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September 16, 2021

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

RE: CB 64-2021, Prohibiting the Cutting or Clearing of Certain Specimen Trees

On behalf of the Howard County Association of REALTORS® (HCAR), an organization of over 2,100 real estate professionals, we write to offer the following comments on CB 64-2021.

HCAR supports the inclusion of exemptions in Section 16.117 (H) and asks that they be fully retained in the final bill. However, we do ask for clarification or possible amendment on the following items:

Section 16.117 (D) (Page 4, line 11): The bill does not provide a timeframe for Department review of a Notice to Proceed application. HCAR believes this expectation should be outlined for planning and scheduling purposes. In addition, if this review is expected to take a measurable length of time, it may be necessary to consider situations where the health of the tree deteriorates and necessitates immediate removal while an application is still pending.

Section 16.117 (J) (Page 5, line 24): This section imposes a 5-year ban on acceptance of a residential subdivision application from a person who violates this act. HCAR does not condone willful violations of this act, nor should penalties involved be considered a cost of doing business. However, the Council should consider an appeal process for truly inadvertent violations; for instance, when a subcontractor violates the act without the knowledge or approval of a landowner. This will assure that the most severe penalties are reserved for those acting in bad faith.

On behalf of HCAR, we thank the Council for considering our comments on CB 64.

Sincerely,

Shirley Matlock, CRS, ABR, ASP, CNE, EcoBROKER, ePRO, GRI, LTG, MRP, PMN, SFR, SRES
President
Howard County Association of REALTORS®



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

I, Lisa Markovitz, have been duly authorized by
(name of individual)

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

County Council regarding CBC 4 2021 to express the organization's
(bill or resolution number)

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

Printed Name: Lisa Markovitz

Signature: [Handwritten Signature]

Date: 9/20/21

Organization: The People's Voice

Organization Address: 3600 Saint Johns Lane

Ellicott City MD 21042

Number of Members: 4348

Name of Chair/President: Lisa Markovitz

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.

Sayers, Margery

From: Carolyn Parsa <cparsa@gmail.com>
Sent: Monday, September 20, 2021 3:17 PM
To: Rigby, Christiana
Cc: CouncilMail
Subject: Testimony in support of CB64 with amendment 1 & CB66

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

County Council Member Rigby,

I am writing today to ask you to support and vote yes for CB64 and amendment 1. It is very important to support Howard County's specimen trees and for the legislation to come into effect before the plan goes in, just in case property owners or developers go ahead and remove trees in preparation for the project before they submit a plan for development.

Additionally, I support CB66, which would extend more protection to forested areas by tightening the definition of areas that would require county oversight for clearcutting. As we see our forested areas decreasing each year, we must do everything we can to retain them. This bill would help retain forest on site and make it more difficult for the standard clear cutting to continue.

Timing is critical and we must all do as much as we can as individuals and as lawmakers to insure that we mitigate the worst of climate change. These two bills will help us all towards that effort.

Thank you.

Sincerely,
Carolyn Parsa
7649 Woodstream Way

Sayers, Margery

From: Susan Garber <buzysusan23@yahoo.com>
Sent: Monday, September 20, 2021 5:56 PM
To: CouncilMail
Subject: CB64 and CB66

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

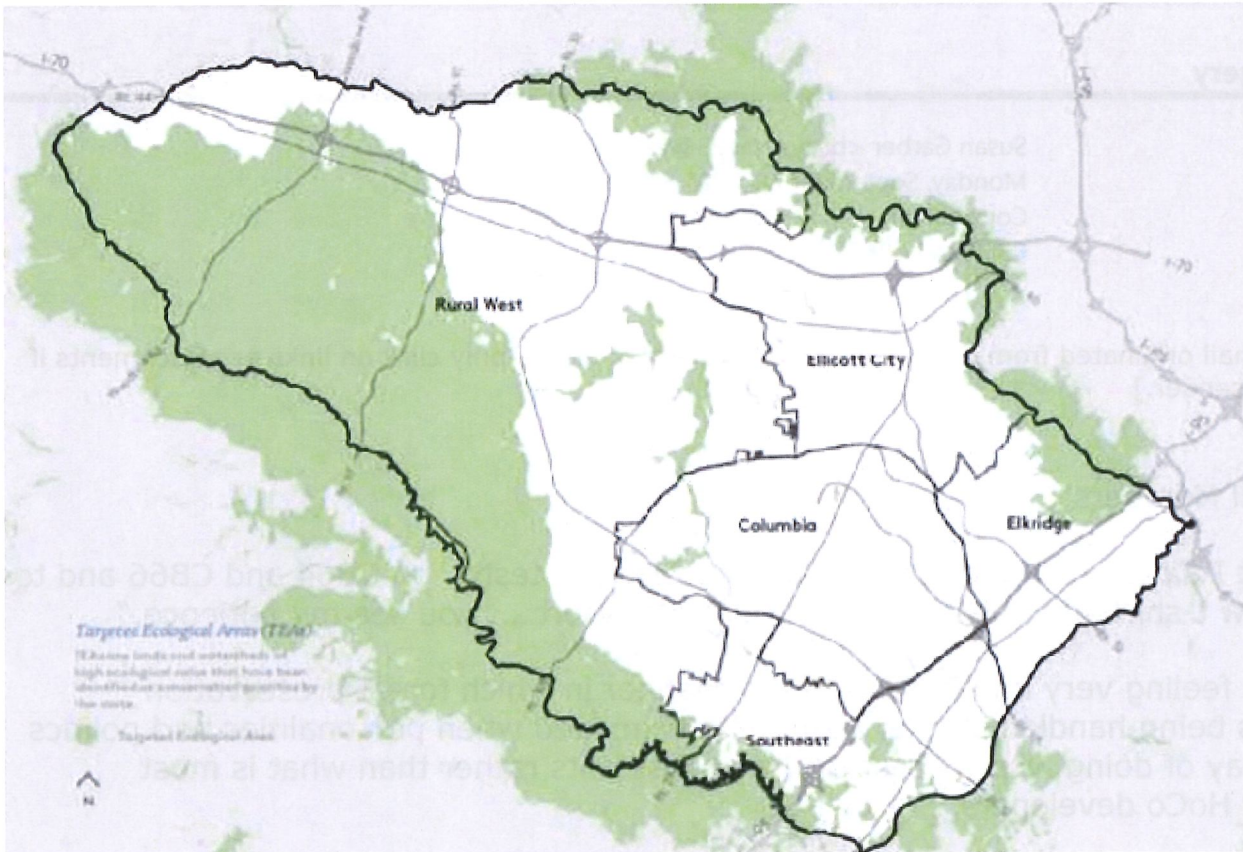
Dear Council Members,

I regret that I am unable to attend tonight's session to testify on CB64 and CB66 and to wear my new t-shirt which reads "If you think I'm short..... you see my patience."

I am indeed feeling very impatient with the manner in which forest preservation legislation is being handled of late. I am quite dismayed when personalities and politics get in the way of doing what is best for HoCo residents rather than what is most lucrative for HoCo developers.

For now I will hold my tongue and specific comments on the 2 bills until I'm not under such a time crunch for competing priorities. But I do want to send along 2 resources which should guide your future actions and help you get a better understanding of what is at stake here.

First, a map from the DRP's 2017 Master Plan LPPRP identifying all of the DNR-declared Targeted Ecological Areas—the most valuable of valuable lands which should be preserved. To my surprise a large swath of Western Howard County is so identified. We need to determine which of these lands are forested and protect them from HoCo by Design development or from ground mounted solar. It would be quite inappropriate to incentivize solar installations on these lands with tax credits or to exempt them as in CB64 just because there may be SOME broadly defined agricultural use of the land, including driving farm equipment on it.



Secondly, references which should answer any questions you have about the value of trees, especially mature ones vs. new ones are listed. Please follow the science.

<https://news.mongabay.com/2019/05/tall-and-old-or-dense-and-young-which-kind-of-forest-is-better-for-the-climate/amp/?print>

<https://nph.onlinelibrary.wiley.com/doi/full/10.1002/ppp3.39> benefit of trees for livable and sustainable communities [MOTHERLOAD OF RESOURCES}

I'd welcome a chance to discuss any of this with you further.

Susan Garber

North Laurel



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

I, Alan Schneider, have been duly authorized by
(name of individual)

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

County Council regarding CB 64 to express the organization's
(bill or resolution number)

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

Printed Name: Alan Schneider

Signature: [Handwritten Signature]

Date: 9/20/21

Organization: Howard County Citizens Association

Organization Address: POB 89, Ellicott City, Md

Number of Members: 500

Name of Chair/President: Stu Kohn

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.



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 20 September 2021

My name is Alan Schneider. My address is Clarksville, Md. I speak for Howard County Citizens Association against passage of CB 64 and requests that it be tabled for further consideration and testimony on a proposed amendment.

We applaud efforts to protect our forests and specimen trees. However, there are major problems with CB 64 which warrant strong opposition. CB 64 is in effect a "Show Bill". In essence the proposed bill is meaningless, ineffective, and virtually useless. A late filed amendment has been proposed. HCCA and others have had inadequate time to fully evaluate and prepare testimony on the Bill with a late filed amendment.

Attached is a map of the State's Targeted Ecological Areas which is one of several factors which should be included in any legislation for Forest Conservation improvement.

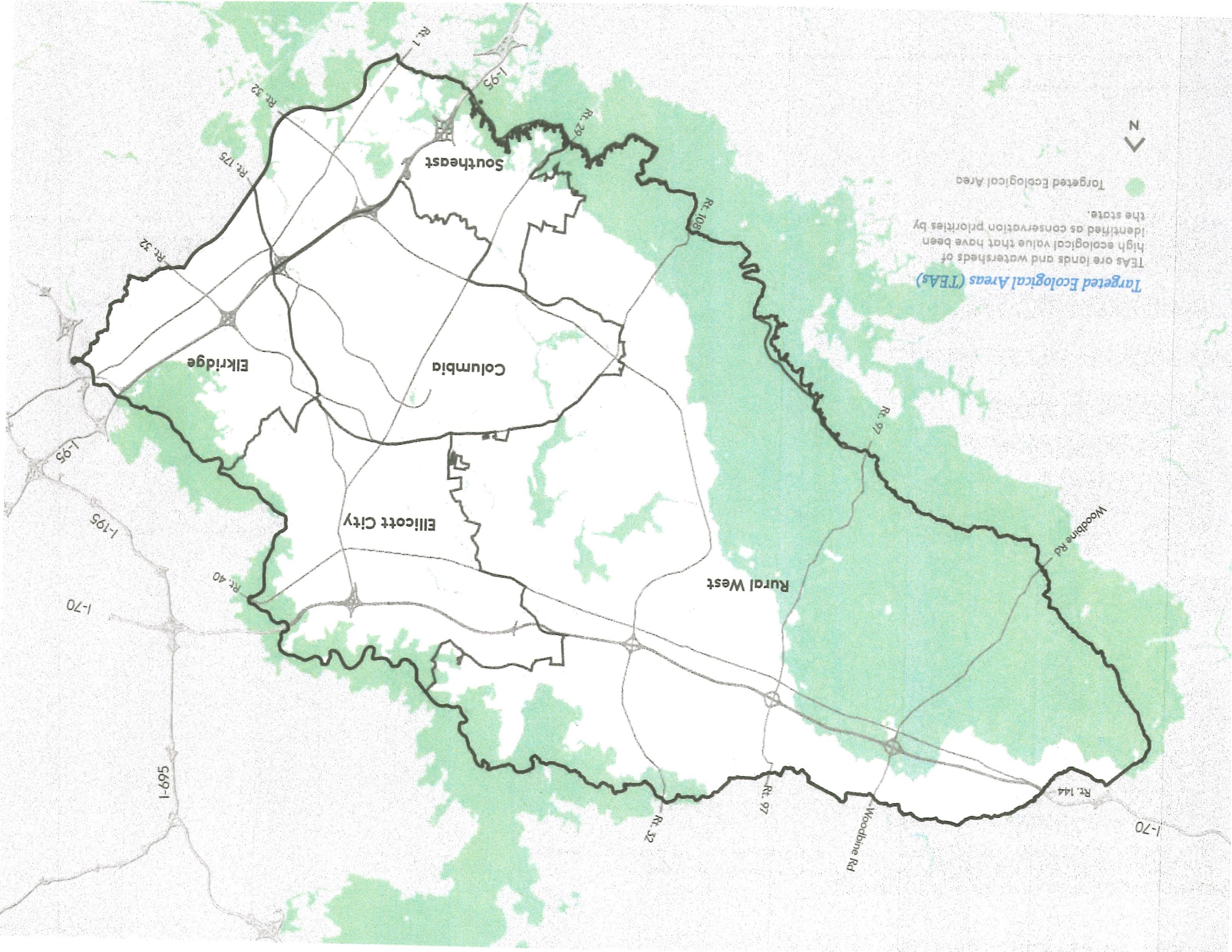
HCCA's concerns include but are not limited to:

1. Lack of resources and staffing to adequately protect Howard County's forests.
2. Lack of standing for citizens to take immediate protective action.
3. Noncompliance.
4. Lack of enforcement.
5. Impending perils of climate change.
6. It is far less costly to protect against damage, rather than to repair the damage later.
7. Statements by DPZ officials that "if a project meets minimum existing code requirements then DPZ must approve the proposal".

HCCA greatly appreciates your consideration of its request to table this bill to permit time for submission of written testimony.

Sincerely,
Alan Schneider

HCCA



Targeted Ecological Areas (TEAs)
TEAs are lands and watersheds of high ecological value that have been identified as conservation priorities by the state.

Targeted Ecological Area



Southeast

ElkrIDGE

Columbia

Elliott City

Rural West

Rt. 1

I-95

Rt. 29

Rt. 109

Rt. 175

Rt. 32

Rt. 97

Woodbine Rd

Rt. 40

Rt. 97

Woodbine Rd

Rt. 144

I-95

I-195

I-70

I-695-1

I-70