



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

County Council regarding CB78-2021 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: October 18, 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

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.



**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 CB78-2021 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: 10/18/2021

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: Tori Diersen

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.

October 18, 2021

Re: OPPOSITION TO CB78 – New Forest Conservation Definitions

Dear Counsel Chair Walsh and Members of the Howard County Council:

The Howard County Chapter of the Maryland Building Industry Association (MBIA) writes in opposition to Council Bill 78, which would create a lookback provisions for the disturbance of certain trees as well as revise the definition of specimen trees. The Forest Conservation Act of Howard County was repealed and reenacted in December 2019 with an effective date of February 5, 2020. A revised Forest Conservation Manual was approved by Resolution in February 2021. Since these Acts and Manuals were only recently passed, it is an unreasonable burden on builders and developers to now consider additional changes to the Forest Conservation Act. Both the County and the industry has only begun to implement these new rules and their isn't a track record that indicates that changes are necessary at this time.

This legislation would create a largely unenforceable legislative mandate that would change the definition of a specimen tree to be more broadly defined and retroactively apply these standards to trees that have been cleared in the last 5 years. Retroactively applying this standard would endanger multiple projects and homeowners that have complied with current standards and place projects in which considerable funds and manpower have already been attributed. Additionally, the practicality of determining which trees over the past 5 years that have been cleared met the standard outlined in the bill would be difficult, if not impossible to determine and constitute a considerable investment in time and funds, and which will ultimately lead to an inaccurate count of specimen trees since there is not a practical way to determine which trees met the standard prior to being cleared.

We do not agree that Howard County's definition of specimen trees should be different than that defined in the State Forest Conservation Act. In our opinion, the change would have unintended consequences and probably lead to development rights being further constrained. The fiscal impact of further limiting development has not properly been analyzed especially since the Variance process was only recently changed in the 2019 legislation.

For these reasons, MBIA respectfully requests the Council vote against Council Bill 56-2020. Thank you for your attention to this vital issue and your continued support of the local home building industry. If you have any questions about these comments and would like to discuss MBIA's position further, please do not hesitate to contact me at iambruso@marylandbuilders.org or (202) 815-4445.

Best regards,

Isaac Ambruso, Director of Legislative and Regulatory Affairs

Cc: Counsel Chair Elizabeth Walsh
Vice-Chair Opel Jones
Councilmember Deb Jung
County Executive Calvin Ball
Councilman David Yungmann