 Voice

Community Meeting

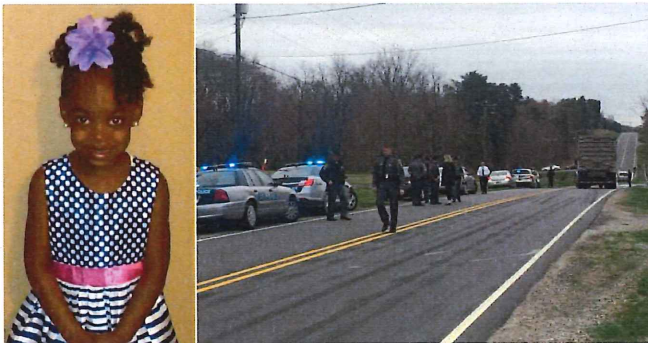
Thursday, June 29 7-9 pm

Dayton Oaks ES, Cafeteria

4691 Ten Oaks Road, Dayton, MD 21036

Updates, cause for concern, call to action

Don't let this happen to any more children



Tori Perez, 5, was killed in Buckingham County.

"The vehicle loaded with 75,000 pounds of mulch hit the children crossing the street to board their school bus. The children died at the scene."

Legislative Public Hearing, CB-60

Monday, July 17 @ 7 pm

George Howard Building

3430 Court House Dr, Ellicott City, MD 21043

The County Council will hear testimony from DPZ and citizens

**Numbers make a difference! We need
EVERYONE at these 2 events.**

Dayton Rural Preservation Society ♦ www.PreserveDayton.com

Sayers, Margery

From: julius akintade <jtakintade@yahoo.com>
Sent: Monday, June 26, 2017 5:16 PM
To: CouncilMail
Subject: Proposed Mulch Project

Ladies and Gentlemen:
Mulch Project approval is not acceptable in our backyard.

[Sent from Yahoo Mail on Android](#)

Sayers, Margery

From: Donna Smeins Howard <daeva77@verizon.net>
Sent: Monday, June 26, 2017 2:26 PM
To: CouncilMail
Subject: Mulching on Agricultural Preservation Property

Good Afternoon Council Members,

I have received some distressing emails from neighbors over the past few weeks regarding the mulching on the Orndorff property in Dayton. I thought it would be best to go straight to you to find out what is going on. Are you pushing through a bill to allow mulching on Ag Preserve Land (specifically CB60-2017?

As a homeowner that abuts the property, the health and safety of my family is my first concern. The air and water quality, risk of fire, and large trucks on our small county roads are of tremendous concern to me. While there is not currently mulching going on, we have noticed an uptick in noise from the property and are experiencing very large dump trucks speeding through our rural roads well over the posted speed limit. As the mother of young drivers, I worry that my children will be smashed into on the blind curve on Howard Road and Dayton Meadows Court or run off the road by these speeding trucks.

What plans are in place to ensure the health and safety of the residents in Dayton who lived here long before Orndorff purchased the farm in question? Are you planning to have competent, trustworthy people monitoring the contamination of our air and water? Install fire hydrant systems to protect us from the threat of fire? Have police sit at the end of my street to catch the speeding dump trucks? What are you doing to mitigate the respiratory issues that we will face from the dust and spores released into the air? Who is monitoring what types of woods are being mulched to make sure arsenic and other toxins are not released into our water? Are you requiring liners and storm collection ponds to protect our aquifer? Are you giving residents of this community a tax break for devaluing our homes? Why is there such a rush to get this bill passed through?

Thank you for answering my questions - I have not heard back from the county executive on this matter and truly hope that someone from the county council will have the integrity to reply to my email.. I look forward to sharing them with my concerned community.

Donna Smeins Howard
daeva77@verizon.net

Sayers, Margery

From: Maxwell Yao <maxwellyao25@gmail.com>
Sent: Monday, June 26, 2017 2:17 PM
To: James Nickel
Cc: Melanie Dzwonchyk; Kittleman, Allan; CouncilMail
Subject: Re: CB60-2017 Part 1 of 3 - Fire Risk

Jim,

Thanks for the info. I plan to attend the meeting on 6/29 to voice my objection to this bill.

Maxwell Yao, Ph.D.

On Jun 26, 2017 12:47 PM, "James Nickel" <james.nickel55@gmail.com> wrote:
Dayton Area Residents and other interested parties,

If CB60-2017 passes, it is not revocable. The County Executive and County Council cannot ask for a do-over. We residents have to live with the consequences.

Our County Executive has asked us to believe the Department of Planning and Zoning [DPZ].

- This is the same DPZ that is incapable of measuring whether the height of a windrow of mulch is 10' high.
- This is the same DPZ whose Director said at the Planning Board meeting said that "trucks magically disappear."
- This is the same DPZ that says they are incapable of measuring acreage.
- This is the same DPZ that says they will rely on MDE to measure pile height and enforce other regulations such as dust control.
- This is the same DPZ that says we should believe that operators will follow the guidelines established by MDE.

We little people of Howard County shouldn't worry. Trust in DPZ.

Our County Executive, Council Members Fox and Sigaty and DPZ know without a doubt that MDE did not enforce any "dust standards" at Woodbine for years. Those same people can look at this picture of a 68' high mulch pile taken in May 2017 at Kabik Court and tell us we should be confident that operators will abide by the guidelines set by MDE and MDE will enforce the regulations. To include that mulch windrows not exceed 10' in height.



In this 3 part series, I'm going to show you the details of what was presented in 2014 to the Task Force. Part one will show you the risk that mulch fires pose to our communities. This is the presentation given on 25 Oct 2014. https://1drv.ms/p/s!AucXk8OqRvENlj1BniUf_QYUPot0

Part 2 in the series will show you the risk that wood dust and fungal spores pose to our health.

Part 3 in the series will show you the risk that Wood Waste Recycling Facilities pose to contamination of our rural water supply.

Should the County Council accept the "trust MDE and the operators to keep us safe?" The County Council and DPZ have said they aren't going to do it. They can't even measure the height of a windrow of mulch and believe in "magically disappearing trucks."

I'm telling the County Council with this email, I can't trust the County Executive, DPZ or MDE. The County Executive has reneged on his pledge to keep commercial industrial mulch production off Agricultural Preservation Lands. They have demonstrated they can't enforce regulations even when a Wood Waste Recycling Facility is not allowed in Howard County other than on manufacturing zoned properties. In this proposed Council Bill, the County Executive and DPZ do not even accept responsibility for enforcement.

Everyone needs to tell the County Council this is UNACCEPTABLE. councilmail@howardcountymd.gov

**Please attend the Town Hall meeting on Thursday, 29 Jun from 7-9 pm at the Dayton Oaks Elementary School
Sponsored by the Dayton Rural Preservation Society (DRPS).**

Best Regards,
Jim Nickel

Sayers, Margery

From: janet ocheltree <jeocheltree@yahoo.com>
Sent: Monday, June 26, 2017 1:39 PM
To: CouncilMail
Subject: OPPOSED TO CB60-2017

This letter is to inform Howard County Council that we are opposed to the CB-60-2017.

There is an overwhelming number of residents in this area who are very disturbed by the fact the Agricultural Preserve is now being redefined to include NWWR. I voted for Allan Kittleman because he pledged to not allow this commercial mulch production on Agricultural Preserve Lands. What happened here? It is very disappointing that we cannot rely on local government to stand by his words.

As a homeowner in Dayton, I am vehemently opposed to allowing this commercial industry, with all its safety and health hazards, to be allowed on Agricultural Preserve. We are a community of homes, we are not a business district where one would expect this type of facility.

I urge the council and all its members to consider those living in proximity to Ag Preserve and ask, would YOU want to be next to a mulch factory? Would YOU want your children to stand and wait for the bus on a two lane road and have dump trucks and commercial vehicles drive by? Would YOU want to breathe air and drink the water in your home knowing that there is wood dust and fungal spores in the air and possible water contamination? Would YOU want your home values to decrease?

I completed the Howard County Master Gardners program. I recognize the need for sustainability, creating green industries, and being environmentally responsible by productively recycling wood waste. But again, we are a rural, residential community and this type of business does not belong here. Listen to the community, listen to the majority.

Thank you,

Janet Ocheltree
5030 Green Bridge Road

Sayers, Margery

From: Darren Bush <darbus37@gmail.com>
Sent: Monday, June 26, 2017 1:37 PM
To: CouncilMail
Subject: Cb-60-2017

County council,

Please do not pass the proposed bill allowing industrial mulching on agricultural land. I live in western Howard county and strongly oppose this. I am very concerned about the health and safety risks this poses our neighborhood and families.

Darren bush
14036 big branch drive
Dayton md 21036

Sayers, Margery

From: Brent Rutley <brentrutley1@gmail.com>
Sent: Monday, June 26, 2017 1:20 PM
To: CouncilMail
Subject: Support for CB60-2017

Our family farm SUPPORTS CB60-2017
Brent Rutley and the Rutley family
Just This Side of Paradise Farm
15240 Frederick Road
Woodbine, Maryland

Sayers, Margery

From: James Nickel <james.nickel55@gmail.com>
Sent: Monday, June 26, 2017 12:47 PM
To: CouncilMail; Kittleman, Allan; Melanie Dzwonchyk
Subject: CB60-2017 Part 1 of 3 - Fire Risk

Dayton Area Residents and other interested parties,

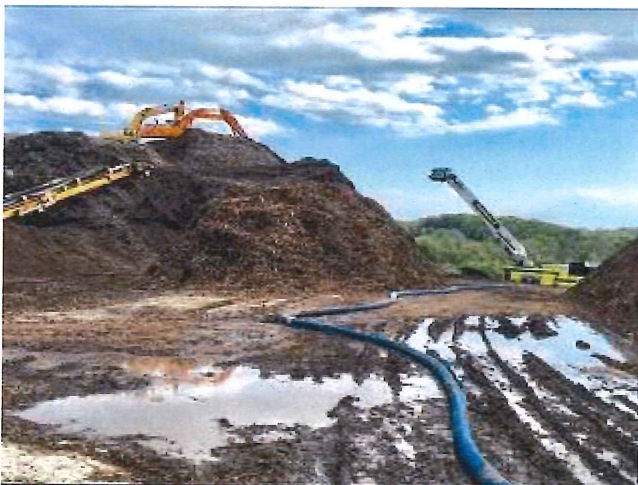
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Best Regards,
Jim Nickel