

CB 38 - 2019

Sayers, Margery

From: Pat Hersey <trishhersey@hotmail.com>
Sent: Monday, September 16, 2019 10:24 AM
To: CouncilMail
Subject: CB 38 and CB 42

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council members,
I am writing to encourage your support of CB 38 and CB 42.

We are in a climate crisis and the reality is we need to declare a climate emergency. CB 38 is a microcosm of the bigger issue we have in this county and worldwide. This bill is a powerful statement to illustrate the importance of dealing with the existential threat that is upon us.

CB 42 is long past due. I would encourage 8 dollars per square foot.

Thank you for all you do.

Sincerely,
Pat Hersey

Sent from my iPad

Sayers, Margery

From: Kari George <kari_george@verizon.net>
Sent: Monday, September 16, 2019 9:32 AM
To: CouncilMail
Subject: CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support Council Bill 38 for better stormwater management. We need to eliminate fees-in-lieu-of-compliance options.

Thank you,

Kari George

Sayers, Margery

From: Adrienne Breidenstine <abreidenstine@gmail.com>
Sent: Monday, September 16, 2019 9:32 AM
To: CouncilMail
Subject: Pass CB38-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Members of the County Council:

I ask you to support CB38-2019. I live along Ilchester Road in Ellicott City so this bill would directly impact my neighborhood. As a resident, I am supportive of efforts that seek to protect the Patapsco Lower North Branch watershed.

The Patapsco Lower North Branch Watershed is a precious resource—in particular in eastern Howard County—that must have a more meaningful degree of protection than county law currently provides. CB38 will implement much needed land development reforms that will protect this natural beauty in Howard County and prevent flooding in District One.

In order to protect the watershed, the County must stop permitting developers to receive variances and waivers or exemptions to certain land development rules, unless absolutely necessary. The county's current land development regulations has not done enough to protect the watershed and has contributed to the flooding in District One.

I urge the Council to please pass CB38. Thank you for your thoughtful consideration.

Sincerely,

--

Adrienne Breidenstine
Resident of District One
Ellicott City, MD

Sayers, Margery

From: Paul Marzin <paul.marzin@gmail.com>
Sent: Monday, September 16, 2019 9:29 AM
To: CouncilMail
Cc: Ball, Calvin B
Subject: CB38-2019 Written testimony
Attachments: Testimony CB38-2019 MARZIN.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please accept my written testimony for Bill CB38-2019 that is being reviewed today.

If you would like to explore any part of my testimony in detail, please let me know. I would be more than happy to meet with you and discuss it further. I tried to meet with some of you and was successful with a couple of you.

Thanks and I appreciate the time and effort,

Paul Marzin
cell 443-255-8552

CB38-2019 Written Testimony

September 14,2019

Paul Marzin
4450 Ilchester Road
Ellicott City, MD 21043

Dear Council Members and the County Executive,

I am a resident and live in the area that directly applies to the extended watershed (the Patapsco Lower Branch Watershed area). I live on Ilchester Road adjacent to the Patapsco Valley State Park. I support the passage of CB38-2019 and thank the Council for drafting this legislation.

Land that is located in and near the watershed has been over-developed. Look at College Avenue with Taylor Village, Ilchester Road with Wind Power Way, Jeans Way and now Oak Hill Manor. All of these projects asked for the maximum density allowed to build and received it from The Howard County Department of Planning & Zoning (DPZ). They were approved even though they are within a mile of each other, in the watershed and proposed watershed extension, as well within close proximity of the Patapsco River. All of these projects should have been with less density. With all of this development in such a close proximity, the Oak Hill Manor property, as well any property on lower Ilchester Road, is now really the last remaining open space. This should obviously be protected and any legislation that helps protect it and similar cases should be put in place.

After the last flood event, roads were destroyed in this area. In fact, one is still closed - River Road. The roads that were impacted in this area are Bonnie Branch, Thistle, College, and Ilchester. The sewage infrastructure and gas line was destroyed on Bonnie Branch Road. Sewage entered the Patapsco River through Bonnie Branch creek. Infrastructure is already stressed with so much over-development on the slopes above. I saw firsthand how hard the Dept. of Public Works had to work to repair roads, the sewer lines, the gas lines with BGE, and everything on Main Street in Ellicott City. Let's not put them in this situation again.

We have a systemic problem here in the Eastern part of Howard County. Maybe it's driven from a mis-guided master plan and intention-able, but I would think balance between development and preservation is common sense. It should be equal in all parts of the County. It's been abused here. Especially in District One. The school systems are at over capacity. The infrastructure is not there and a lot of the existing infrastructure was taxed and stressed from the recent flooding events. This is not sustainable.

This legislation would help curb the bad development and site plans that are getting waivers to grade on steep slopes, removing large specimen trees and seeking to build maximum density lots where they should really have less density - or be evaluated to see if disturbing them is even the right thing to do. The existing process is very biased towards people seeking solely to gain financially from developing and building. While I am not against people having this opportunity, and it is their right to do what they want with their properties, it has to be done with consideration to the topography, location, and impact on adjacent properties. Maybe the solution is to have an independent engineering firm that is not being paid by the developer to evaluate the possibilities and hold real community meetings with a DPZ engineer present.

CB38-2019 Written Testimony

On the topic of scenic roads. While I understand that if a farm in the Western part of the County is on a designated scenic road, and has lots of acreage, they should have relaxed restrictions or none. Perhaps the real intent and purpose of a waiver would be to look at these rural cases and evaluate them appropriately. In the Eastern part of the County, most if not all, the farms are gone. The scenic roads are really crucial in the Eastern part of the County to allow for balance from all the over-development. They, and their adjacent properties that are left, should be protected at all costs from unnecessary development. This is our buffer to the sensitive ecological areas that we have left.

The Patapsco River and State Park is a valuable natural resource and we need to be responsible so that future generations can enjoy it just as previous generations did for us. The State of Maryland considers this area a sensitive targeted ecological area. The Bloede Dam removal was a good example how Counties, State, and a non-profit national organization, like American Rivers, can do good for an area. Why can't we do the same here within Howard County? DPZ needs to seek to understand what is possible by utilizing State, Federal, and other resources. It would seem to be a no brainer to eliminate, limit or reconsider development on topography that is around the Patapsco Valley State Park and especially the Ilchester area.

I believe this legislation would also help DPZ make better decisions. Since they can only go by the regulations that are in place, it's imperative that you vote for this Bill and get legislation in place immediately so they can do their jobs effectively. It's not fair to them or us, if you leave the regulations the same and not pass this legislation.

We, the people, voted you in to influence change. Not the building industry, lobbyists, lawyers, or the entire ecosystem that feeds off of the emotions and regulation loopholes that exist today, and who have had their influence over past administrations. Give us a chance this time.

Again, this legislation will help balance the inequality between bad development decisions and protecting the little that is left in the eastern part of the County and especially in the existing and extended watershed areas.

I urge you to vote and approve CB38.

Thanks for reading my testimony and your consideration for my thoughts.

Sincerely,

Paul Marzin

Paul Marzin
Ilchester Road
Ellicott City, MD

Sayers, Margery

From: Tom Harman <tom.harman111@gmail.com>
Sent: Monday, September 16, 2019 9:26 AM
To: CouncilMail
Subject: CB38, District 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council Members,

I am a resident of Howard County in District 1. I am writing to express my strong support of Council Bill 38. I strongly believe more needs to be done to address the preservation of our forests and to protect our watershed. I am in favor of this bill and the benefits it will provide to help reduce flooding risks to our community. Please vote in support of this bill.

Very truly,
Tom Harman

Sayers, Margery

From: Carol Heidhausen <cheidhausen@gmail.com>
Sent: Monday, September 16, 2019 9:24 AM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To Whom it May Concern:

Please help our county to be responsible stewards of the last bits of undeveloped land, eliminating developer entitlements, and reducing future flood risks by voting FOR Liz Walsh's bill CB38. Our environment is in your hands as our elected council. I am a Howard County voter from District/Precinct 4006.

Thank you,
Carol Heidhausen
3100 Spring House Ct,
Woodbine, MD 21797
410 707-5794

Sayers, Margery

From: Pete K <airmank@gmail.com>
Sent: Monday, September 16, 2019 8:48 AM
To: CouncilMail
Cc: Rhea
Subject: CB38 watershed

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please pass this bill to enforce strict watershed regulations.

I spend a lot of time on the water and have seen the damage from runoff and it is heartbreaking. We should be building buffers to slow the water. Columbia is doing that to great effect but we need developers help with this.

Peter Kaloroumakis
Columbia

Sent from my iPhone

Sayers, Margery

From: Sunmy Brown <s_brown0304@yahoo.com>
Sent: Monday, September 16, 2019 6:50 AM
To: CouncilMail
Subject: Support Council Bill 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

Please support Council Bill 38. If there was ever a more urgent time to address storm water management in Howard County, it is now. How can we forget the catastrophic flooding that took place in Historic Ellicott City in 2016 and 2018? We witnessed residents of the Valley Meade community being rescued by neighbors. Dunloggin residents were trapped in their homes due to flooding on their streets. In all of these flooding scenarios, people's lives were at risk.

We must protect our trees, forests, and waterways to circumvent future flooding. We cannot continue to jeopardize the safety and welfare of communities throughout Howard County. The proposals being made in CB38 are pragmatic and thoughtful. To name a few, eliminating developer entitlements, prohibiting residential infill in existing communities lacking infrastructure for storm water management, controlling runoff in existing communities, and requiring site development plans to assess environmental impact will mitigate the increasing problems we have witnessed in our communities and water ways.

In order to sustain the quality of life in Howard County, we must provide sensible solutions in storm water management. Supporting Council Bill 38 is a step in the right direction. This cannot wait. We cannot afford to wait for the next flood to destroy another community. Please support Council Bill 38.

Best Regards,

Sunmy Brown
Ellicott City, District 1

Sayers, Margery

From: Laura Wisely <laura.wisely@gmail.com>
Sent: Monday, September 16, 2019 5:41 AM
To: CouncilMail
Subject: Support Council Bill 38
Attachments: CB 38-2019 testimony.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Attached is my testimony to support Council Bill 38.
Thank you

September 16, 2019

Howard County Council
George Howard Building, 1st Floor
3430 Courthouse Drive
Ellicott City, MD 21043

Re: CB 38-2019, Development in the Patapsco Lower North Branch Watershed

Dear Members of the Council,

I am writing to support CB 38-2019. It is time for our land to have an advocate. We must advocate to preserve the health of our Patapsco watershed in every decision. Those who live within the watershed want this to be protected for not only its beauty, its habitat, but also its safety. I live in the Main Street area of Elkridge. We have had rising waters and we have felt the aftermath of our past two historic floods. Our community volunteers have picked up loads and loads of debris that have been washed downstream from Ellicott City Flooding. What is all of this debris and flash flooding doing to the health of the riverbeds and the animals who live within?

Riverwatch is an example of a development that should not have been built so close to our watershed. Please look at the pictures or come and see for your self the land alongside the riverbank behind this development. The land is literally eroding and falling away and the community gazebo is mere feet from the edge.

CB 38-2019 will tighten our planning for communities. It is responsible. Howard County priorities should focus on safety and healthy communities- both in the human environment as well as our natural environment.

I want to be proud of our county once again. I want other counties to see us as holding the highest standards possible to protect our land and watershed.

Please lend your support to this bill CB 38-2019.

Thank you,

Laura Wisely
5811 Main Street
Elkridge, MD 21075

Sayers, Margery

From: Sharon Harman <sharon.harman104@gmail.com>
Sent: Sunday, September 15, 2019 10:41 PM
To: CouncilMail
Subject: CB38, District 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council Members,

I am a resident of Howard County in District 1. I am writing to express my strong support of Council Bill 38. As a resident of the county, and one who lives in close proximity to Main Street and it's issues with flooding, I am in favor of this bill and the benefits it will provide to help reduce flooding risks to our community. Please vote in support of this bill.

Thank you,
Sharon Harman

Sayers, Margery

From: Jill Bateman <jtbateman2@gmail.com>
Sent: Sunday, September 15, 2019 8:33 PM
To: CouncilMail
Subject: I SUPPORT CB38!

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

There have been too many decades of developers decimating our county, with the permission of county politicians. We need to preserve open space, be citizen centered in planning for Route 1 and we need sensible, up-to-date storm water management.

My children have attended over-crowded schools since Kindergarten. My father fought for an Elkridge HS for decades. Sidney Cousin, before he retired, promised the next HS would go in the northeast. Many of us are tired of lip service.

Voting in favor of CB38 will show the citizens of the NE that you do care about those of us who have chosen to live in an area that has so much potential. Start making decisions that favor this area. Show us you care about our quality of life.

Vote for CB38!

Jill Bateman
Elkridge resident for more than 5 decades
443-939-0705

Sayers, Margery

From: Jack Guarneri <jackguarneri@gmail.com>
Sent: Sunday, September 15, 2019 7:57 PM
To: CouncilMail
Cc: Walsh, Elizabeth; Jung, Deb; Rigby, Christiana; Jones, Opel; Yungmann, David
Subject: Written Testimony in Support of CB38-2019
Attachments: Guarneri Testimony to Council In Favor CB38-19.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Council Members,
Attached and below is my testimony in support of passage of Council Bill 38-2019.

Respectfully,

James M. (Jack) Guarneri
10224 Little Brick House Court
Ellicott City, MD 21042
jackguarneri@gmail.com
(301)844-8930
District 1

Jack Guarneri Testimony in support of CB38

Over the past 10 years as an active advocate for improvements in accessibility for bicyclists and pedestrians I have worked closely with County Government – elected, appointees, and employees from Public Works (PW) and Planning and Zoning (P&Z). There have been two primary issues that have limited progress by failing to mitigate the impact of new development:

1. Consistent bureaucratic delays in needed updates to regulations and policy that would more appropriately shape development. These include: PW Design Manuals and P&Z updated Development Regulations and changes in the County General (Zoning) Plan. In the past these Departments have ignored or been passive/aggressive in response to Council Resolutions.
2. A mindset in P&Z that their responsibility is to facilitate development rather than ensure that zoning, environmental, and infrastructure issues are considered. This results in a persistent pattern of recommending waivers and rezoning (usually approval of increasing density) while at the same time allowing developers to buy out of requirements for affordable (less profitable) housing and environmental limitations.

Each year without updated Development Regulations (implementing mandatory limitations of the impact on the environment/quality of life) in Howard County results in ~1700 new units of housing, thousands of additional car trips per day and students, lost trees, and additional threat of flooding.

CB38-19 is a first step by Council in providing a gapfiller until the legal documentation to control and shape development can be mandated by Council Bill and forced out of County Departments. CB38 will in the interim help protect and preserve trees, forest and waterways by providing reasonable limitations:

- Requiring new developments to control runoff to a level commensurate with the undeveloped site under 2016 flood conditions
- Prohibiting further building in the watershed within critical distances
- Eliminating P&Z granting developer waiver or 'alternative compliances in the watershed and returning this responsibility to Planning and Zoning Board review.

- Eliminating developer ability to pay 'fee in lieu' instead of complying with open space and forest conservation
- Prohibiting residential infill in existing communities lacking adequate stormwater infrastructure
- Requiring site development plans to provide adequate detail to allow assessment of true environmental impact

These legal limitations should have been already been in effect and must be in future revised Development Regulations/Code, but until they are it is up to Council to ensure that further damage is not done to the County's environment or our quality of life NOW. It cost much more to remediate the damage caused by inadequate control of development (to be partially addressed by CB42) than it would be to assess and ensure the control of the environmental impact of new development is adequately addressed by Council Bills such as CB38.

James M. (Jack) Guarneri
10224 Little Brick House Court
Ellicott City, MD 21042
Council District 1

Testimony for County Council for September 16, 2019 Hearing on Council Bill 38-2019

Over the past 10 years as an active advocate for improvements in accessibility for bicyclists and pedestrians I have worked closely with County Government – elected, appointees, and employees from Public Works (PW) and Planning and Zoning (P&Z). There have been two primary issues that have limited progress by failing to mitigate the impact of new development:

1. Consistent bureaucratic delays in needed updates to regulations and policy that would more appropriately shape development. These include: PW Design Manuals and P&Z updated Development Regulations and changes in the County General (Zoning) Plan. In the past these Departments have ignored or been passive/aggressive in response to Council Resolutions.
2. A mindset in P&Z that their responsibility is to facilitate development rather than ensure that zoning, environmental, and infrastructure issues are considered. This results in a persistent pattern of recommending waivers and rezoning (usually approval of increasing density) while at the same time allowing developers to buy out of requirements for affordable (less profitable) housing and environmental limitations.

Each year without updated Development Regulations (implementing mandatory limitations of the impact on the environment/quality of life) in Howard County results in ~1700 new units of housing, thousands of additional car trips per day and students, lost trees, and additional threat of flooding.

CB38-19 is a first step by Council in providing a gapfiller until the legal documentation to control and shape development can be mandated by Council Bill and forced out of County Departments. CB38 will in the interim help protect and preserve trees, forest and waterways by providing reasonable limitations:

- Requiring new developments to control runoff to a level commensurate with the undeveloped site under 2016 flood conditions
- Prohibiting further building in the watershed within critical distances
- Eliminating P&Z granting developer waiver or 'alternative compliances in the watershed and returning this responsibility to Planning and Zoning Board review.
- Eliminating developer ability to pay 'fee in lieu' instead of complying with open space and forest conservation
- Prohibiting residential infill in existing communities lacking adequate stormwater infrastructure
- Requiring site development plans to provide adequate detail to allow assessment of true environmental impact

These legal limitations should have been already been in effect and must be in future revised Development Regulations/Code, but until they are it is up to Council to ensure that further damage is not done to the County's environment or our quality of life NOW. It cost much more to remediate the damage caused by inadequate control of development (to be partially addressed by CB42) than it would be to assess and ensure the control of the environmental impact of new development is adequately addressed by Council Bills such as CB38.

Sayers, Margery

From: Angela Katenkamp <akatenkamp@gmail.com>
Sent: Sunday, September 15, 2019 4:59 PM
To: CouncilMail
Subject: Support CB38
Attachments: CB38.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

Please support CB38. Since moving to Howard County in 2005 I have seen an increase in flooding. This bill will strengthen our ability to protect our trees and watershed and help protect both citizens and the environment.

Sincerely,

Angela Katenkamp Shiplet

Sayers, Margery

From: Marybeth Steil <marybeth.steil@gmail.com>
Sent: Sunday, September 15, 2019 2:41 PM
To: CouncilMail
Subject: Support for CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council members:

My name is Marybeth Steil, I live with my family on South Wind Circle in the River Hill section of Columbia. I live in District #4.

I am writing to voice my support for Council Bill CB38 – to protect and preserve our watershed.

I support this bill because the catastrophic floods in the past several years have shown us that watershed protection is an issue affecting life and property, as well as our environment.

We need to introduce and pass real legislation to protect our watershed from development.

Thank you.

Marybeth Steil
6448 South Wind Circle
Columbia, MD

Sayers, Margery

From: SOPHIA THOMAS <st2girls@comcast.net>
Sent: Sunday, September 15, 2019 2:20 PM
To: CouncilMail
Subject: Council Bill 38: The Patapsco Lower North Branch Bil

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am a lifelong resident of Howard County (+50 years) . I support the above bill in order to alleviate the constant development in our county. We don't need more houses. Traffic has become unbearable, our schools are suffering due to overcrowding, and our climate is suffering due to the pollution.

Sophia Thomas

7013 Long View Road

Columbia, MD

Sayers, Margery

From: Walsh, Elizabeth
Sent: Sunday, September 15, 2019 1:28 PM
To: CouncilMail
Cc: Jones, Diane; Glendenning, Craig; Harrod, Michelle R; Fisher, Karina; Dvorak, Nicole
Subject: CB38 Summary Chart
Attachments: SummaryChartforCB38.2018.09.15.pdf

Colleagues: Attached is the summary chart, latest version, that D1's put together for CB38. Happy to explain, add to, clarify... whatever you may need. Thanks very much.

Summary Chart for CB38

Prepared by D1, 9/15/2019

	What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
1	Extending the building moratorium by 3 months	CB56-2018 (Watershed Safety Act), CB16-2019 (earlier three-month extension)	Effective Period ends October 26, 2019	Effective Period ends January 26, 2020		CB40-2019	Two projects released from "school wait bin" during moratorium: Long Gate Overlook (79SFA, 7.6 of 7.4-acre site within limit of disturbance, per 19Oct17 SDP) and Taylor Place (248SFA, proposes to pay fees in lieu of 9.16 acres' reforestation; DPZ granted WP-17-048 to remove 72 specimen trees on 21Feb2018.)	
2	Encompassing the entire Patapsco Lower North Branch watershed	CB56-2018	OEC and Plumtree	PLNB	p.4, line 1	16.108(b)(36.1)	See GIS map attached to legislation.	

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
3 Expanding buffers protecting most-sensitive environmental features							
Floodplain	16.115(a) through (d)	0'	100'	p.4, line 9	16.115(e)	No more than 1200 acres total in the PLNB watershed, per February 2005 <i>Characterization of the PLNB in Howard County, Maryland</i> . (p.11)	Swapping out "2016 Ellicott City" floodplain to "100-year" floodplain identified in existing Code, last mapped in DATE; and eliminating two exceptions as duplicative of revised 16.104(d)
Wetlands	16.116(a)(1)	25'	100'	p.4, line 22	16.116(c)	No more than 150 acres total in the PLNB watershed, per February 2005 <i>Characterization of the PLNB in Howard County, Maryland</i> (p.vi). "These wetlands represent about half of one percent of the total area in the watershed," (p.9).	
Waterways	16.116(a)(2)	0'-100' depending on category of stream (man-made waterway, intermittent and perennial streams and MDE-classified Use I, III and IV streams)	100'	p.4, line 22	16.116(c)	"In Howard County's portion of the Patapsco Lower North Branch (LNB) watershed, all streams and other surface waters are designated Use 1 for Water Contact Recreation and Protection of Aquatic Life" per February 2005 <i>Characterization of the PLNB in Howard County, Maryland</i> (p.3), i.e., require a 75' buffer per existing Code 16.116(a)(2)(ii).	
Steep slopes	16.116(b)	0'	50'	p.4, line 23	16.116(c)		

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
4 Enhancing existing environmental requirements						No more than ##% undevelopable land in the PLNB.	
Forest conservation	16.1206 and 16.1207	Depends upon the amount of forest cover existing and removed	No more than 25% existing forest cleared; on-site afforestation must cover at	p.13, line 26; p.14, line 5.	16.1206(d); 16.1207(d)		
Open space	16.121(a)	0-50% depending on zoning (RC, RR = 0; R-20, R-12 vary from 6-40%; R-SC, R-SA-8, R-A-15 and RMH = 25%; and R-ED = 50%)	75%	p.7, line 3	16.121(a)(2)(II)		
Stormwater control	18.902A and 18.903A	"10-year and 100-year peak management control." per Stormwater Design Manual, p.5-3	"2016 peak flood conditions," including redevelopment sites	p.15, line 21; p.16, line 21; p.18, line 15	18.902A(c); 18.903(a)(5); 18.910(e)		Deleting revisions to 18.902A as duplicative of revisions at 18.903; adding specificity, to control "the 3.55-hour, 6.6-inch storm event."

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
5 Eliminating Developer exemptions (waivers and/or fees-in-lieu of compliance)						No more than ##% undevelopable land in the PLNB. What's not affected: "construction of public or private roads, driveways, utilities, trails, pathways, or stormwater management facilities..." per County Code 16.116(c), Necessary Disturbances (which was the subject of CB4-2019).	
Eliminating waivers, generally	16.104(d)(1)	Excludes waivers of 16.115 and 16.116 only, and subject to various exceptions	Applies to "division or development of land," adds rest of Article II requirements and forest conservation, limits exception to SWM/flood control	p.2, line 22	16.104(d)		To simplify numbering, just (d) (no numbered subsections necessary)
Floodplain	Also 16.711(c)(2)	Not waivable, subject to various exceptions	Not waivable, then repeated again in floodplain-specific "variances;" exception limited to SWM/flood control	Also p.10, line 21			
Wetlands		Not waivable, subject to various exceptions	Not waivable, exception limited to SWM/flood control				Eliminating/clarifying proposed change to 16.116(d)(3), so that necessary disturbance exemption remains intact.
Waterways		Not waivable, subject to various exceptions	Not waivable, exception limited to SWM/flood control				Eliminating/clarifying proposed change to 16.116(d)(3), so that necessary disturbance exemption remains intact.
Steep slopes		Not waivable, subject to various exceptions	Not waivable, exception limited to SWM/flood control				Eliminating/clarifying proposed change to 16.116(d)(3), so that necessary disturbance exemption remains intact.

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
Forest conservation	Also 16.1215	Waivable	Not waivable, exception limited to SWM/flood control	p.14, line 28	16.1215(b)		
Open space		Waivable	Not waivable, exception limited to SWM/flood control				
Scenic roads		Waivable	Not waivable, exception limited to SWM/flood control				
Stormwater control	18.908 and 18.910 (specific to redevelopment)	Waivable	Not waivable, exception limited to SWM/flood control; 100% of redevelopment site required to comply	p.17, line 21; p.18, line 15 (specific to redevelopment)	18.908(3) and 18.910(e) (specific to redevelopment)		
Eliminating fees-in-lieu							
Stormwater control	18.909	Payable	Not payable	p.18, line 1	18.909(f)	Prior testimony confirmed no fees-in-lieu not used/received for some number of years.	
Forest conservation	16.1210	Payable	Not payable	p.14, line 17	16.1210(a)(1)(ii)		
Open space	16.121(b)(2)	Payable	Not payable	p.7, line 23	16.121(b)(2)(iv)		

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
6 Prioritizing redevelopment of existing impervious sites	18.910(b)	Existing impervious area within limit of disturbance reduced by 50%, unless it's not.	Existing impervious area on site reduced by 25%, but no more than 25% of site's undeveloped land within limit of	p.18, line 12	18.910(e)	See D1 graphic showing comparative requirements, existing law and proposed.	
7 Limiting infill development to capacity	16.127	Allowed	Excluded in PLNB, plus in any existing community lacking adequate stormwater infrastructure to manage currently applicable requirements	p.10, line 12	16.127(D)		

Summary Chart for CB38

Prepared by D1, 9/15/2019

What Changes	Code Section	Before	After	CB38	Code Section	What's Affected	Potential Amendments
8 Enhancing forest conservation self-reporting requirements County-wide							
Professionally prepared	16.1204(b)		Removes "qualified professionals" from eligibility; requires professional licensing	p.11, line 26	16.1204(b)	The one or two entities who perform a disproportionate amount of County forest conservation and wetland delineations do so without professional education, training or licensure.	
Depicting to scale "critical root zones" of "specimen" trees	County Forest Conservation Manual, Exhibit G-1	"On all forest conservation plan sheets, isolated specimen trees should be noted with their critical root zones and all forest stands to be saved should be noted by the edges of their critical root zones and not just by the	Requires CRZ to be depicted to scale on plan, versus simply "noted"	p.12, line 7	16.1204(d)(4)		Amend to also include edges of forest stands, per Forest Conservation Manual (Exhibit G-1); amend to define "specimen."
Delineating County-designated Green Infrastructure Network	None		Requires plans to include GIN	p.12, line 9	16.1204(d)(5)	The County's Office of Community Sustainability has identified and mapped the component "hubs" and "corridors" County-wide, but no part of DPZ review, approval or otherwise appears to consider or prioritize the County-designated Green Infrastructure Network.	
Delineating State-designated Targeted Ecological Areas	None		Requires plans to include TEA	p.12, line 11	16.1204(d)(6)	Targeted Ecological Areas are lands and watersheds of high ecological value that have been identified as conservation priorities by Maryland DNR for natural resource protection. These areas represent the most ecologically valuable areas in the State: they are the "best of the best". TEAs are preferred for conservation funding through Stateside Program Open Space.	

Sayers, Margery

From: Alice Pham <alicekpham@yahoo.com>
Sent: Sunday, September 15, 2019 11:56 AM
To: CouncilMail
Subject: In support of CB 38 on Developer Waivers

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I support Councilwoman's bill, CB38. There is no reason for developers to be granted waivers. Howard County is a very desirable place for any developer to invest, and these waivers just put more burden on the current residents.

Alice Pham
9650 Sandlight Ct
Columbia MD 21046

Sayers, Margery

From: Beth Rada <bethrada@gmail.com>
Sent: Sunday, September 15, 2019 11:48 AM
To: CouncilMail
Subject: Support for Council Bill 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I'm a resident of Ellicott City, and I believe in SMART and THOUGHTFUL county development, with consideration to the ENVIRONMENT, particularly around stormwater management as well as mature forests and space for natural habitats. I also urge the Council to act with a keen sense of purpose here, by UPHOLDING principles of QUALITY LIVING. In addition to flood prevention and stormwater management, the Council should be including considerations of new TRAFFIC burdens, school burdens, etc when taking into account new development approvals.

There's a reason why people love living in EC and Howard County and it's because of the quality of life that Members of this Council has helped create over the past few decades. I urge the Council Members to take a stand by voting in support of Council Bill 38, realizing this is difficult to do when there's often heavy political pressure and heavy voices/pockets of the developers. It's clear to me that there needs to be public standards and requirements for the developers to follow. With the new regulations included in Bill #38, developers can and will continue to thrive in this county.

If not apparent, I'm expressing support for Council Bill 38 so that we protect against future flooding risks in the Patapsco Lower North Branch Watershed.

Sincerely,

Beth Rutman

--

Beth Rutman

Sayers, Margery

From: Nicole (Bosch) Tsang <nrbosch@yahoo.com>
Sent: Sunday, September 15, 2019 9:10 AM
To: CouncilMail
Subject: Support for CB-38 - District 1 voter

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I'm writing to express my full support of bill CB-38. It is time to close the loopholes that allow developers to get around the environmental laws already on the books. What good is a law if no one follows it? It is time for the county to forgo short term profits at the cost of our environment. This short-sightedness by the county has long term negative consequences on every individual living in the county.

Climate change is here. One of the best ways to combat the effects of climate change is to start at the local level. It is much easier for local governments to pass protective and aggressive measures to combat climate change than at the federal level. Howard County should be a leader in the state of Maryland and an example for the rest of the state. The easiest way to begin is to pass CB-38 and close environmental loopholes for developers.

A single tree, let alone a forest is worth so much more than any short term profits gained by new development. Let me remind you of some of the ways trees positively impact us all.

- Trees combat climate change: They absorb CO₂, storing the carbon and releasing oxygen.
- Trees clean the air- they absorb pollutant gases like nitrogen oxides, ammonia, and sulfur dioxide.
- In one year an acre of mature trees can provide enough oxygen for 18 people. Approximately 320,000 people live in Howard County. This means the county needs at least 17,777 acres of mature forest.
- Trees cool the streets and the city
- Trees save water by slowing evaporation.
- Tree help prevents water pollution - they reduce runoff which is a very big problem in many parts of the county including Old Ellicott City.
- Trees prevent soil erosion
- Trees shield children from ultra-violet rays - trees reduce UV-B exposure by about 50%
- Trees heal - studies have shown that forest walks can boost mental health.
- Trees provide a canopy and habitat for wildlife

Pass CB-38. The citizens of Howard County demand a healthy environment. Remember, you work for "We the people" not "We the developers." Pass CB-38 and close the loopholes.

Concerned Citizen,

Nicole Tsang
4172 Brittany Drive
Ellicott City, MD 21043
703-774-7454

Sayers, Margery

From: Kevin Greene <krfgreene@gmail.com>
Sent: Sunday, September 15, 2019 7:40 AM
To: CouncilMail
Subject: CB 38 Council Member: Liz Walsh

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I support CB 38. I live next to a gas station on Old Columbia Pike. The owners applied for a waiver to build a structure within 30 feet of my property line.

I oppose their proposal. Up until now I was under the impression that there was nothing I could do about it. I have a one-year-old at home. The construction alone with dust and noise would be enough to affect his health and well-being. Not to mention the environmental concerns about disturbing the soil, uprooting trees, fuel fumes, and hazmat runoff. I'm told the process could last six months. This would make my home uninhabitable for my family and me.

I appreciate your attention to my concerns on this matter.

--

K Greene

Sayers, Margery

From: ve hung <vwlh465@yahoo.com>
Sent: Saturday, September 14, 2019 11:29 PM
To: CouncilMail
Subject: Please support CB-38-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council Members,

I am writing in support of Bill CB-38-2019 that protects the Patapsco Watershed in Elkridge and Ellicott City. It is important that we protect against future flooding risks by preventing development close to floodplains, wetlands and on steep slopes. We also must not allow developers to receive all these waivers that excuse them from current environmental laws. We need to improve stormwater management so that flooding damage does not continually happen in Ellicott City year after year. Please stand up for protecting our environment and improving stormwater management.

Sincerely,

Verona Hung
9180 Windflower Dr.,
Ellicott City MD 21042

If you forward this e-mail, please delete my e-mail address to reduce spam, viruses & identity theft.

Sayers, Margery

From: Chiara D'Amore <chiaradamore@yahoo.com>
Sent: Saturday, September 14, 2019 9:36 PM
To: CouncilMail
Subject: support for CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

I am writing in strong support of CB-38. As an environmental scientist and educator I cannot overstate the importance of legislation that prioritizes the ecological health of our community over the economic profit of developers. The health of ecological systems such as watersheds has a direct impact on the health and safety of the people that live in and depend on them. With the more extreme weather that will continue to be our new normal under climate change, business as normal will not protect our community from the types of tragic scenarios we saw with the Ellicott City floods. It is critical that waivers not be provided to excuse developers from environmental laws. We can take care of our people and our place by ensuring that future development prioritizes affordable housing and ecologically protective strategies. CB-38 closes loop-holes and proactively protects vulnerable areas. Once damage has been done and green places and their ecosystem services have been lost it is very difficult to make things right again. Let's focus on bolstering equity AND protecting the environment - they are not mutually exclusive goals unless people with pockets to fill set up a false juxtaposition to maximize their private benefit.

Thank you for all you do for our community!
Chiara D'Amore
District 4, Columbia

[Chiara D'Amore, Ph.D.](#)

[President, The Community Ecology Institute](#)

[Director, Columbia Families in Nature](#)

Visit the new online store for my nature art at www.chiaradamore.smugmug.com

Sayers, Margery

From: Jennifer Y. Grams <jygrams@gmail.com>
Sent: Saturday, September 14, 2019 4:16 PM
To: CouncilMail
Subject: Support for CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am writing to express my support for CB38.

The granting of waivers, exemptions and exceptions for development are destroying our watershed.

Please vote yes on CB38 to strengthen our county policies and to protect our county's natural environment for future generations.

Jennifer Grams
Ellicott City
District 1

Sayers, Margery

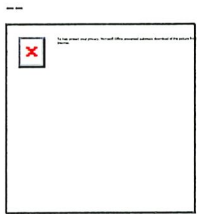
From: Mitch Ford <mitchellford1@gmail.com>
Sent: Saturday, September 14, 2019 11:38 AM
To: CouncilMail
Subject: CB38 - Written Testimony in Support of Bill

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Councilmembers:

Please vote YES to support CB #38. Council Bill 38 will improve the environmental quality and quality of life for the Lower Patapsco Watershed, and is desperately needed in order to control the levels of uncontrolled and unplanned development in Elkridge and Ellicott City.

Thank you,
Mitchell Ford
Council District: 1 (Elkridge - Liz Walsh)



MITCH FORD

Sayers, Margery

From: Peter Green <pgreen547@gmail.com>
Sent: Saturday, September 14, 2019 11:32 AM
To: CouncilMail
Subject: CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I urge Council support and passage of CB38. With two 500 year floods in old Ellicott City in 22 months, we should be good for another 1000 years, right? No, I expect we aren't.

My wife and I have lived at 9117 Northfield Road in Dunloggin for 43 years. We are not located in any flood plains and are on the highest local point of land. Despite this, we carry flood insurance and have spent a not inconsiderable amount of money directing water away from our house, and on installing more drainage in and around our house. Despite this, during the rain event of June 2018, we were compelled to supplement our sump pump by using a manual bilge pump for about an hour and a half. I am 79 and my wife is 76, so this was no small thing. Finally, the rain and runoff slackened enough for the sump pump to keep up and we could stop "manning the pumps." If we had been away, or the electricity had gone off, our finished basement would have flooded.

My guess is that the flooding problems in old Ellicott City were caused 2/3 by climate change and 1/3 by upstream development. Locally, we can do nothing about climate change, but we can do something about upstream development, and CB38 is part of that something. I would recommend extending it to include the Plum Tree Branch watershed as well.

While some may say that not granting waivers to developers will cause them hardship and amount to a taking, events strongly suggest that the waivers that have been granted are causing current residents recurring hardships and might be viewed as a recurring partial taking of the value of their property, as well as interfering with peaceful enjoyment under current conditions of climate change.

Thanks for your consideration.

Peter Green
9117 Northfield Road
Ellicott City, MD 21042

Sayers, Margery

From: Margaret Glyder <glyders@comcast.net>
Sent: Saturday, September 14, 2019 10:13 AM
To: CouncilMail
Subject: Pass CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members :

Please pass CB38. I have lived in Howard County for 23 years. I was married in Howard County and have chosen to raise my family here. I have been an active community member. The reasons we love living here will cease to exist if we don't stop this. Stop allowing developers to have their way. Stop cutting down every last tree to shove a couple of houses in or to make things easier and more profitable for developers. Please listen to the interests of your current constituents over people and companies who come here just to make money while forever changing our community.

I urge you to Pass CB 38!!

Margaret Glyder
9905 Springfield Drive
Ellicott City

Glyders@comcast.net

Sent from my iPhone

Sayers, Margery

From: Van Wensil <farmvan@gmail.com>
Sent: Saturday, September 14, 2019 10:10 AM
To: CouncilMail

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support CB38. We in District 1 are very vulnerable to the impact of no or poor water runoff management. Please, consider the safety of our community. We had one water rescue last year putting our first responders also at risk. Thank you.

Sayers, Margery

From: Steffany Palulis <paluliss@gmail.com>
Sent: Friday, September 13, 2019 8:02 PM
To: CouncilMail
Subject: Council bill CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am a life-long resident of both Howard County and Catonsville and am of the opinion that the recent floods have resulted from over-development of the Ellicott City watershed. I strongly support bill CB38 and hope it passes. This can only get worse. Please fix it!!!

Steffany Palulis
Council district 1

Sayers, Margery

From: Patricia Williams <pwilliamsmd@verizon.net>
Sent: Friday, September 13, 2019 7:04 PM
To: CouncilMail
Subject: CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

To all Council Members,

I strongly support the bill, CB 38, proposed by Liz Walsh regarding the Patapsco River Watershed. I beg that the Plum Tree area watershed which affects Valley Mede be included as well.

So far, nothing much has been done to prevent flooding in the Valley Mede neighborhood, upstream or down. For that reason I don't think ANY developing in that area be allowed to proceed under ANY circumstances. Why add to the problems that have not yet been solved? If it is solely David Yungmann's responsibility to add this to CB 38, I am passionately requesting him to make that move. Allowing more development then seeing more , and perhaps worse, flooding in the Plum Tree watershed would be irresponsible and too late to do anything about it.

Sincerely,
Pat Williams
District 5

Sayers, Margery

From: Kaitlyn McKay <kaitmckay@gmail.com>
Sent: Friday, September 13, 2019 5:39 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good evening,

I'm sending this email to offer my support of Council Bill 38. I'm from Council District 3 & I live in Columbia.

Thank you,

Kaitlyn McKay

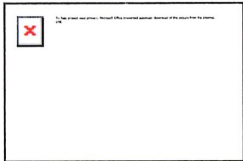
Sayers, Margery

From: Holly Huntley <hhuntley@lmdagency.com>
Sent: Friday, September 13, 2019 5:20 PM
To: CouncilMail
Subject: CB38 support from District 4

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I support this bill and live in District 4.
Please act now.

Holly Huntley



holly huntley
VP of Consulting & Client Services
[301.498.6656](tel:301.498.6656); [138](tel:138) (o)
[410.456.4494](tel:410.456.4494) (m)
LMDagency.com

Find and follow us on Facebook
GSA Schedule Contract GS-07F-0086T
WOSB, 8(m), SBR, MBE

Sayers, Margery

From: Jones, Diane
Sent: Friday, September 13, 2019 4:44 PM
To: Sayers, Margery
Subject: FW: Testimony for CB38, CR122 and CR123
Attachments: CB38 CR122 CR123_Lilly.pdf

Margery, can you please remove Ms. Lilly from the testifying list and include her testimony?

Thank you,

Diane

From: Lori Lilly <lorililly@gmail.com>
Sent: Friday, September 13, 2019 4:34 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>
Cc: Jones, Diane <dijones@howardcountymd.gov>
Subject: Testimony for CB38, CR122 and CR123

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good afternoon,

I was not able to submit written testimony through the online sign-up (and accidentally signed up to testify in person though I will not be able to attend. Diane, can you remove me and include this written testimony below?).

Thank you very much.

9/13/2019

Dear Members of the Howard County Council,

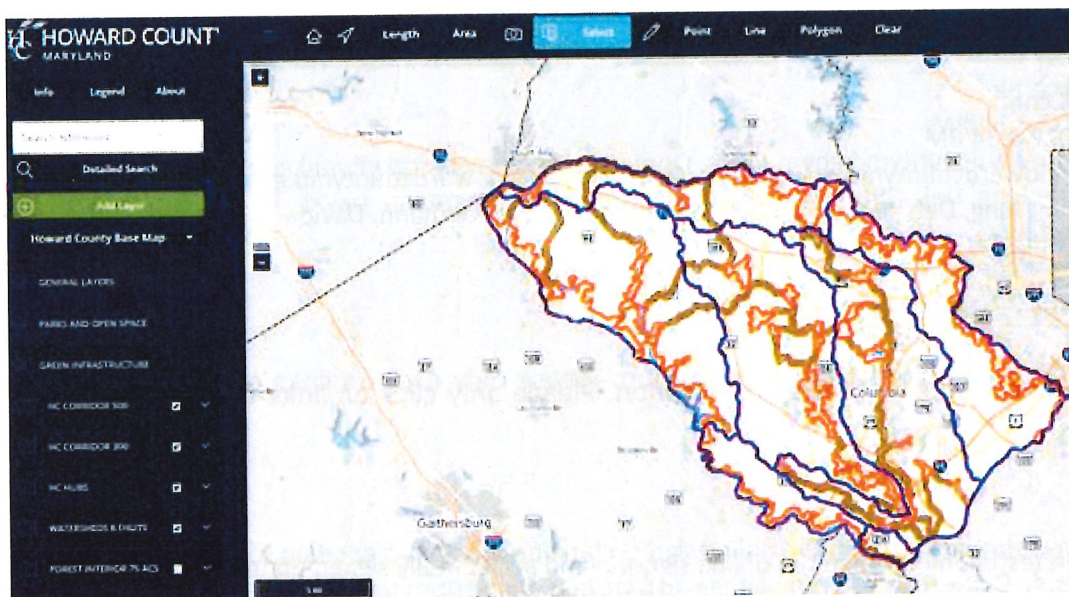
Thank you for considering these comments in your review of CB38, CR122 and CR123. Please note that these comments are from myself as an individual and resident of Howard County and do not represent the organization or Board Members of Howard EcoWorks.

With regards to CB38, first, thank you to Council Member Walsh for putting forth this legislation to protect the Lower North Branch Patapsco Watershed. It is heartening to have a council representative with so much dedication to protecting our natural resources.

I do have some reservations with regards to this legislation. While I know it was put forward with the best of intentions, the geographic scope seems arbitrary. If the legislation had been limited to the Tiber Hudson or Plumtree, I would have had no question. I do not understand the justification for the legislation to the entire

Lower North Branch Patapsco as compared to other areas in the County. I feel these protections should be applied to all of our sensitive resources and, to that end, my recommendation would be to apply this legislation to the entirety of Howard County's Green Infrastructure Network (GIN).

The GIN represents our County's most important ecological areas. The County has done extensive planning and GIS analysis to identify and map these special areas yet there is no regulatory protection, and every year the GIN becomes more and more fragmented. Ecosystem services function best when they are connected and what we need, with threats of climate change looming right in front of us, is resilient natural infrastructure, that is, a functional network of hubs and corridors that is maximized for benefits to people and wildlife. If you are not familiar with the GIN, below is a screenshot from [Howard County's interactive map](#) noting the location throughout all of your districts.



Recently I attended the County Executive's announcement about Howard County becoming a Bee City. I applaud this initiative but the irony was not lost on me that, as we all stood in the meadow at the Howard County Conservancy to extol an effort to benefit ecosystem services, the sounds of bulldozers rumbled in the background as areas directly adjacent to the Conservancy and Patapsco Park were (and still are) being plowed under for a new development. That particular parcel is, strangely, not in the GIN even though it sits between two protected pieces of land. Part of the Conservancy is not in the GIN either. In discussions with the Office of Community Sustainability about why a portion of the Conservancy or this area under development are not identified for inclusion in the GIN, the answer is that the mapping was a high level planning exercise and it is not perfect. And I get that, which is why I think that we need to protect both the GIN and a buffered area around its perimeter, have triggers in place when development is occurring within or adjacent to the GIN, and then regulatory legislation as outlined in CB38 to provide protection for these exceptional resources. In addition, restoration of the GIN is needed as so much has already been fragmented. Just one example of the affects of this fragmentation, is the number of car collisions with deer. Deer thrive on "edge" habitat and every year we make more and more of that such that the wildlife do not have safe places to travel and therefore endanger our own travel-ways. What is the rate of deer collisions over the past couple of

decades? I did not have time to look it up, but my best guess is that it has increased significantly over the years.

In conclusion with regards to CB38, I hope that the Council will consider **bold** action to extend Council Member's Walsh's legislation to the entirety of Howard County's Green Infrastructure Network. That truly would be an incredible act that would provide benefits to many future generations while preparing our County and its people for the uncertainties that we face with climate change.

With regards to CR122 and CR123 – while my preference would be for a complete and indefinite moratorium on development in the Tiber Hudson and Plumtree watersheds, I support these resolution and modifications to the Howard County Design Manual as a positive step that will help to limit and dissuade development in the watershed. I hope that you will pass these resolutions as a next step in protecting Ellicott City.

Thank you for your consideration of this testimony.

Sincerely,

Lori Lilly
10520 Old Frederick Rd.
Woodstock, MD 21163

--
Lori A. Lilly, CEP, CBLP

9/13/2019

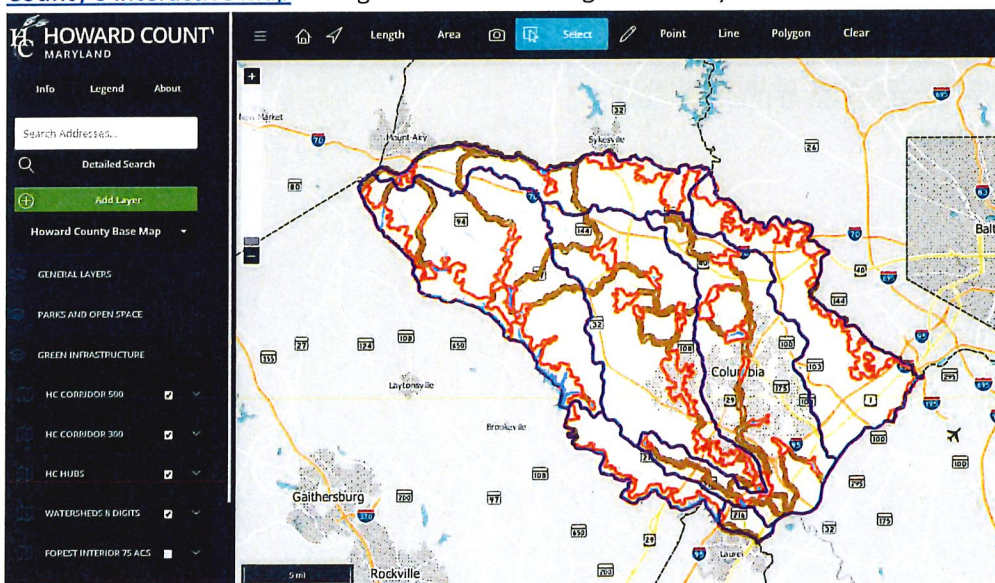
Dear Members of the Howard County Council,

Thank you for considering these comments in your review of CB38, CR122 and CR123. Please note that these comments are from myself as an individual and resident of Howard County and do not represent the organization or Board Members of Howard EcoWorks.

With regards to CB38, first, thank you to Council Member Walsh for putting forth this legislation to protect the Lower North Branch Patapsco Watershed. It is heartening to have a council representative with so much dedication to protecting our natural resources.

I do have some reservations with regards to this legislation. While I know it was put forward with the best of intentions, the geographic scope seems arbitrary. If the legislation had been limited to the Tiber Hudson or Plumtree, I would have had no question. I do not understand the justification for the legislation to the entire Lower North Branch Patapsco as compared to other areas in the County. I feel these protections should be applied to all of our sensitive resources and, to that end, my recommendation would be to apply this legislation to the entirety of Howard County's Green Infrastructure Network (GIN).

The GIN represents our County's most important ecological areas. The County has done extensive planning and GIS analysis to identify and map these special areas yet there is no regulatory protection, and every year the GIN becomes more and more fragmented. Ecosystem services function best when they are connected and what we need, with threats of climate change looming right in front of us, is resilient natural infrastructure, that is, a functional network of hubs and corridors that is maximized for benefits to people and wildlife. If you are not familiar with the GIN, below is a screenshot from [Howard County's interactive map](#) noting the location throughout all of your districts.



Recently I attended the County Executive's announcement about Howard County becoming a Bee City. I applaud this initiative but the irony was not lost on me that, as we all stood in the meadow at the Howard County Conservancy to extol an effort to benefit ecosystem services, the sounds of bulldozers rumbled in the background as areas directly adjacent to the Conservancy and Patapsco Park were (and still are) being plowed under for a new development. That particular parcel is, strangely, not in the GIN even though it sits between two protected pieces of land. Part of the Conservancy is not in the GIN either. In discussions with the Office of Community Sustainability about why a portion of the Conservancy or this area under development are not identified for inclusion in the GIN, the answer is that the mapping was a high level planning exercise and it is not perfect. And I get that, which is why I think that we need to protect both the GIN and a buffered area around its perimeter, have triggers in place when development is occurring within or adjacent to the GIN, and then regulatory legislation as outlined in CB38 to provide protection for these exceptional resources. In addition, restoration of the GIN is needed as so much has already been fragmented. Just one example of the affects of this fragmentation, is the number of car collisions with deer. Deer thrive on "edge" habitat and every year we make more and more of that such that the wildlife do not have safe places to travel and therefore endanger our own travel-ways. What is the rate of deer collisions over the past couple of decades? I did not have time to look it up, but my best guess is that it has increased significantly over the years.

In conclusion with regards to CB38, I hope that the Council will consider **bold** action to extend Council Member's Walsh's legislation to the entirety of Howard County's Green Infrastructure Network. That truly would be an incredible act that would provide benefits to many future generations while preparing our County and its people for the uncertainties that we face with climate change.

With regards to CR122 and CR123 – while my preference would be for a complete and indefinite moratorium on development in the Tiber Hudson and Plumtree watersheds, I support these resolution and modifications to the Howard County Design Manual as a positive step that will help to limit and dissuade development in the watershed. I hope that you will pass these resolutions as a next step in protecting Ellicott City.

Thank you for your consideration of this testimony.

Sincerely,

Lori Lilly
10520 Old Frederick Rd.
Woodstock, MD 21163

Sayers, Margery

From: Kittie Murray <kittiebx@hotmail.com>
Sent: Friday, September 13, 2019 4:31 PM
To: CouncilMail
Subject: Council bill 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

- I'm writing to express my support for Council Bill 38 so that we protect against future flooding risks in the Patapsco Lower North Branch Watershed

Kittie Murray
Elliott City

Sayers, Margery

From: B Illum <buffy.illum@gmail.com>
Sent: Friday, September 13, 2019 4:24 PM
To: CouncilMail
Subject: I support CB-38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

I am writing in support of CB-38. We sorely need to see leadership on storm water in Howard County. We were fortunate that there wasn't another catastrophic event this summer but 2011, 2016 and 2018 are still fresh memories. I know all of you will never forget the people who lost their lives on Main Street or the people in Valley Meade who had to be rescued from flood waters by their neighbors, residents in Dunloggin that were trapped in their houses. There are probably other storm stories I don't know about. Now's the time to act to avoid the next crisis.

I support cutting out the loop holes, like "fees in lieu", that undermine public safety, the Main Street business community and sends pollution into the Chesapeake Bay. And I support updating regulation so that it matches the extreme weather events that are our new normal. I know that it's hard not to become cynical and the times we live in. Some Howard County residents are probably what you could call "anti-development" and want to protect their neighborhood from change. I'm not one of them. I support ecologically sound development and affordable housing. It's the county that sets the rules to make sure that happens though. Let's be real, today's developers aren't running non-profits. To be sure, they play a role in our county's economic health but it's the county leadership that can make sure the developers' contribution isn't at the expense of public safety, small business owners and our Chesapeake Bay goals. I know there's a lot to balance and weigh in the county right now. I think you are the people that can figure out how to bolster equity AND protect the environment. Let's show why Howard County is a model county - your thoughtful leadership matters in that.

Thanks for all you do to support our community!

Buffy Illum

District 1

Sayers, Margery

From: Steve Breeden <sbreeden@sdcgroup.com>
Sent: Friday, September 13, 2019 4:10 PM
To: CouncilMail
Subject: Bill 38-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council,

Unfortunately I can't be there Monday night to testify in person AGAINST proposed Bill No. 38-2019. I try not to testify and waste your time on things that really don't matter to most of the people in this county. However, this bill does matter to many, especially the taxpayers. It is effectively a taking as I see it. Anyone within this area of the county will no longer have any rights to reasonably develop, or in many cases, even maintain their property. I believe that the county is not allowed to take substantially all of the use of someone's property without compensation. this bill will open up the county to multiple lawsuits, the result of which is likely to be that the county will need to compensate property owners the fair value of the property that will have been taken.

This bill affects all of the properties in this large area, and would be a terrible mistake that will have significant costs to both home prices, (as no new homes will be able to be built), as well as affecting all commercial and industrial properties. The only way that home prices can be lowered is through the production of new homes, and this bill will further exacerbate the problem.

There are already a plethora of green initiatives and growth limiting laws on the books, as well as currently proposed by the administration, to handle stormwater runoff and other environmental concerns.

This bill is ill willed, as it would stop everything in this area of the county. It may be the worst bill I have ever seen proposed, and I have seen some very bad bills.

Thank you for reading this.

Steven K. Breeden
587 Gaither Road
Sykesville, MD 21784

Sayers, Margery

From: Karla Whittaker <whittaker.karla@gmail.com>
Sent: Friday, September 13, 2019 4:00 PM
To: CouncilMail
Subject: CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello,

I live in District 1 and I am writing to support CB 38. Our watershed needs to be protected in order to minimize future flooding risks. We cannot continue the level of development that we have seen to date. Please support this legislation.

Karla Whittaker

Sent from my iPhone

Sayers, Margery

From: A Judd <bakkj55@hotmail.com>
Sent: Friday, September 13, 2019 3:49 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I support CB38. I can't understand how the abomination on Old Annapolis got approved. The last 100 flood resulted in the worst flooding I have seen on Old Annapolis Rd. I believe the massive Centennial Overlook development contributed greatly. And then you guys approved the development featured in the Liz Walsh video.

Enough, already.

Aileen Judd

Liz Walsh.

IF YOU SUPPORT: Being responsible stewards of the last bits of undeveloped land, eliminating developer entitlements, and reducing future flood risks, then #CB38 is your bill. And we need to hear from you.

The public hearing for Council Bill 38 is this coming Monday, September 16 at 7 pm. To sign up to testify, visit:
<https://apps.howardcountymd.gov/otestimony/>

**Per new testimony guidelines, individuals MUST sign up by 7 pm on Monday in order to testify. Organizations must sign up by 5 pm on Monday and complete the form found through the above link.

And please send your written support to the Council (also very important) to: councilmail@howardcountymd.gov.

To learn more, visit: <https://cc.howardcountymd.gov/LinkClick.aspx?fileticket=-7oD9DHc0s4%3d&tabid=535&portalid=0>



6240 Old Dobbin Lane ■ Suite 110 ■ Columbia, MD 21045

September 10, 2019

Ms. Christiana Rigby
Chair, Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB 38 – The Patapsco Lower North Branch Bill

Dear Councilwoman Rigby:

Throughout its history, Historic Ellicott City has been prone to flooding. Floods of 2016 and 2018 have many calling for more stringent requirements to development impacting the historic district. Since 2018, a development moratorium has been in place for the historic district until further studies could be completed. Like many county residents and property owners, the Chamber agrees that the historic district and surrounding neighborhoods are jewels that should be protected.

As with most legislative matters, it's not the intent that is questioned but rather the details. What started out as protecting Historic Ellicott City from flooding has seemingly expanded to the entire watershed and now impacts both Ellicott City and Elkridge. It is important that legislation balance environmental concerns with business and marketplace realities. In our opinion, this legislation does not do that.

If the legislation before us passes, the County stands to be impacted in a myriad of ways. This legislation prohibits an inordinate amount of commercial and residential activities thereby impacting land usage and redevelopment in Route 1, a key commercial thoroughfare. There are also inconsistencies with previously adopted county policies and plans. Albeit years on the horizon, this bill threatens key public facilities yet to be built in the Elkridge community namely that of HS 14. It also impacts utility maintenance and infrastructure expansion. Lastly, it lessens the value of land because of the increase percentage of land now dedicated to easements.

CB 38 – The Patapsco Lower North Branch Bill
September 10, 2019
p. 2

For the reasons outlined above, the Howard County Chamber respectfully opposes CB 38 and request a “No” vote.

Respectfully,

A handwritten signature in black ink that reads "Leonardo McClarty". The signature is written in a cursive, flowing style.

Leonardo McClarty, CCE
President/CEO, Howard County Chamber

CC: Dr. Calvin Ball, Howard County Executive
Howard County Chamber Board of Directors
Legislative Affairs Committee

Sayers, Margery

From: Connie Ennis <ennis.connie@yahoo.com>
Sent: Friday, September 13, 2019 2:44 PM
To: CouncilMail
Subject: CB 38. Patapsco Lower North Branch Bill

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I live at 4045 St Johns lane Ellicott City (District 1). My residence is located within the watershed boundaries of Patapsco Lower North Branch. I also own a business located at 3723 Old Columbia Pike, Ellicott City (District 1) located within the watershed boundaries of Patapsco Lower North Branch.

This is sent to register my support of CB 38 to protect my family and my investment in 2 properties located with in this area against future flooding and to protect against any further risk to the public health, safety and welfare of others living or visiting in this area.

Sent from my iPad

Sayers, Margery

From: Kerri Bentkowski Li <kerri.bentkowski@gmail.com>
Sent: Friday, September 13, 2019 2:11 PM
To: CouncilMail
Subject: Support for CB 38- Protect the Patapsco

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council member-

Please support CB-38-2019 that supports responsible stormwater management, protects Green space, and enforces existing environmental protections for this special part of the Patapsco watershed.

Developers & Howard County DPZ cannot continue to develop in the Ellicott City & Elkridge as “business as usual.” The conditions in these areas require careful, conservative development. This bill strengthens Route 1 revitalization for the communities that live there.

I grew up in Ellicott City, owned property in Elkridge for 16 years & currently live in Ellicott City. I see the degradation from overdevelopment & poor planning impacting our waterways and our schools everyday. It is time to change our approach to growth & enforce the laws in place to protect our communities & water.

Absolutely no Fee-in-Lieu should be permitted in Ellicott City.

Thank you for your consideration.

Sincerely,
Kerri Bentkowski Li
9882 Century Drive
Ellicott City

Sayers, Margery

From: Cristina Sovereign <cristina.sovereign@gmail.com>
Sent: Friday, September 13, 2019 1:31 PM
To: CouncilMail
Subject: support CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please pass Council Bill CB38. Howard County has sensible development requirements already on its books, but they are absolutely useless if waivers are granted to developers. Unfortunately, Howard County has granted far too many waivers in its recent history. It's pretty clear to any average citizen that flooding on Main Street has been exacerbated by the development in the surrounding hillsides. Howard County has to change its permissiveness towards developers. Promote the quality of land development over the quantity. Give priority to the protection of pre-existing homes and businesses from flooding rather than new developments.

Anybody who votes against this bill clearly is in the pockets of developers and I will make a note in my smart phone never to vote for them and warn my neighbors, colleagues and friends to do likewise.

Cristina Sovereign
Ellicott City, MD

Sayers, Margery

From: Cynthia Vanderwagen <Cynthiavanderwagen@gmail.com>
Sent: Friday, September 13, 2019 11:08 AM
To: CouncilMail
Subject: CB38-2019: Protect This Watershed

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Howard County Council

MD
US

RE: CB38-2019: Protect This Watershed

Dear Howard County Council,

As a resident of Howard County, I am very concerned about the waivers that are still being issued for developments impacting the Patapsco Lower North Branch, even though this watershed experiences stormwater and flooding issues. I live directly up the street from Main Street, and have a strong interest in supporting the businesses, families, and historic character of the area. The over development of Howard County land is very concerning to me as a parent of school-age children, a member of this community, and as someone who appreciates the beauty and history of this environment.

Waivers should be the exception, not the rule.

We are counting on the county to protect our environmental resources filter, slow, and absorb stormwater runoff before it becomes a problem.

Sincerely,
Mrs. Cynthia Vanderwagen
3610 Valley Rd
Ellicott City, MD 21042
(423) 718-0685

Sayers, Margery

From: Debra Radcliffe-Borsch <debra21794@yahoo.com>
Sent: Friday, September 13, 2019 9:07 AM
To: CouncilMail
Subject: I support CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

Please make CB38 the law! We need to protect our environment, especially our waterways, because without clean water, we cannot live. We need to reduce erosion and the sediment buildup in the Patapsco River, which then promotes a healthier Chesapeake Bay! We have to build and repair WISELY and I believe CB38 is a step in the right direction.

Thank you,
Debra Radcliffe-Borsch
West Friendship, MD 21794

Sayers, Margery

From: Robin Barnes <robinebarnes4912@gmail.com>
Sent: Friday, September 13, 2019 9:01 AM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear HoCo Council,

I am writing to support CB 38 concerning the Patapsco Lower Branch Watershed presented by Liz Walsh. As an Ellicott City resident of 7 years, I am greatly concerned about the flooding on Main Street the past three years as well as the excessive development that has resulted in 1000 students in our local elementary school the past several years. Please say "no" to waivers and fees for developers regarding boundaries and development requirements. Our local community has suffered so much due to these allowances and it has to be stopped. We need to be more responsible in the choices we make for the good of our citizens-especially our children.

Thank you Liz Walsh and team for all your work on this bill.

Regards,
Robin Barnes
District 1 resident
Mom of 5

Robin Barnes
<http://spiritualgrit.com/>
Sent from my iPhone

Sayers, Margery

From: Mary Fisher <fisherprofessional1@gmail.com>
Sent: Friday, September 13, 2019 8:57 AM
To: CouncilMail
Subject: Support of HB 38 (Council District 1)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Good Morning,

I am emailing my support of HB 38.

Unfortunately I will not be able to attend the meeting on Monday night. I am writing this as a constituent of District 1. I work as a Realtor in Howard County and also work as a Server on the weekends on Main Street. I live off of College Avenue. My children both attend Ellicott Mills Middle School. I am heavily invested in this community and the future of Ellicott City. Please accept my support and take into consideration the urgency of passing this bill and the impact that it will have on our future.

Thank you,

Mary Fisher

RE/MAX New Beginnings Real Estate Company
1424 Sulphur Spring Rd, Baltimore, Md. 21227
Office-[410-242-0220](tel:410-242-0220) Cell -[443-803-9355](tel:443-803-9355) Fax-[410-242-0225](tel:410-242-0225)
Independently Owned and Operated



Sayers, Margery

From: D Song <dysong1@gmail.com>
Sent: Thursday, September 12, 2019 10:11 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]


Dear Howard County Council,

I want to express my strong support for CB#38; it is a long overdue bill and will help ensure the quality of life for Howard County residents by protecting our dwindling undeveloped areas and also recoup the real costs of development from builders. Howard County is far behind other surrounding counties in charging the costs of development and in supporting our school revenues. Howard County residents will be watching to see who stands with them instead of those who bow to special interests.

Daniel Song
12497 W Nuggett Ct
Highland MD

Sayers, Margery

From: Walsh, Elizabeth
Sent: Thursday, September 12, 2019 8:56 PM
To: schmidt.nikki; CouncilMail
Subject: Re: CB38 Support - from District 1

Thanks, thanks, thanks, for this strong note of support and for amplifying on social media.  

Liz Walsh, Council Member
Howard County Council
Serving District 1

3430 Court House Drive
Ellicott City, MD 21043
410.313.2001

From: schmidt.nikki <schmidt.nikki@yahoo.com>
Sent: Thursday, September 12, 2019 4:58:39 PM
To: CouncilMail <CouncilMail@howardcountymd.gov>
Subject: CB38 Support - from District 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello Council Members -

I write in strong support for CB38. I am a District 1 resident, and have been for 10 years. In that time I've watched with dismay as projects have been pushed through despite strong community objection about the developmental impact on the surrounding environment. Wetlands have been filled in, woodlands clear-cut, hillsides razed and fields bulldozed. We continue to devastate our green spaces in our chase for the almighty development dollar. It HAS to stop. Please vote to support CB38.

Thank You -

Nikki Schmidt
10320 Kettledrum Ct.
Ellicott City, MD 21042

Sent from my Verizon, Samsung Galaxy smartphone

Sayers, Margery

From: Ryan Simmons <ryan@simmons.net>
Sent: Thursday, September 12, 2019 8:06 PM
To: CouncilMail
Subject: I support CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Howard County Council,

As a long-time resident of Howard County (29 years and 25 years on Bonnie Branch Road in Ellicott City, Council District 1) I have seen what over development in eastern HoCo can do. The roads can't handle the traffic, the schools can't keep up with the new housing, county services can't clear the roads quickly enough if it snows, and of course, the fatal flooding in Ellicott City. We need to stop any development that will further harm our watersheds.

Because of that, I strongly support CB38. The waivers have to stop, the building on slopes has to stop, the indiscriminate cutting of trees has to stop. Please pass CB38 and bring reason back to development in the Patapsco watershed.

Thank you.

Ryan Simmons
4615 Bonnie Branch Road
Ellicott City

Sayers, Margery

From: Sue <suemazzoni@gmail.com>
Sent: Thursday, September 12, 2019 7:21 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

We are STRONGLY in favor of CB38 and adamantly oppose waivers or fees in lieu of compliance.

We moved to Howard County from Baltimore County seven years ago and are now questioning whether we made the right move given the massive development and poor decision making that we've seen since moving here. We hoped that the new council (and county executive) would be wiser than the last.

Do something right and pass CB 38 in its entirety.

David & Susan Mazzoni
6507 Lawyers Hill Road 21075
District 1

--

- *"To give real service you must add something which cannot be bought or measured with money, and that is sincerity and integrity."*
Douglas Adams

Sayers, Margery

From: Haydee Herrera <lolalagrande123@gmail.com>
Sent: Thursday, September 12, 2019 5:54 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council members:

I support bill #CB38, because I support being responsible stewards of the last bits of undeveloped land, eliminating developer entitlements, and reducing future flood risks.

Best wishes,
Haydee Herrera

Sayers, Margery

From: Elizabeth Suarez <easuarez48@gmail.com>
Sent: Thursday, September 12, 2019 5:27 PM
To: CouncilMail
Subject: Council Bill 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please pass council bill 38.

Elizabeth Suarez
6945 Spinning Seed
Columbia , Md 21045
Sent from my iPhone

Sayers, Margery

From: schmidt.nikki <schmidt.nikki@yahoo.com>
Sent: Thursday, September 12, 2019 4:59 PM
To: CouncilMail
Subject: CB38 Support - from District 1

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hello Council Members -

I write in strong support for CB38. I am a District 1 resident, and have been for 10 years. In that time I've watched with dismay as projects have been pushed through despite strong community objection about the developmental impact on the surrounding environment. Wetlands have been filled in, woodlands clear-cut, hillsides razed and fields bulldozed. We continue to devastate our green spaces in our chase for the almighty development dollar. It HAS to stop. Please vote to support CB38.

Thank You -

Nikki Schmidt
10320 Kettledrum Ct.
Ellicott City, MD 21042

Sent from my Verizon, Samsung Galaxy smartphone

Sayers, Margery

From: Niki McGuigan <mcniki1@gmail.com>
Sent: Thursday, September 12, 2019 3:14 PM
To: CouncilMail
Subject: Support for CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I strongly support CB 38! Thank you, Liz Walsh for introducing this bill. It is long overdue. I live in Elkridge and I see firsthand what unchecked development has already done to our area. Our roads flood quickly with rain. The new apartments near Main Street, called RiverWatch, are falling into the Patapsco and more are on the way. The water gets so high in the neighborhood of Harwood Park that they have had to close the road and you recently approved more development at the Roberts Property next door.

Please do the right thing for this county!

Sincerely,

Niki McGuigan
District 1

Sayers, Margery

From: Yakas Family <yakasfamily@gmail.com>
Sent: Thursday, September 12, 2019 2:55 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I support council bill 38, and I hope you will too. Please do the right thing and protect your citizens from this flooding and overdeveloped mess. I live in Valleymede and I've seen first hand what flooding does. I've seen two houses purchased by the county and demolished in the past year. We need to start doing things better in this county.

Thanks,
Kristin Yakas
Ellicott City

Sayers, Margery

From: Michael Radinsky <mradinsk@hotmail.com>
Sent: Thursday, September 12, 2019 2:55 PM
To: CouncilMail; Walsh, Elizabeth
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

I am writing as a resident of District 1 and ask you to support Council Bill 38 to protect the watershed.

I was in Ellicott City, working at the B&O Railroad Museum on May 28 2017 and watched as a 10 foot wall of water roared down Main Street.

I assisted out of town visitors to safety on the second floor of the museum, and stood with them and their children as they watched their car and their belongs float down Main.

I stood in terror as I tried to contact my daughter who worked at Portalli's, and her boyfriend working at Pure Wine, praying they had escaped.

They lost everything- home, job and sense of security- that day.

We must do everything practicable to protect our town and watershed, and I believe it is high time that developers begin to understand that safety trumps profit.

Thank you,
Mike Radinsky
3672 Joycin Court
Ellicott City, MD 21042

Sayers, Margery

From: Connie Cooney <ca.cooney@gmail.com>
Sent: Thursday, September 12, 2019 2:50 PM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Sorry previous email should have said CB38. Please support

Connie Cooney
District 1
--
Connie Cooney

Sayers, Margery

From: Connie Cooney <ca.cooney@gmail.com>
Sent: Thursday, September 12, 2019 2:49 PM
To: CouncilMail
Subject: CB38 support

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please support CB 8. This is important legislation that is desperately needed to save our county

Connie Cooney
District 1

--

Connie Cooney

Sayers, Margery

From: Chad Berginnis <cberginnis@floods.org>
Sent: Thursday, September 12, 2019 2:46 PM
To: CouncilMail
Cc: David Conrad; cberginnis@floods.org
Subject: Written Testimony on Council Bill 38: The Patapsco Lower North Branch Bill
Attachments: Howard County Council Bill 38-2019_ASFPM Testimony_9-11-19_Final.pdf

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Attached please find testimony from the Association of State Floodplain Managers, Inc. on the above referenced bill.

Thank You!

Chad Berginnis, CFM | Executive Director | ASFPM
8301 Excelsior Drive | Madison, WI 53717
tel: 608-828-3000 | cell: 740-258-3419 | cberginnis@floods.org



Association of State Floodplain Managers, Inc.

8301 Excelsior Drive, Madison, WI 53717

Phone: 608-828-3000 | Email: asfpm@floods.org | Website: www.floods.org

Testimony in Support of Howard County Council Bill 38

September 11, 2019

The Association of State Floodplain Managers, a national non-profit organization dedicated to reducing flood losses in the country and protecting the natural functions of floodplains is writing today in support of Howard County Council Bill 38.

Communities across the nation do much to manage flood risk. However, a disturbing trend that ASFPM is seeing is that disaster costs are increasing, much more so in recent years. In the 1990's the nation averaged \$5.6 billion in flood losses annually, that increased to over \$10 billion in the 2000's and in this decade we are on track to double that to nearly \$20 billion annually. This trend is at least partially due to the impacts of stormwater flooding where climate change is resulting in more intense storms inland and on our coasts.

The most common tool used by communities – participation in the NFIP – while helpful, is not enough. Communities that are successful in managing flood risk use a combination of approaches and techniques to minimize the increase of flood risk to properties and lives including the recognition of the natural functions of floodplains including wetlands and riparian corridors. Council Bill 38 applies several of these approaches by:

- Ensuring that stormwater quantity management is as important as stormwater quality management. Far too many communities have inadequate stormwater management standards for the purpose of reducing or eliminating stormwater flood risk. While residential infill is important, stormwater impacts must be accounted for and addressed to ensure no adverse impacts to surrounding properties.
- Incorporating the use of setbacks or buffers for flood loss reduction and preservation of ecological and riparian function. In a collaborative report between ASFPM and the American Planning Association entitled Subdivision Design and Flood Hazard Areas, there are several recommended standards for protecting riparian areas, wetlands, waterways and steep slopes including the use of setbacks (or buffers), inventorying and preserving unimpaired riparian areas and resources in natural conditions (like tree canopies), etc. A setback of 100 feet is well within the buffer ranges for the purposes of stream stabilization, water quality protection, flood attenuation, riparian/wildlife habitat protection and the protection of coldwater fisheries.
- Recognizing the value of in-place natural resources for stormwater protection and overall watershed health. A common complaint regarding the "fees in lieu of" complying with open space requirements is that the benefits of such resources may not be in the same location as the negative impacts of the floodplain development; rather, they may be further upstream, downstream or in a different watershed entirely. Similarly, alternative compliance measures can be tricky to implement.

On behalf of our 19,000 floodplain management professionals across the nation and in Maryland, we thank you for the opportunity to provide this testimony. If we can provide any additional information, please contact ASFPM's Maryland based Water Resources Policy Advisor, David Conrad at 202-365-0565 or at david@floods.org.

Sayers, Margery

From: David Ryan <dcryan7@verizon.net>
Sent: Thursday, September 12, 2019 8:31 AM
To: CouncilMail
Subject: CB38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Council Members:

It can be easy to criticize localities far away, like in Brazil, for not stopping the devastation of their environment. We look at the news and ask in horror, "Why don't they do something?!"

Hmmm, maybe we should turn the mirror on to ourselves as well?

If we here in Howard County can't take some reasonable steps to protect our local environment, then who can?

Let's do the right thing.

Pass CB38.

Respectfully yours,

David Ryan
dcryan7@verizon.net
m: 301-717-3747

District 1 resident

4013 Arjay Circle
Ellicott City, MD 21042

Sayers, Margery

From: Rigby, Christiana
Sent: Wednesday, September 11, 2019 1:24 PM
To: Sayers, Margery
Subject: FW: Please oppose CB 38

-----Original Message-----

From: Syed Rizvi <Amir1040@gmail.com>
Sent: Wednesday, September 11, 2019 1:11 PM
To: Rigby, Christiana <crigby@howardcountymd.gov>
Subject: Please oppose CB 38

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Chair Rigby,

As a Howard County resident, I write to ask for your opposition to CB 38.

Much of the bill's focus has been on brand new development in the watershed. However, very little consideration has been given to how CB 38 will impact current residents and homeowners, including those who have lived in their communities for years.

CB 38 will drive up the cost to build new housing units in the County, and those costs are passed on area homebuyers. This will place our already expensive housing that much farther out of reach for our young families and public servants.

These new regulations will also impact the ability for long-time homeowners to obtain a mortgage, insure their dwelling, or one day sell their home for a fair price.

Nowhere in CB 38 has there been a study of how many people will be affected and what these regulations will cost area homeowners and home buyers. It would be a mistake to approve such a widespread change without this information.

Please vote NO on CB 38.

Sincerely,

Syed Rizvi
8052 Leishear Rd
Laurel, MD 20723
Amir1040@gmail.com

Sayers, Margery

From: Walsh, Elizabeth
Sent: Wednesday, September 11, 2019 12:38 PM
To: CouncilMail
Subject: FW: CB38 and CB40 Requests
Attachments: moratoriumplanschartCB40.docx; CR99-2019 2019 School Capacity Bin (5).pdf

Colleagues: I thought you might find the highlighted text below instructive, regarding the specific subject of CB40, proposing to extend the Watershed Safety Act by three months, from October 26, 2019 to January 26, 2020. That is, DPZ reports no fiscal impact resulting from the short-term extension proposed by CB40.

And, although the first chart attached (both prepared by DPZ) lists those projects affected by the moratorium that would be subject to that further, brief extension, DPZ since has confirmed that only two of the major subdivisions there listed—Long Gate Overlook on Montgomery Road across from the Target (items 22 and 23 on the list) and Taylor Place on College Avenue (items 28 and 29) have yet to be released from the also-applicable closed school waiting bin. The other projects on the second chart attached noted as “Tiber” or “Plumtree”—and having only “4th failed test” or fewer—could not be released from that pre-existing hold any earlier than June 2020.

David, you’ll note Bethany Glen, which was left off earlier versions of the first chart, is now also included.

Happy to discuss with each of you individually as you’d like.



Liz Walsh, Council Member
Howard County Council
Serving District 1: Ellicott City, Dorsey’s Search, Elkridge & Hanover
3430 Court House Drive
Ellicott City, MD 21043
410.313.2001

From: Lazdins, Valdis
Sent: Wednesday, August 28, 2019 10:08 AM
To: Sidh, Sameer <SSidh@howardcountymd.gov>; Pope, Patrick <ppope@howardcountymd.gov>; Sager, Jennifer <jsager@howardcountymd.gov>; Robbins, Lonnie <lrobbins@howardcountymd.gov>
Cc: Hernandez, Shaina <shernandez@howardcountymd.gov>; Sheubrooks, Kent <ksheubrooks@howardcountymd.gov>; Bronow, Jeff <jbronow@howardcountymd.gov>
Subject: FW: CB38 and CB40 Requests

Hi:
Please review and let us know if we can release this email and attachment to the Auditor.

CB40-2019

- Could you provide the most up to date listing of plans impacted by the CB56/CB20 moratorium? In addition to the standard fields provided in the past, please identify the street address, occupiable square footage, # of units, and planning stage of each plan?

The list we believe the Auditor is referring to is attached and maintained by DPZ's Division of Land Development.

- Also, could you let us know if your position on the temporary moratorium's impact to the County is consistent with that shared in the attached memo called 'CB20-2019 DPZ Attachment'? If this memo is no longer accurate to your department's stance we would just like to know how it has changed and why.

The general conclusion remains the same, that another short term extension of the moratorium (3 months or less) would have a minimal fiscal impact. Eventually though, with continued extensions, short term turns into long term and this could result in fiscal impacts over time. However, DPZ sees no reason to again extend the moratorium since CB 36 and Council Resolutions 122 and 123 have been filed.

CB38-2019

- Could you provide a revised 'PLNBW Residential Units by Planning Stage' document (attached) that adds columns for the occupiable square footage, street address and the planning area of each plan listed?

Attached is the information to address your question. However, not all development plans have addresses nor do we have the square footage of units. That information is not known until building permits are issued by DILP.

Thanks, Val

Valdis Lazdins

Director
Department of Planning and Zoning
Howard County Government
410.313.4301
vlazdins@howardcountymd.gov

From: Sheubrooks, Kent
Sent: Tuesday, August 27, 2019 12:59 PM
To: Bronow, Jeff <jbronow@howardcountymd.gov>; Lazdins, Valdis <vlazdins@howardcountymd.gov>
Cc: Conrad, Peter <pconrad@howardcountymd.gov>
Subject: RE: CB38 and CB40 Requests

Attached is the updated chart for CB 40 auditor request. Please note that PMG, ECP-18-036 was removed from the chart since not affected by moratorium for no increase in impervious area. Bethany Glen, SP-19-005 and SMO Dash-In Shell Station, ECP-19-043 were new plans added to the chart.

Kent

From: Bronow, Jeff
Sent: Monday, August 26, 2019 2:37 PM
To: Lazdins, Valdis <vlazdins@howardcountymd.gov>
Cc: Sheubrooks, Kent <ksheubrooks@howardcountymd.gov>; Conrad, Peter <pconrad@howardcountymd.gov>
Subject: RE: CB38 and CB40 Requests

Val, please see my responses below.

From: Lazdins, Valdis
Sent: Monday, August 26, 2019 2:11 PM
To: Bronow, Jeff <jbronow@howardcountymd.gov>

Cc: Sheubrooks, Kent <ksheubrooks@howardcountymd.gov>; Conrad, Peter <pconrad@howardcountymd.gov>
Subject: FW: CB38 and CB40 Requests

Hi: Is this possible by this date and time? Thanks Val

Valdis Lazdins

Director
Department of Planning and Zoning
Howard County Government
410.313.4301
vlazdins@howardcountymd.gov

From: Clark, Owen
Sent: Monday, August 26, 2019 2:07 PM
To: Lazdins, Valdis <vlazdins@howardcountymd.gov>
Cc: Sheubrooks, Kent <ksheubrooks@howardcountymd.gov>; Bronow, Jeff <jbronow@howardcountymd.gov>;
Glendenning, Craig <cglendenning@howardcountymd.gov>
Subject: CB38 and CB40 Requests

Team,

I have a few requests to facilitate the fiscal analysis we're performing for CB38-2019 and CB40-2019.

CB40-2019

- Could you provide the most up to date listing of plans impacted by the CB56/CB20 moratorium? In addition to the standard fields provided in the past, please identify the street address, occupiable square footage, # of units, and planning stage of each plan?
- Also, could you let us know if your position on the temporary moratorium's impact to the County is consistent with that shared in the attached memo called 'CB20-2019 DPZ Attachment'? If this memo is no longer accurate to your department's stance we would just like to know how it has changed and why.

CB38-2019

- Could you provide a revised 'PLNBW Residential Units by Planning Stage' document (attached) that adds columns for the occupiable square footage, street address and the planning area of each plan listed?

Can you let us know if you can provide this information by EOB Thursday? Please advise if there are any issues with preparing this information.

Thank you,

Owen Clark

Howard County Government
County Auditor
Legislative Audit Manager
410-313-3063 (phone)
oclark@howardcountymd.gov

SCHOOL BIN LIST AND PASS/FAIL STATUS FOR NEW SCHOOL CAPACITY CHART TO BE ADOPTED ON JULY 1, 2019 (CR-99 2019)

CB 20-2019
Expires
10/27/2019

File Number	File Name	Elementary District	School Region	Middle District	High District	School Capacity Test	Allocations	Unit Type	Number of School Capacity Test Failures	Watershed					
1	F-15-005	Gladys Woods	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Howard	Fail	Pass	2	SFD	Passes by default - 5th failure	Tiber
2	F-15-024	Sunset Plains	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Howard	Fail	Pass	1	SFD	Passes by default - 5th failure	Tiber
3	SP-15-013	Lacey Property	Veterans	Fail	Northeast	Pass	Dunloggin	Fail	Mt Hebron	Fail	Fail	12	SFD	4th failed test	Tiber
4	S-17-007	The Towns at Court Hill	Veterans	Fail	Northeast	Pass	Dunloggin	Fail	Mt Hebron	Fail	Fail	8	SFA	4th failed test	Tiber
5	SP-15-016	Hampton Hills	Worthington	Pass	Northeast	Pass	Ellicott Mills	Fail	Mt Hebron	Fail	Pass	13	SFD	Passes by default - 5th failure	Tiber
6	S-17-004	Dorsey Center	Hanover Hills	Fail	Northeast	Pass	Thomas Viaduct	Fail	Long Reach	Fail	Fail	230	APT	3rd failed test	Tiber
7	F-17-088	Keehn Property	Waterloo	Pass	Northeast	Pass	Ellicott Mills	Fail	Howard	Fail	Fail	1	SFD	3rd failed test	Tiber
8	S-17-006	Dorsey's Ridge	Veterans	Fail	Northeast	Pass	Ellicott Mills	Fail	Centennial	Fail	Fail	52	SFA	4th failed test	Tiber
9	SP-16-013	Taylor Highlands	Worthington	Pass	Northeast	Pass	Ellicott Mills	Fail	Mt Hebron	Fail	Pass/Fail	252	88 SFA & 164 APT	Passes by default 248 units - 5th failure, 4th failed test for 4 units	Tiber
10	SDP-12-001	Buch Property	Hanover Hills	Fail	Northeast	Pass	Thomas Viaduct	Fail	Long Reach	Fail	Fail	16	SFA	2nd failed test	Tiber
11	F-16-095	Goldberg Property	Hollifield Station	Fail	North	Pass	Dunloggin	Fail	Mt Hebron	Fail	Fail	1	SFD	4th failed test	Plumtree
12	F-14-112	Centennial Choice	Northfield	Fail	North	Pass	Dunloggin	Fail	Centennial	Fail	Pass	2	SFD	Passes by default - 5th failure	Plumtree
13	F-15-057	Crosleigh Property	Northfield	Fail	North	Pass	Dunloggin	Fail	Centennial	Fail	Pass	1	SFD	Passes by default - 5th failure	Plumtree
14	F-16-034	Van Stone Property	Northfield	Fail	North	Pass	Dunloggin	Fail	Centennial	Fail	Pass	1	SFD	Passes by default - 5th failure	Plumtree
15	F-17-021	Honrao's Property	Northfield	Fail	North	Pass	Dunloggin	Fail	Centennial	Fail	Fail	1	SFD	4th failed test	Plumtree
16	S-18-002	Beechwood Manor	Gorman Crossing	Fail	Southeast	Pass	Murray Hill	Fail	Reservoir	Fail	Fail	30	19 SFD & 11 SFA	3rd failed test	
17	F-19-022	Magnolia Manor	Gorman Crossing	Fail	Southeast	Pass	Murray Hill	Fail	Reservoir	Fail	Fail	3	SFD	2nd failed test	
18	F-17-105	Mill Haven Lots 8 & 9	Talbott Springs	Pass	Columbia East	Pass	Oakland Mills	Pass	Oakland Mills	Pass	Pass	1	SFD		
19	F-17-099	Gopez Property	Fulton	Fail	West	Pass	Hammond	Pass	Reservoir	Fail	Fail	1	SFD	3rd failed test	
20	F-18-079	Isla's Woods	Fulton	Fail	West	Pass	Hammond	Pass	Reservoir	Fail	Fail	5	SFD	2nd failed test	
21	F-18-118	Willow Nook	Pointers Run	Fail	West	Pass	Clarksville	Pass	Atholton	Pass	Fail	1	SFD	2nd failed test	
22	SP-17-010	Lyhus Property	Fulton	Fail	West	Pass	Lime Kiln	Pass	Reservoir	Fail	Fail	26	SFD	2nd failed test	

- (1) This plan has actually failed 4 times, however it took on the status of Corridor Square (SDP-18-002) by swapping in May, 2018, so the failure status is now 3 times.
- (2) This plan has failed four times for the remaining 4 2019 units.
- (3) This plan had been voided but was reactivated on June 13, 2019.

PLANS IN PROCESS AFFECTED BY CB 56-2018 MORATORIUM & EXTENSION OF MORATORIUM UNDER CB 20-2019

August 28, 2019

Project Name, Zoning & Street Address	File Number & Plan Stage	Watershed	Number & Type of Units. & Occupiable Square Footage	Status
1. Ahmad Property (R-20) 3350 Saint Johns Lane	F-18-030 Final Plat	Plum Tree Branch	2 SFD Units, SF Unknown	Revision Letter Sent 9/25/18, Moratorium Hold
2. Ahmad Property (R-20) 3350 Saint Johns Lane	WP-19-037 Alternative Comp.	Plum Tree Branch	Same as above	Moratorium Hold Letter 1/10/19
3. Bethany Glen (R-20) 9891 Old Frederick Road	SP-19-005 Pre. Eq. Sketch Plan	Plum Tree Branch	112 SFD Lots, SF Unknown	Revised Plans Requested on 8/08/19
4. Bethany Glen (R-20) 9891 Old Frederick Road	WP-19-118 Alternative Comp.	Plum Tree Branch	Same as above	Revised Plan Requested on 8/09/19
5. Bethel Bapt. Church (RSI) 4261 Montgomery Road	F-15-018 Final Plat	Tiber Branch	0 Units, 13,900 SF Church	Originals on hold at DPZ, Moratorium Hold Letter on 8/10/18
6. Bethel Bapt. Church (RSI) 4261 Montgomery Road	SDP-15-011 Site Dev. Plan	Tiber Branch	Same as above	Originals on hold at DPZ, Moratorium Hold Letter on 8/10/18
7. Centennial Choice (R-20) 4040 Saint Johns Lane	F-14-112 Final Plat	Plum Tree Branch	3 SFD Units, SF Unknown	Released from APFO Hold Bin Letter 7/02/19, on hold moratorium
8. Crestleigh Property (R-20) 4218 Club Court	F-15-057 Final Plat	Plum Tree Branch	2 SFD Units, SF Unknown	Released from APFO Hold Bin Letter 7/02/19, on hold moratorium

Project Name, Zoning & Street Address	File Number & Plan Stage	Watershed	Number & Type of Units. & Occupiable Square Footage	Status
9. Dorsey's Ridge (CEF-R) 3956 Cooks Lane	S-17-006 Sketch Plan	Tiber Branch	55 SFA & 2 Apt. Units, SF Unknown	Closed School APFO Hold Bin Letter 7/02/19
10. Dorsey's Ridge (CEF-R) 3956 Cooks Lane	WP-18-136 Alternative Comp.	Tiber Branch	Same as above	Moratorium Hold Letter on 8/10/18
11. Dorsey's Ridge (CEF-R) 3956 Cooks Lane	F-19-047 Final Plat	Tiber Branch	3 SFA & 2 Apt Units (units were counted above) SF Unknown	Final Plat in Review Process – Revision Letter 6/2/19
12. Fels Lane Property (RVH) Fels Lane (No Address #)	ECP-16-067 Env. Concept Plan	Tiber Branch	1 SFD Unit, SF Unknown	Plan Revision Letter Sent on 1/04/17
13. Gatherings at Taylor Place (POR), College Avenue	ECP-18-028, POR Env. Concept Plan	Tiber Branch	41 SFA Units & 54 Apt. Units Age Rest. Units, SF Unknown	Plan Revision Letter Sent on 8/08/19
14. Gatherings at Taylor Place (POR), College Avenue	WP-19-072, POR Alternative Comp.	Tiber Branch	Same as above	Plan on Hold Moratorium Letter, 2/25/19
15. Geier Subdivision (R-20) 9307 Dunloggin Road	SDP-18-062 Site Dev. Plan	Plum Tree Branch	2 SFD Units, SF Unknown	Rev. Letter 7/24/18, Extension Letter Issued on 8/9/18
16. Goins Property (R-20) 2778 Saint Johns Lane	F-14-045 Final Plat	Plum Tree Branch	4 SFD Units, SF Unknown	Released APFO Bin 7/27/18, Moratorium Letter 9/25/18
17. Honrao's Property (R-20) 4060 Saint Johns Lane	F-17-021 Final Plat	Plum Tree Branch	2 SFD Units, SF Unknown	Closed School APFO Hold Bin Letter 7/02/19
18. Howard Heights, Lot 25-A (R-20), 3004 Southview Rd	SDP-18-016 Site Dev. Plan	Plum Tree Branch	1 SFD Unit, SF Unknown	SDP Signed on 4/18/18 – Permit Hold – DILP

Project Name, Zoning & Street Address	File Number & Plan Stage	Watershed	Number & Type of Units. & Occupiable Square Footage	Status
19. Howard Heights, Lot 26-A (R-20), 2940 Southview Rd	ECP-18-049 Env. Concept Plan	Plum Tree Branch	1 SFD Unit, SF Unknown	Plan on Hold Moratorium Letter sent on 8/10/18
20. Lacey Property (R-ED) 3538 Church Road	SP-15-013 Pre. Eq. Sketch Plan	Tiber Branch	13 SFD Units, SF Unknown	Closed School APFO Hold Bin Letter 7/02/19
21. Legacy at Ellicott's Retreat (POR), 8910-8950 Carls Ct	SDP-14-090, POR Site Dev. Plan	Tiber Branch	162 Apt. Units, SF Unknown Age Restricted	SDP Signed on 9/29/15 - No New Permits- DILP
22. Long Gate Overlook(RA15) Montgomery Road	F-16-048 Final Plat	Tiber Branch	79 SFA Units. SF Unknown	Originals on hold at DPZ, Hold Letter sent 9/20/18
23. Long Gate Overlook(RA15) Montgomery Road	SDP-14-074 Site Dev. Plan	Tiber Branch	Same as above	Originals on hold at DPZ, Hold Letter sent 9/20/18
24. Lutheran Village (PSC) Frederick Road	F-17-103 Final Plat	Plum Tree Branch	0 Units, Easement Plat	Plat Original Returned to Consultant on 6/02/17
25. Maple Grove (R-12) 9060 Upton Road	S-18-005 Sketch Plan	Tiber Branch	9 SFD Units, SF Unknown	Moratorium Letter sent on 8/21/19
26. Maple Grove (R-12) 9060 Upton Road	WP-19-033 Alternative Comp.	Tiber Branch	Same as above	Plan on Hold Moratorium Letter 11/07/18
27. Nobel Manor (R-20) 9061 Upton Road	ECP-19-029 Env. Concept Plan	Tiber/Plum Tree	3 SFD Units, SF Unknown	Revision Letter 3/14/19

Project Name, Zoning & Street Address	File Number & Plan Stage	Watershed	Number & Type of Units. & Occupiable Square Footage	Status
28. Taylor Place (RA-15) College Avenue	SP-16-013 Pre. Eq. Sketch Plan	Tiber Branch	88 SFA Units & 164 Apt. Units SF Unknown	Originals on Hold, Moratorium Hold Letter sent 8/10/18 & Closed School APFO Letter 7/02/19 for 4 units
29. Gatherings at Taylor Place College Avenue (RA-15)	WP-19-072 Alternative Comp.	Tiber Branch	Same as above	Defer Letter on 2/25/19, Moratorium Hold Letter
30. Terrapin (Tiber) Woods (RSC), Frederick Road	F-18-001 Final Plan	Tiber Branch	34 SFA Units, SF Unknown	Plat Hold, Extension Issued on 9/07/18
31. The Towns at Court Hill (RA-15), 3614 Court House Drive	S-17-007 Sketch Plan	Tiber Branch	8 SFA Units, SF Unknown	Closed School APFO Hold Bin Letter 7/02/19
32. Van Stone Property (R-20) Saint Johns Lane	F-16-034 Final Plat	Plum Tree Branch	1 SFD Unit	Released from APFO Hold Bin Letter 7/02/19 on Hold Moratorium
33. SMO Dash-In Store (B-2) 4205 Montgomery Road	ECP-19-043 Env. Concept Plan	Tiber Branch	Gas Station/Convenience Store SF Unknown	Revised Plan in Review on 7/22/19
34. SMO Dash-In Store 4205 Montgomery Road	WP-19-091 Alternative Com.	Tiber Branch	Same as above	Defer Letter on 4/29/19, Moratorium Hold Letter

Total Number of Lots/Units = 156 SFD units, 305 SFA units and 382 Apt. units