

Smarter Growth Alliance for Howard County

July 21, 2021

The Honorable Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

RE: CB57-2021: AN ACT providing for enhanced enforcement measures and penalties for violations of the Forest Conservation Act of Howard County; and generally relating to forest conservation in the County.

Dear Council Members:

The Smarter Growth Alliance for Howard County, (SGAHC) is an alliance of local and state organizations working together to foster healthy, equitable, and sustainable communities through smarter development and transportation decisions and improved protections for the county's natural, historic and cultural resources.

We strongly support CB57-2021 which would strengthen the penalties for non-compliance with the Forest Conservation ordinance of the County.

Initial compliance to the Forest Conservation ordinance is the best result, and especially in the case of protecting trees and established forests. Once they are cut, the option of replanting is a much less desired outcome concerning the ecosystem services that are immediately lost and will take years to build back in the newly planted trees.

In the event of noncompliance with the Forest Conservation Ordinance, we must have penalties in place that would both discourage future noncompliance and supply funding to be used to repair the damage done. By changing the language in the law from "may" to "shall" we ensure that a penalty will be assessed.

By assessing an additional penalty charged per inch circumference of tree cleared we also are increasing the value of mature trees and forests. These fines will make it even more clear that we are valuing each tree present and the ecosystem services they provide.

*Audubon MD-DC • Audubon Society of Central Maryland • Bicycling Advocates of Howard County
Chesapeake Bay Foundation • Clean Water Action • Coalition for Smarter Growth • Community Ecology Institute
Earth Forum of Howard County • HARP • Howard County Citizens Association
Howard County Conservancy • Howard County Sierra Club • Maryland Conservation Council
Maryland League of Conservation Voters • Maryland Ornithological Society • Patapsco Heritage Greenway
Preservation Howard County • Preservation Maryland • Safe Skies Maryland • Savage Community Association • The People's Voice
• Transition Howard County*

This bill further gives authority to suspend plans in progress and revoke any approved forest conservation plan upon willful or repeated violations. It is very important to be able to not only assess a fine but also suspend progress until a revised plan is submitted and accepted. The law also requires public notice of any such suspension. Noncompliance may also result in the suspension of waivers for necessary disturbance, variance, alternative compliance, off-site compliance, or any other exception of the requirements of the Forest Conservation Act.

The ability of the County to stop work until solutions or remedies are found is an essential tool that the administration can use. By stopping the project, the delay serves as not only a penalty in itself, but also a chance for the administration to examine the issues and make things right and comply with the Forest Conservation ordinance.

In 2019 the Forest Conservation Act was passed thanks to the vision and initiative of County Executive Calvin Ball, the hard work and applied expertise of the Office of Sustainability, the rigorous examination of the County Council to work out the final details and pass the bill, and the heartfelt support of the citizens who gave testimony in favor of forest protection.

Passing this bill now will honor the commitment of the administration, county council, and Howard County citizens. Don't let all our work be in vain. The time is now for a zero-tolerance policy when it comes to noncompliance to the Forest Conservation ordinance. The longer we wait the more we lose. If you stand for the environment and support the forest conservation act, pass this bill to properly enforce it.

Sincerely,

Audubon Society of Central Maryland
Julie Dunlap
Education Chair

Maryland Ornithological Society
Kurt Schwarz
Conservation Chair

Clean Water Action
Emily Ranson
Maryland State Director

Patapsco Heritage Greenway
Steve Wachs
President

Howard County Sierra Club
Carolyn Parsa
Chair

Preservation Maryland
Ruby Nwaebube
Advocacy Associate

Howard County Bird Club
Mary Maxey
President

Safe Skies Maryland
Mark Southerland
Legislative Director

Howard County Citizens Association
Stu Kohn
President

Savage Community Association
Susan Garber
Board Chair

Maryland Conservation Council
Paulette Hammond
President

The People's Voice
Lisa M. Markovitz
President

Maryland League of Conservation Voters
Ben Alexandro
Water Program Director

Transition Howard County
Mary Ann Barry
Member

cc: The Honorable Calvin Ball, County Executive



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, STEPHEN MCKENNA, have been duly authorized by
(name of individual)

PRESERVATION HOWARD COUNTY to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB56-2021, CB57-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: STEPHEN MCKENNA

Signature: [Handwritten Signature]

Date: 7/20/2021

Organization: Preservation Howard County

Organization Address: PO Box 406, Simpsonville MD 21150

Number of Members: _____

Name of Chair/President: Dr. Tara Simpson

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Sayers, Margery

From: Hans and Marie Raven <hansandmarie.raven@verizon.net>
Sent: Tuesday, July 20, 2021 5:34 PM
To: Rigby, Christiana
Cc: CouncilMail
Subject: support for CB 56 & 57

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

Dear Councilmember Rigby (and fellow councilmembers),

I am a constituent in your district writing to support council bills 56 and 57, introduced by Council Chair Liz Walsh. It is overdue that there be a definition of high conservation priority specimen trees. When my husband and I built our home on our wooded lot, we specifically oriented our house and designed our footprint around saving as many large specimen trees as we could to keep the characteristic nature of our wooded lot which abuts the Savage Park trail system on the Little Patuxent River. We know it can be challenging, but it can be done, and is justified. I am especially pleased to see that a 5 year look back is a part of CB56. Different varieties of trees grow at different rates, and this look back provision is vital for capturing and protecting those slower growing trees which cannot be as easily replaced. Just as important as the definition and time frame expressed in CB 56 is the enforcement and range of penalties available to DPZ as outlined in CB57 for those who repeatedly and/or willfully remove specimen trees and otherwise violate forest conservation laws. Therefore I whole heartedly support these two bills.

There are a myriad of environmental reasons why this legislation makes sense, but I would like to highlight a different reason brought to my attention by an article in today's Washington Post by Alex Brown entitled, "In low income urban areas roasted by climate change, a cool idea takes root." This article highlights the importance of the tree canopy in urban areas. According to the article, American Forests, a Washington DC-based conservation nonprofit, low-income neighborhoods and communities of color have significantly less tree canopy. "Those areas are more likely to suffer from the urban heat island effect caused by a lack of shade and an abundance of heat absorbing asphalt" leading to temperatures up to 10 degrees hotter than surrounding neighborhoods with tree canopies present. In fact the group found that the wealthiest neighborhoods have 65% more tree canopy coverage than the highest poverty neighborhoods.

We have the opportunity with legislation such as this to reverse the effects of racist policies such as redlining and declining urban green space, which are important for public health. Trees are nature's air conditioners. As we hear about the extreme heat those living out west are experiencing, it's important that we provide equal access throughout our county to the large trees which can actually help save lives, not just look beautiful. I challenge Howard County to be as proactive as the city of Boston in creating an urban forest plan to lead to tree equity across our county. Councilmember Rigby, I would hope given your pursuit of diversity, equity, and inclusion measures in the county you would be in full support of this idea and these two bills to get the process started.

Sincerely,
Marie Raven

Hans and Marie Raven
Laurel, MD
301-317-8010 (home)

Sayers, Margery

From: Kimberlee Drake <kimdrakeenv@gmail.com>
Sent: Tuesday, July 20, 2021 3:45 PM
To: Sayers, Margery
Subject: Re: Affidavit to Speak

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

Sure.
Thanks,
Kim

HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Kim Drake, have been
duly authorized by (name of individual)

Smarter Growth Alliance of Howard County to deliver
testimony to the (name of nonprofit organization or government board,
commission, or task force)

County Council regarding CB56 & CB57 to express the
organization's (bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Kim Drake

Signature: Kimberlee Drake Date: _____

7.21.21

Organization: Smarter Growth Alliance of Howard County____

OrganizationAddress: _____ 3600 Clipper Mill Rd #248, Baltimore, MD 21211 _____

Number of Members: _____ 22 organizations that collectively represent over 24,000 Howard County residents.

Name of Chair/President: _____ Ruby Nwaebube

____ Advocacy Associate PRESERVATION MARYLAND _____

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 2 hours prior to the start of the Public Hearing.

On Tue, Jul 20, 2021 at 9:54 AM Sayers, Margery <msayers@howardcountymd.gov> wrote:

Good Morning

You have signed up to testify on behalf of a group at tomorrow's Public Hearing. Please submit the attached Affidavit no later than 2 hours before the hearing.

Sincerely,

Margery

Margery Sayers

Executive Assistant

Howard County Council

410-313-0832

Sayers, Margery

From: Ruby Nwaebube <RNwaebube@presmd.org>
Sent: Tuesday, July 20, 2021 1:20 PM
To: Walsh, Elizabeth; Jung, Deb; Jones, Opel; Rigby, Christiana; Yungmann, David; Sidh, Sameer; Ball, Calvin; CouncilMail
Cc: Carolyn Parsa (carolyn.parsa@mdsierra.org); Susan Garber (buzysusan23@yahoo.com); LISA MARKOVITZ (lmarkovitz@comcast.net)
Subject: SGAHC Support for CB56 & CB57
Attachments: SGAHC CB56-2021 Ltr of Support.pdf; SGAHC CB57-2021 Ltr of Support.pdf

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

Hello Honorable Howard County Council,

I hope this email finds you well. My name is Ruby Nwaebube, and I am the Advocacy Associate for Preservation Maryland. On behalf of the Smarter Growth Alliance of Howard County (SGAHC), we would like to submit written testimony to support CB56 & CB57. Below this email, I have attached the two letters for your review.

Thank you,
Ruby

Ruby Nwaebube
Advocacy Associate
PRESERVATION MARYLAND
3600 Clipper Mill Road, Suite 248
Baltimore, Maryland 21211
rnwaebube@presmd.org
presmd.org



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Dan Hajdo, have been duly authorized by
(name of individual)

Howard County Indivisible, Economic Equity Team to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB-57 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Dan Hajdo

Signature: _____

Date: 07/20/2021

Organization: Howard County Indivisible

Organization Address: P.O. Box 603, Savage MD, 20763

P.O. Box 603, Savage MD, 20763

Number of Members: 700

Name of Chair/President: Elizabeth Kate

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Sayers, Margery

From: Burnet Chalmers <burnetchalmers@outlook.com>
Sent: Wednesday, July 21, 2021 1:42 PM
To: CouncilMail
Subject: Please Support CB 56 & CB 57

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

Please support CB 56 & CV 57.

Respectfully,
Burnet Chalmers
6560 Belmont Woods Road
Elkridge, MD 21075
410-591-2519
burnetchalmers@outlook.com

Sent from my iPhone

Sayers, Margery

From: Jung, Deb
Sent: Monday, July 19, 2021 4:53 PM
To: Sayers, Margery
Subject: FW: Support for CB 56 and 57

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

From: Julia Hawrylo <oychoolie@yahoo.com>
Sent: Monday, July 19, 2021 2:37 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>; Ball, Calvin <cball@howardcountymd.gov>
Cc: Royalty, Wendy <wroyalty@howardcountymd.gov>; Baker, Kevin <kebaker@howardcountymd.gov>; Harris, Michael <mrharris@howardcountymd.gov>; Gelwicks, Colette <cgelwicks@howardcountymd.gov>; Williams, China <ccwilliams@howardcountymd.gov>; Knight, Karen <kknight@howardcountymd.gov>
Subject: Support for CB 56 and 57

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

Dear Council Members and Dr. Ball,

I am writing to express my support for CB56and CB57. These intelligent pieces of legislation would be excellent models for many counties around Maryland.

It is painfully obvious that climate change is upon us, and trees play an extremely important role by mitigating the effects of carbon dioxide and producing oxygen, as well as reducing surface and air temperatures. Larger trees do a better job at this than smaller trees and CB56 provides protection for specimen trees across a variety of species, both native and naturalized. Ensuring their protection provides an anchor for Howard County's reforestation goals.

CB57 demands that developers actually adhere to the requirements of our County's forest conservation laws; if they don't, the penalties are clear and implemented. To many citizens in Howard County, it seems that developers just go ahead and do what they want and ask for forgiveness later, assured that a waiver will be given or, at worst, there will be a negligible fine. For decades there has been little done to discourage this behavior and it's time that everyone followed the rules.

Conserving our remaining trees and making sure that necessary development is done carefully and legally is the right thing to do. Passing CB56 and CB57 is the right thing to do.

Thank you,
Julia Hawrylo
Ellicott City Historic District

Sent from my iPad

Sayers, Margery

From: Kaitlyn Stewart <kaitlynrosestewart@gmail.com>
Sent: Monday, July 19, 2021 5:40 PM
To: CouncilMail
Subject: CB56 and CB57 - in favor

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

Good afternoon,

I am writing to express my strong support for CB56 and CB57 to protect our trees, parks, and general environment.

Anything that strengthens protections for any trees is a win in my book. These two bills appear to do just that.

Anything that prioritizes developers' profits over the health of our parks and trees is a great loss and a great detriment to Howard County. A vote against these two bills is an attack on our county.

Please vote in favor of CB56 and CB57

Thank you,
Kaitlyn Stewart
9059 Baltimore street, Savage, Howard County, MD 20763

Sayers, Margery

From: Robin Vestal <robinvestal@yahoo.com>
Sent: Monday, July 19, 2021 8:24 PM
To: CouncilMail
Subject: Woods in Savage MD

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

Please act to preserve the woods in Savage MD. Especially while we are seeing the acute effects of global warming across the country it's crucial that we do our part to protect out part of the world. As we know trees help preserve our environment and should not be removed.

Robin Vestal
8420 Savage Guilford Rd
Savage, MD
20763

Sayers, Margery

From: cookapie@aol.com
Sent: Monday, July 19, 2021 9:07 PM
To: CouncilMail
Subject: Old Ttreea

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

By all means please save the trees, old or getting old. With climate change a real event, we need to do everything we can to keep our trees tall or short to filter the air we breathe.. Mr.Rouse was a great believer in planting and keeping trees from being taken down as he developed Columbia. We in Savage have the Savage Park and trails that provide shaded paths. My neighbor has a 90 year old Maple that provides shade for two homes. Your vote on this issue may mean we will continue to have our trees to shade our yards for years to come. Priscilla Pitts 9103 Jefferson St.

Sayers, Margery

From: Kimberlee Robertella <kimberlee_robertella@yahoo.com>
Sent: Monday, July 19, 2021 9:43 PM
To: CouncilMail
Cc: Tim Glinka; Jacinta Felice
Subject: Support for CB56, CB57

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

Council Members:

I support the bills introduced by Council Chair Liz Walsh on July 6, 2021, and I hope you will too. As you know, CB56 defines highest-conservation-priority "specimen" trees while CB57 clarifies and enhances the effectiveness of the Department of Planning and Zoning to deter willful or repeated non-compliance of forest conservation law.

Planting and protecting trees may be the single most important "ecotechnology" we have to ensure a healthy and vibrant Howard County. Champion trees in particular are crucial to holding fragmented ecosystems together. Lest we forget, trees are responsible for half the photosynthesis on land, help create rain, render mercury, nitrates, and other toxic wastes in the soil harmless, gather and neutralize sulfur dioxide, ozone, carbon dioxide, and other harmful pollutants in their tissue, sustain all manner of life, act as the planet's heat shield slowing the evaporation of water and cooling the earth.*** When we lose champion trees, we put all surrounding forested land at risk, thereby jeopardizing ourselves.

I hope you will strongly consider these points and get behind the logic of CB56 and CB57.

Thank you,

Kim Robertella Glinka

** abridged from commentary by science journalist Jim Robbins



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Susan Garber, have been duly authorized by
(name of individual)

the Savage Community Association to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB57-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Susan Garber

Signature: _____

Date: 7/21/2021

Organization: Savage Community Association

Organization Address: P.O. Box 222 Savage 20763

P.O. Box 222 Savage 20763

Number of Members: 550

Name of Chair/President: Susan Garber

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HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Susan Garber, have been duly authorized by
(name of individual)

the Howard County Citizens Association, HCCA
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB57-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Susan Garber

Signature: _____

Date: July 21, 2021

Organization: the Howard County Citizens Association, HCCA

Organization Address: P.O. Box 89 Ellicott City, MD

P.O. Box 89 Ellicott City, MD

Number of Members: 500

Name of Chair/President: Stu Kohn

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councilmail@howardcountymd.gov no later than 2 hours prior to the start of the
Public Hearing.*



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Susan Garber, have been duly authorized by
(name of individual)

The People's Voice, LLC to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 57-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Susan Garber

Signature: _____

Date: 7/21/21

Organization: The People's Voice

Organization Address: 3205B Corporate Ct. Ellicott City 21042

3205B Corporate Ct. Ellicott City 21042

Number of Members: 4000+

Name of Chair/President: Lisa Markovitz

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