

Sayers, Margery

From: The Morris' <jmcubed@verizon.net>
Sent: Sunday, September 26, 2021 7:48 AM
To: CouncilMail
Subject: Support for CB66-2021 and CB64-2021

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To the Howard County Council:

I support passage of council bills CB66 and CB64 for forest conservation and for strengthening enforcement of forest conservation laws.

I watched the clear-cutting of a huge swath of forest in my development (Taylor Village), which included many very large trees. Understand that it costs a developer more money to preserve forest, but I also know that people will pay extra to live in community that doesn't look like it sits on a shaven, barren plain. When the land that my house sits on was developed, the developer promised to retain large parts of the forest. Of course he didn't. It was shaven nearly clean, with only the unbuildable (steep or water-containing) parts of the area designated "forest preservation."

Yes, there are a lot of trees in Howard County, but clear-cutting the wrong ones (and replacing them with concrete) also leads to future consequences, as we have seen in Old Ellicott City. This bill doesn't ban clear-cutting, it only requires oversight of additional areas of proposed clear-cutting. I support both these measures and believe that the county council should too.

Thank you,

Jeanine Murphy-Morris
4329 Doncaster Drive
Ellicott City, MD 21043

Smarter Growth Alliance for Howard County

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

RE: Requested amendments to CB64-2021

September 20, 2021

Dear Council Members:

The Smarter Growth Alliance for Howard County 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 are content to see a system set up to create further protections of specimen trees. It is vital to retain forest cover as new plantings do not come close to replacing lost trees for so very long. To fully implement the preservationist goals in the Bill, we offer the following requests for fewer exemptions.

The exemption for development subject to Forest Conservation regulations should instead read to have whichever more restrictive requirements apply; for current and future protection. For so long, Howard County was not in compliance with MD law and allowed more tree removal than was appropriate. We are playing catch-up. Thus, it would be best to have a stronger requirement and define specimen trees as a diameter of 75% or more of the diameter of the current State or County champion tree of that species, which is a smaller size measured at 4.5 feet above the ground, AND trees that are 24 inches in diameter or larger, measured at 4.5 feet above the ground.

The need to make non-compliance will affect the fiscal business decision never occurring due to more processing delays. The description of delay penalties for developments that do not comply should state that they begin after all other regulatory and procedural halts are completed, for example, after APFO waits are concluded.

The exemption for the agricultural activity should be related to a parcel's primary purpose. The usage of farm machinery alone, for exemption, should be clarified solely for correct farming needs.

*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 • Horizon Foundation • 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 Maryland • Safe Skies Maryland • Savage Community Association • The People's Voice • Transition Howard County*

In addition, there should be removal on the exemption for parcels less than an acre. Overall, it could be more productive to use a set number of trees, which requests must be made and exemptions not granted, versus the size or purpose of parcels. It would lead to more relevant and significant volume decisions. The County should not exempt itself from these evaluations either

Herein, please recall, that any lost exemption is not a disallowance of tree removal, but simply applying the process requiring permitting.

Sincerely,

Howard County Citizen's Association

Stu Kohn

President

Safe Skies Maryland

Mark Southerland

Legislative Director

Howard County Bird Club

Mary Maxey

President

Savage Community Association

Susan Garber

Board Member

Maryland Ornithological Society

Kurt Schwarz

Conservation Chair

Sierra Club Howard County

Carolyn Parsa

Chair

Maryland Conservation Council

Paulette Hammond

President

The People's Voice

Lisa Markovitz

President

cc: The Honorable Calvin Ball, County Executive

September 20, 2021

RE: Support with amendments to CB64-2021

Dear Council Members:

We are happy to see a system set up to create further protections of specimen trees. It is vital to retain forest cover as new plantings do not come close to replacing lost trees for decades. To fully implement the preservationist goals in the Bill, we offer the following requests for fewer exemptions.

The exemption for development subject to Forest Conservation regulations should instead read to have whichever more restrictive requirements apply, notwithstanding Amendment 1 which isn't fully clearly relating to events prior to the DPZ "process". This is important to actually close the referenced loophole, for current and future protection.

Howard County was not in compliance with MD law and allowed more tree removal than was appropriate, for a very long time. We are playing catch-up. Thus, it would be best to have a stronger requirement and define specimen trees at a lower measurement, such as 24 inches in diameter or larger, measured at 4.5 feet above the ground.

The need to make compliance never be a fiscal business decision requires adequate penalties. Processing delays are imperative and appreciated. The delay penalties for developments that do not comply should state that they begin after all other regulatory and procedural halts are completed, for example, after APFO waits are concluded.

The criteria for determining exemptions should be related to clearing reasons and numbers of trees, not the size or usage of parcels. For example, there should be removal of the exemption for parcels less than an acre. As we see Accessory Dwelling Units possibly utilized more in the future, smaller areas should be part of the process. If the goal is to relate solely to construction clearing management, then residential uses could be noted with minimal amounts exempted regardless of parcel size. Using a number of trees desired to be cut, as a criteria point, would capture all types of preservation concerns, and not scoop up small residential/farm needs in acreage limits.

If it is desired to retain usage and acreage limitations, the following exemptions still need clarifying. The exemption for agricultural activity should be related to a parcel's primary purpose. The usage of farm machinery alone, as an exemption, should be noted as solely for actual farming needs.

3600 Saint Johns Lane, Suite D, Ellicott City, MD 21042

Lastly, the County should not exempt itself from these evaluations either

Herein, please recall, that any lost exemption is not a disallowance of tree removal, but simply applying the process requiring permitting.

Thank you.

Lisa Markovitz
President