

Introduced 7-6-2021  
Public Hearing 7-21-2021  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

### County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 12

#### Bill No. 56 -2021

Introduced by Liz Walsh

AN ACT adding new definitions to the Forest Conservation ordinance; establishing a "look-back" provision for the disturbance of certain trees; reducing the diameter threshold to 24 inches for forest retention; and generally relating to forest conservation in the County.

Introduced and read first time July 6, 2021. Ordered posted and hearing scheduled.  
By order Michelle Harrod  
Michelle R. Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on July 21, 2021.

By order Michelle Harrod  
Michelle R. Harrod, Administrator

This Bill was read the third time on Sept 8, 2021 and Passed , Passed with amendments , Failed .

By order Michelle Harrod  
Michelle R. Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Michelle R. Harrod, Administrator

Approved by the County Executive \_\_\_\_\_, 2021

\_\_\_\_\_  
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

*Tabled July 28, 2021*

1 **Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the**  
2 **Howard County Code is amended as follows:**

3 *By amending:*

4 *Title 16. Planning, Zoning, and Subdivisions and Land Development Regulations*

5 *Subtitle 12. Forest Conservation.*

6 *Section 16.1204. Forest conservation plan.*

7 *Section 16.1205. Forest retention priorities.*

8 *By adding and renumbering:*

9 *Title 16. Planning, Zoning, and Subdivisions and Land Development Regulations*

10 *Subtitle 12. Forest Conservation.*

11 *Section 16.1201. Definitions.*

12 *Item (n) Green Cultural Trail;*

13 *Item (bb) Specimen Tree; and*

14 *Item (dd) Targeted Ecological Area*

15

16 **Title 16. Planning, Zoning, and Subdivisions and Land Development Regulations.**

17 **Subtitle 12. Forest Conservation.**

18 **Section 16.1201. Definitions.**

19 Except as provided in subsection (ff) of this section, words and phrases used in this subtitle  
20 have their usual meaning unless defined in the Subdivision and Land Development Regulations  
21 as set forth in subtitle 1 of this title or as follows in this section:

22 (N) *GREEN CULTURAL TRAIL* MEANS A NETWORK OF INTERCONNECTED TRAILS EXTENDING  
23 FROM THE PATAPSCO RIVER UP TO THE HEADWATERS OF SEVERAL CONVERGING  
24 TRIBUTARIES AS DESCRIBED IN THE ELLICOTT CITY WATERSHED MASTER PLAN, DECEMBER  
25 2020, AS AMENDED.

26 (BB) *SPECIMEN TREE* MEANS A TREE REQUIRED TO BE LEFT IN AN UNDISTURBED CONDITION  
27 PURSUANT TO SECTION 16.1205(A).

28 (DD) *TARGETED ECOLOGICAL AREAS* MEANS LANDS AND WATERSHEDS OF HIGH ECOLOGICAL  
29 VALUE THAT HAVE BEEN IDENTIFIED AS CONSERVATION PRIORITIES AND MAPPED BY THE  
30 MARYLAND DEPARTMENT OF NATURAL RESOURCES, AS UPDATED.

1 **Sec. 16.1204. Forest conservation plan.**

2 (a) *Applicability.* Forest conservation plans, consistent with this subtitle and the manual, shall  
3 be submitted to the Department with applications for all development not exempt under  
4 section 16.1202 of this subtitle.

5 (b) *Professionally Prepared.* The forest conservation plan shall be prepared by a licensed  
6 forester, licensed landscape architect, or certified arborist.

7 (c) *Forest Stand Delineation.* The forest conservation plan shall include a forest stand  
8 delineation for the property to be subdivided, developed, or graded. An approved forest  
9 stand delineation is valid for five years. The forest stand delineation shall:

10 (1) Describe the extent and quality of existing forests and other vegetation and its  
11 relationship to environmentally sensitive areas on-site and to forest resources on  
12 adjacent properties.

13 (2) DESCRIBE THE EXTENT OF KNOWN OR PROBABLE CLEARING, CUTTING OR  
14 DISTURBING OF TREES OR VEGETATION ON-SITE WITHIN THE LAST FIVE YEARS.

15 ~~[[2]]~~(3) Be used during the review process to determine the most suitable and practical  
16 areas for forest conservation.

17 (d) *Forest Conservation Plan.* A forest conservation plan shall:

18 (1) State the net tract area, area of forest conservation required, and the area of forest  
19 conservation proposed on-site and/or off-site;

20 (2) Show the proposed limits of disturbance;

21 (3) Show locations for proposed retention of existing forest and/or proposed  
22 reforestation or afforestation. IF A PROPERTY OWNER CLEARS, CUTS OR DISTURBS  
23 TREES OR VEGETATION ON-SITE WITHIN THE FIVE YEARS PRIOR TO ENTERING THE  
24 DEVELOPMENT OR SUBDIVISION PROCESS, THEN THOSE TREES AND VEGETATION  
25 SHALL BE DESCRIBED IN THE PLAN AND THE PROPERTY SUBJECT TO THESE  
26 REGULATIONS AS THOUGH STILL EXISTING ON-SITE;

27 (4) Justify the following, if existing forest cannot be retained:

28 (i) How techniques for forest retention have been exhausted;

29 (ii) Why the priority forests specified in section 16.1205 of this subtitle cannot be left  
30 in an undisturbed condition;

- 1 (iii) If priority forests and priority areas cannot be left undisturbed, where on the site  
2 in priority areas reforestation or afforestation will occur in compliance with  
3 section 16.1208 of this subtitle;
- 4 (iv) How site design requirements will be followed to maximize meeting forest  
5 conservation obligations on-site in compliance with section 16.1209 of this  
6 subtitle;
- 7 (v) How the sequence for preferred reforestation or afforestation location and  
8 methods will be followed in compliance with section 16.1208 of this subtitle; and
- 9 (vi) Why reforestation or afforestation requirements cannot reasonably be  
10 accomplished on- or off-site, or through a forest mitigation bank, if the applicant  
11 proposes payments of an in-lieu fee to the forest conservation fund;
- 12 (5) Show proposed locations and types of protective devices and measures to be used  
13 during construction to protect trees and forests designated for conservation, including  
14 protection of critical root zones;
- 15 (6) In the case of reforestation or afforestation, include a reforestation or afforestation  
16 plan, with a timetable, description of needed site and soil preparation, and the species,  
17 size, and spacing of plantings;
- 18 (7) Include a minimum three growing season forest conservation agreement as specified in  
19 the manual that details how the areas designated for retention, reforestation or  
20 afforestation will be maintained to ensure protection and satisfactory establishment,  
21 including a reinforcement planting provision if survival rates fall below required  
22 standards. Financial security shall be provided for the forest conservation agreement as  
23 provided in section 16.1210 and the manual. Minor subdivisions which meet forest  
24 conservation requirements entirely by forest retention are not required to have a forest  
25 conservation agreement;
- 26 (8) Include a deed of forest conservation easement with a plat of the forest conservation  
27 easement area, as specified in the manual that:
- 28 (i) Provides protection, in perpetuity, for areas of forest retention, reforestation and  
29 afforestation; and

- 1 (ii) Limits uses in areas of forest conservation to those uses that are designated and
- 2 consistent with forest conservation, including recreational activities and forest
- 3 management practices that are used to preserve forest;
- 4 (9) Include other information the Department determines is necessary to implement this
- 5 subtitle; and
- 6 (10) Be amended or a new plan prepared, as provided in the manual, if required as a result
- 7 of changes in the development or in the condition of the site.

8

9 **Section 16.1205. Forest retention priorities.**

10 (a) *On-site forest retention required.*

11 Subdivision, site development, and grading shall leave the following vegetation and specific

12 areas in an undisturbed condition:

- 13 (1) Trees and other vegetation identified on the lists of rare, threatened and endangered
- 14 species of the U.S. fish and wildlife service or the Maryland Department of Natural
- 15 Resources;
- 16 (2) Trees that are part of a historic site, [[or]] associated with a historic structure OR ARE
- 17 THEMSELVES HISTORIC STRUCTURES;
- 18 (3) [[State champion trees, trees 75% of the diameter of state champion trees, and trees 30"
- 19 in diameter or larger.]] TREES WITH A DIAMETER OF 75% OR MORE OF THE DIAMETER OF
- 20 THE CURRENT STATE OR COUNTY CHAMPION TREE OF THAT SPECIES, WHICHEVER IS
- 21 SMALLER, MEASURED AT 4.5 FEET ABOVE THE GROUND; AND
- 22 (4) TREES THAT ARE 24 INCHES IN DIAMETER OR LARGER, MEASURED AT 4.5 FEET ABOVE
- 23 THE GROUND.

24 (b) *PRESUMPTION.*

25 IN THE ABSENCE OF AN APPROVED FOREST CONSERVATION PLAN AS REQUIRED BY SECTION

26 16.1204 OF THIS SUBTITLE, EACH TREE DISTURBED IS PRESUMED TO BE A SPECIMEN TREE.

27 ([[b]] c) *On-Site Forest Retention Priorities.*

28 The following vegetation and specific areas are considered priority and are listed in order of

29 preference for on-site retention and protection in the County. Subdivision, site development,

1 and grading shall leave the following vegetation and specific areas in an undisturbed  
2 condition unless demonstrated, to the satisfaction of the Department, that reasonable efforts  
3 have been made to protect them and the plan cannot be reasonably altered or that forest  
4 planting in an alternate location would have greater environmental benefit:

5 (1) Howard County Green Infrastructure Network, THE GREEN CULTURAL TRAIL AND  
6 TARGETED ECOLOGICAL AREAS[.];

7 (2) 100-year floodplain as defined in the Subdivision Regulations[.];

8 (3) TREES WITHIN CEMETERIES OR HISTORIC DISTRICTS THAT ARE 12  
9 INCHES IN DIAMETER OR LARGER, MEASURED AT 4.5 FEET ABOVE THE GROUND;

10 ([[3]] 4) Stream buffers as defined in the Subdivision Regulations;

11 ([[4]] 5) Forested wetlands and wetland buffers as defined in the Subdivision Regulations;

12 ([[5]] 6) Critical habitat areas and forest corridors with a minimum width of 300 feet,  
13 where practical, for wildlife movement;

14 ([[6]] 7) Steep slopes as defined in the Subdivision Regulations and slopes of 15 percent or  
15 greater with a soil erodibility factor greater than 0.35;

16 ([[7]] 8) Forest contiguous with the priority areas listed above;

17 ([[8]] 9) Forest contiguous with off-site forest, if the off-site forest is also protected by a  
18 Forest Conservation Easement; and

19 ([[9]] 10) Property line and right-of-way buffers, particularly adjacent to scenic roads.

20 ([[c]] D) *Off-Site Retention.*

21 (1) The County or a developer may provide for off-site forest retention at a ratio of two  
22 acres of forest retention for every one acre of forest conservation obligation. The off-  
23 site forest must not be currently protected in perpetuity by easement or other long-term  
24 protection measures.

25 (2) The vegetation and specific area priorities for locating off-site forest retention under  
26 this subsection are the same as provided under subsection (b) of this section.

27

1 *Section 2. Be it further enacted by the County Council of Howard County, Maryland, that items*  
2 *(n) through (ff) of the Section 16.1201 of the County Code are hereby renumbered to be items (n)*  
3 *through (ii), respectively.*

4

5 *Section 2. And Be It Further Enacted by the County Council of Howard County,*  
6 *Maryland that this Act shall become effective 61 days after its enactment.*

**Office of the County Auditor**  
**Auditor's Analysis**

**Council Bill No. 56-2021**

Introduced: July 6, 2021  
Auditor: Michael A. Martin

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Fiscal Impact:

At this time, it is not clear if this legislation will result in additional County costs. The Administration has indicated the new forest planning review requirements will result in additional work for County staff; however, the extent of the additional work cannot be determined until guidance for the review process has been developed.

According to the Director of the Department of Planning and Zoning (the Director), the additional work required under Section 16.1204(c)(2) and Section 16.1204(d)(3) will be performed by the applicant's consultant, which will require additional hours of work by the Department of Planning and Zoning (DPZ) staff to review the evidence provided by the consultant. The Director indicated this process may be challenging for the staff as there are no set guidelines in place and historical aerial photos may not provide sufficient evidence to verify the information provided.

The Director also said that by reducing the threshold requiring tree retention from a 30-inch diameter at breast height (DBH) to a 24-inch DBH, development may become more difficult, possibly resulting in more requests for variances to remove specimen trees. This would again require more DPZ staff time to review these variance requests.

Purpose:

This legislation adds new definitions to the Forest Conservation Ordinance, establishes a "look-back" provision for the disturbance of certain trees, and reduces the forest threshold diameter from 30 inches to 24 inches. The bill also proposes changing the on-site forest retention priorities to include the Green Cultural Trail, Targeted Ecological Areas, and trees within cemeteries or historic districts that are at least 12 inches in diameter at 4.5 feet above ground. (Currently, only specimen trees with a diameter of at least 30 inches are protected by a Forest Conservation Plan.)



Other Comments:

The Director anticipates that the below plans will be grandfathered in under the proposed legislation:

- Signed preliminary or preliminary equivalent sketch plans
- Approval letters for a final plan (minor subdivision or re-subdivision)
- Signed site development plans

Submitted plans that do not meet the current grandfathering requirements when this bill goes into effect will be subject to the parameters of the new legislation.

This legislation introduces Green Cultural Trails, Specimen Trees, and Targeted Ecological Areas under the definitions of Section 16.1201. The Director is unsure how to interpret these terms in implementing the legislation.

CB56-2021

**Sayers, Margery**

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**From:** Liz Feighner <liz.feighner@gmail.com>  
**Sent:** Tuesday, September 7, 2021 10:47 AM  
**To:** CouncilMail; Rigby, Christiana  
**Subject:** Please support CB56 & CB57

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

Please support CB56 which restricts tree-clearing activity for the sake of development projects and CB57 which strengthens the penalties for non-compliance with the Forest Conservation ordinance of the County.

I live near the milk-coop property which is being developed into Wellington Farms, approximately 400 homes, and this development will be building homes within the Green Infrastructure Network designated areas. Instead of preserving the trees within this boundary, the plans show housing being built into the GIN designated area butting right up to the Gorman Crossing Elementary School. What little designation/protection provided by the GIN will be gone with this development.

Please support CB56 & CB57 to strengthen protection of the environment by preserving more trees.

Thank you,

Liz Feighner  
Howard County District 3

*"We do not inherit the Earth from our Ancestors; we borrow it from our children" ~ Native American Proverb*

## Sayers, Margery

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**From:** wprather42@gmail.com  
**Sent:** Monday, September 6, 2021 4:48 PM  
**To:** CouncilMail  
**Subject:** Support for CB56 and CB57!!

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

Writing to voice my support for bills CB56 and CB57, sponsored by Liz Walsh.

The climate crisis IS HERE. The news this past week about flooding for our neighbors in New York and Pennsylvania makes it clear that now more than ever, we need to protect trees in Howard County!

We need to find ways to support SUSTAINABLE development, while protecting trees. They are the “lungs” that keep the environment breathing and capturing carbon. Our past practice of clearing mass tracts of mature trees and replacing them with tiny ones that won’t be equally effective for 20 years – is 20 years too late.

Thank you!  
Wanda Prather  
6320 Velvet Path  
Columbia 21044

**Sayers, Margery**

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**From:** Ruth Nimmo <ruthnimmo77@gmail.com>  
**Sent:** Monday, September 6, 2021 9:36 AM  
**To:** CouncilMail  
**Subject:** CB56 and CB57

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

Dear Deb Jung,

Please vote in support of two county council bills that will strengthen environmental protection in Howard County. CB56 restricts tree cutting for development projects and CB57 strengthens penalties for non-compliance with Forest Conservation ordinances. Our environment is in trouble and we need to do all that we can to protect it.

Sincerely,

Ruth Nimmo  
10001 Windstream Drive, Apt. 805  
Columbia, MD 21044

**Sayers, Margery**

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**From:** Carla Tevelow <perlpubl@gmail.com>  
**Sent:** Saturday, September 4, 2021 11:56 AM  
**To:** CouncilMail  
**Subject:** support CB56 and CB57

[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:

We are watching the negative effects of fossil fuels and pollution on our environment daily. One easy and noninvasive way to not add to the problem is to pass both CB56 and CB57.

CB56 sponsored by Councilmemeber Liz Walsh restricts the clearing of trees for the sake of development. This act will protect our environment by keeping trees in the ground as they are a carbon holder and absorb air pollution.

Also, CB57 strengthens penalties for non-compliance with the Forest Conservation ordinance of the county and mandates the assessment of fines and penalties of non-compliance. This bill will hopefully deter anyone/business from not abiding by the Forest Conservation ordinance.

As Howard County likes to name itself a leader for a healthy environment, passing both of these bills would be a nice demonstration.

Please support CB56 and CB57.

Thank you.

Peace,

Carla Tevelow

## Sayers, Margery

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**From:** Bill Rados <wrados@verizon.net>  
**Sent:** Saturday, September 4, 2021 10:59 AM  
**To:** CouncilMail  
**Subject:** Vote 'yes' on CB56-2021 and CB57-2021

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

Dear Councilman Yungmann:

I strongly encourage you to vote 'yes' on CB56-2021 and CB57-2021.

- CB56 strengthens protections for our trees and the environment by restricting tree-clearing activity for the sake of development projects.
- CB57 strengthens the penalties for non-compliance with the Forest Conservation ordinance of the County and mandates the assessment of fines and penalties for non-compliance.

Please vote "yes" on both of these important bills.

Thank you.

Bill Rados  
15201 Callaway Ct.  
Glenwood, MD 21738

**Sayers, Margery**

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**From:** Lynn Foehrkolb <lfoehrkolb@yahoo.com>  
**Sent:** Friday, September 3, 2021 4:19 PM  
**To:** CouncilMail  
**Subject:** CB56-2021 and CB57-2021

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

To Deb Jung:

Please vote 'yes' on CB56-2021 and CB57-2021.

Thanks very much,  
Lynn Foehrkolb

**Sayers, Margery**

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**From:** Kit Heckman <kit.heckman@gmail.com>  
**Sent:** Friday, September 3, 2021 3:19 PM  
**To:** CouncilMail  
**Subject:** vote 'yes' on CB56-2021 and CB57-2021.

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

We need trees! Floods are bad, air is good! You can build a house in less than a year, it could take decades to grow another tree. Do the right thing!



**Sayers, Margery**

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**From:** no-reply@howardcountymd.gov  
**Sent:** Friday, September 3, 2021 3:18 PM  
**To:** joanneoheckman@gmail.com  
**Subject:** Council - vote 'yes' on CB56-2021 and CB57-2021

**First Name:** Joanne  
**Last Name:** Heckman  
**Email:** [joanneoheckman@gmail.com](mailto:joanneoheckman@gmail.com)  
**Street Address:** 11174 Wood Elves Way  
**City:** COLUMBIA  
**Subject:** vote 'yes' on CB56-2021 and CB57-2021

**Message:** Development in this county has gotten so out of control that we barely have any trees left to save. It's short-sighted and unfair. The only people profiting are developers, and they already seem to hold all the power in every civic decision we make. Please make at least one concession to the environment and the public's quality of life.

**Sayers, Margery**

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**From:** DeadeyeDave3 <deadeyedave3@gmail.com>  
**Sent:** Friday, September 3, 2021 3:15 PM  
**To:** CouncilMail

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

I call upon Howard County councilors to protect our trees by voting Yes on CB56-2021 and CB57-2021. We are in the midst of climate collapse and we have to fight on behalf of the environment at every turn and in every available way. Do not let greedy destructive wealthy developers continue to reverse progress towards a livable world.

## Sayers, Margery

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**From:** bdandridge@verizon.net  
**Sent:** Friday, September 3, 2021 1:56 PM  
**To:** CouncilMail  
**Subject:** Protect our trees

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

Dear Council David Yungman,

I live in Chapel Woods in Clarksville and I am asking you to please vote yes on the following legislation to protect our trees: CB56-2021 and CB57-2021. Trees are so important to our ecosystem and the survival of the human race. I can tell you from personal experience that too people in Howard County and especially in Chapel Woods do not value trees. Last year we had to obtain a lawyer to stop our new neighbors whose property abuts our property who had already cut down 40 to 50 200 foot trees, from continuing to cut any more majestic trees down, causing a tremendous erosion problem on my property. Because Chapel Woods is divided into 3 sections: Chapel Woods 1, Chapel Woods 2 and Chapel Woods 3, each section has separate covenants. I live in Chapel Woods 2 and our covenants have very specific provisions protecting trees but Chapel Woods 1, where my new neighbors live, have nothing in their covenants protecting trees. When I attended their neighborhood meeting, expressing my concerns about the issue of protecting trees in Chapel Woods, I was informed that their was nothing in their covenants protecting trees and they were not interested in changing their covenants to add a new covenant that would protect trees.

I also contacted the county administration seeking assistance but no one was able or willing to assist me. We have a stream that runs through our property and other sections of Chapel Woods that flows into two major ponds, merging into the Chesapeake Bay, that look like green marshland. When we bought our lot in 1990 that stream was beautiful, so pristine that you could see the fish swimming in it. Please take action to address this horrendous destruction of our ecosystem, signing the most necessary legislation, CB56-2021 and CB57-2021. Thank You!!!

**Sayers, Margery**

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**From:** Sara Keller <sarackeller81@gmail.com>  
**Sent:** Friday, September 3, 2021 12:45 PM  
**To:** CouncilMail  
**Subject:** CB56-2021 and CB57-2021: Deb Jung

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

Every year, driving through my home county makes me sad. We are losing trees like crazy, one of the most important stands against flooding from climate change. Please vote yes on CB56-2021 and CB57-2021.

Sara Keller  
8229 Rippling Branch Rd  
Laurel, MD

## Sayers, Margery

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**From:** Harriett Katzen <hkatzen7@gmail.com>  
**Sent:** Friday, September 3, 2021 12:38 PM  
**To:** CouncilMail  
**Subject:** CB56-2021 & CB57-2021

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

Dear Councilman Jones and other members of the county council.

Make our environment a priority and vote **YES** for CB56-2021 & CB57-2021.

Restrict tree clearing for the sake of development. Old trees will have a greater positive impact on our environment than the small trees that builders will plant if they plant any trees at all.

Strengthen the penalties for people and organizations that don't comply with the county's Forest Conservation ordinance by mandating fines and penalties for those who don't comply.

Make Howard County a place where we can all breathe free and help us to be an example of how a local government can be environmentally responsible.

Thank you for your YES votes.

Harriett Katzen,  
County resident and voter

## Sayers, Margery

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**From:** Janine Pollack <jnp404@yahoo.com>  
**Sent:** Friday, September 3, 2021 11:28 AM  
**To:** CouncilMail  
**Subject:** YES on CB56-2021 and CB57-2021

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

Dear Councilman Jones,

I am urging you to vote YES on CB56-2021 and CB57-2021 to provide better protection and enforcement of forest conservation regulations. By restricting tree-clearing activity for the sake of development and strengthening penalties for non-compliance with forest conservation ordinances, these two pieces of legislation will go a long way to protecting the environment in Howard County, something extremely important to me and so many of my neighbors. As I'm sure you know, the impacts of climate change are already barreling down upon us. Trees are a simple way to reduce greenhouse gases in the atmosphere, mitigate the damaging effects of stormwater and also beautify our communities. As one of your constituents, I am asking that you please support these important bills.

Sincerely,  
Janine Pollack

6401 Saddle Drive  
Columbia, MD

( ) ( )

**Sayers, Margery**

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**From:** Susann Mick <susannmick@yahoo.com>  
**Sent:** Friday, September 3, 2021 10:59 AM  
**To:** CouncilMail  
**Subject:** Tree Clearing

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

Howard County Council,

Please restrict tree clearing. We can't plant trees fast enough to replace the ones removed. We need every tree we have to keep our County green. That's why people move here.

Many thanks. A committed voter.

Susann Mick

**Sayers, Margery**

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**From:** avwit@aol.com  
**Sent:** Friday, September 3, 2021 10:48 AM  
**To:** CouncilMail  
**Subject:** CB56- 2021 & CB57-2021

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

As a constituent of Deb Jung and resident of Howard County, I strongly support the passage of CB56-2021 and CB57-2021.

Trees are one of our most critical resources for our health and safety. The effects of climate change are mitigated by our trees and paving over our lovely forested areas just makes no sense at all.

Save our trees and prosecute those who wantonly destroy them!

Ann Witten

10703 Shady Summer Dr.

Columbia



CB 56 - 2021

**Sayers, Margery**

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**From:** Locke Joanne <joannelocke@gmail.com>  
**Sent:** Friday, September 3, 2021 10:24 AM  
**To:** CouncilMail  
**Subject:** 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 Councilman Jones

Please vote 'yes' on CB56-2021 and CB57-2021.

- CB56 sponsored by Councilmember Liz Walsh strengthens protections for our trees and the environment by restricting tree-clearing activity for the sake of development projects.
- CB57 strengthens the penalties for non-compliance with the Forest Conservation ordinance of the County and mandates the assessment of fines and penalties for non-compliance.

Your constituent,

Joanne Locke  
8575 Autumn Harvest  
Ellicott City 21043

**Sayers, Margery**

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**From:** kathy jordan <travelkj@aol.com>  
**Sent:** Friday, September 3, 2021 8:59 AM  
**To:** CouncilMail  
**Subject:** Please vote 'yes' on CB56-2021

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

Thank you. Rev Kathy Jordan. 8095 Jane Garth, 20794

Sent from my iPhone

## Sayers, Margery

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**From:** Mj Monck <mjmonck@gmail.com>  
**Sent:** Friday, September 3, 2021 7:39 AM  
**To:** Jung, Deb; CouncilMail  
**Subject:** CB56 & CB57

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

Deb,

I urge you to support both CB56 and CB57. As we've seen over and over again in the last few years, if we don't protect our environment we will have nothing.

These bills strengthen protection for our trees and environment. Here, in Maryland, trees are so important in safeguarding our Bay from the runoff of rains and in providing habitat for wildlife.

We have already lost too many trees to development. We must find a way to preserve them.

Thank you for your support.

Marijane Monck

- **CB56 sponsored by Councilmember Liz Walsh strengthens protections for our trees and the environment by restricting tree-clearing activity for the sake of development projects.**
- **CB57 strengthens the penalties for non-compliance with the Forest Conservation ordinance of the County and mandates the assessment of fines and penalties for non-compliance.**

**Sayers, Margery**

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**From:** DaleNSchumacher <dalenschumacher@aol.com>  
**Sent:** Thursday, September 2, 2021 11:25 PM  
**To:** CouncilMail  
**Subject:** Support trees -slow global warming 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.]

Mother nature is sending another message.

Ida swept over New York City, Central Park recorded 3.15 inches of rain in a single hour on Wednesday night, smashing the previous one-hour record of 1.94 inches set on Aug. 21 during Tropical Storm Henri. NYT 9-2-21

Please support CB 56 2021 and 57 2021  
Thank you,

Dale

Dale N. Schumacher, MD  
410 984 0789

**Sayers, Margery**

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**From:** Laura Halsor <lshalsor@gmail.com>  
**Sent:** Thursday, September 2, 2021 11:01 PM  
**To:** CouncilMail  
**Subject:** Vote yes to CB56-2021 and CB57-2021

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

Thank you!

Jack and Laura Halsor

Sent from my iPad

## Sayers, Margery

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**From:** E Kato <euk369@gmail.com>  
**Sent:** Thursday, September 2, 2021 10:45 PM  
**To:** CouncilMail  
**Subject:** Please vote 'yes' on CB56-2021 and CB57-2021

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

Dear Representative Rigby,  
Please vote yes on CB56-2021 and CB57-2021. They are important steps towards protecting our environment and establishing accountable governance.

Thank you,

Liz Kato  
7335 Carved Stone  
Columbia, MD 21045

**Sayers, Margery**

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**From:** Jackie Melton <jmelton@iname.com>  
**Sent:** Thursday, September 2, 2021 10:37 PM  
**To:** CouncilMail  
**Subject:** Please vote YES on CB56-2021 & CB57-2021

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

Save our trees! I am really tired of seeing trees in Howard County disappear for the sake of development. We need accountability in enforcement of the Forest Conservation ordinance.

Thanks,  
J Melton  
Columbia, MD

--  
Sent from my Android phone with [mail.com](mailto:) Mail. Please excuse my brevity.

CB56-2021

**Sayers, Margery**

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**From:** Lavanya <lavanya.gurumurthy@gmail.com>  
**Sent:** Sunday, August 15, 2021 1:48 PM  
**To:** CouncilMail  
**Subject:** CB56-2021

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

Hello,

I am a resident of Howard county and got a notification via mail to vote on CB56-2021. How do I register my vote?

Thanks,  
Lavanya



## Sayers, Margery

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**From:** Mary Arrington <maryelda@verizon.net>  
**Sent:** Thursday, August 12, 2021 5:25 PM  
**To:** CouncilMail  
**Subject:** I support CB-56-2021 and CB-57-2021

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

Subject: I support CB-56-2021  
County Council Member:

I support CB-56-2021 to retain trees 24 inches wide and above when developers develop land. I am against clear cutting land as it takes away a natural, free way to reduce carbon, pollution, and global warming. Please support CB-56-2021 to help our county maintain clean air and prevent global warming.

Mary E. Arrington

Subject: I Support CB-57-2021  
County Council Member:

I support CB-57-2021 because this bill addresses 'accountability of developers' who have not followed good practice of saving trees for many, many years. Holding them financially accountable will, I believe, add the teeth necessary to guarantee tree retainment. Please vote to support CB-57-2021.

Mary E. Arrington

## Sayers, Margery

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**From:** no-reply@howardcountymd.gov  
**Sent:** Wednesday, August 11, 2021 3:53 PM  
**To:** maryelda@verizon.net  
**Subject:** Council - I support CB-56-2021

**First Name:** Mary  
**Last Name:** Arrington  
**Email:** [maryelda@verizon.net](mailto:maryelda@verizon.net)  
**Street Address:** 2520 Pfefferkorn Rd.  
**City:** West Friendship  
**Subject:** I support CB-56-2021

**Message:** Subject: I support CB-56-2021 County Council Member: I support CB-56-2021 to retain trees 24 inches wide and above when developers develop land. I am against clear cutting land as it takes away a natural, free way to reduce carbon, pollution, and global warming. Please support CB-56-2021 to help our county maintain clean air and prevent global warming. Mary E. Arrington

## IndivisibleHoCoMD

CB56-2021: Amending The Forest Conservation Ordinance

My name is Dan Hajdo and I'm speaking on behalf of the Economic Equity Action Team of Howard County Indivisible. I am here to express our strong support for CB-56.

Many others have expressed support for this bill, and some of what I say will echo that testimony. Still, I want to add a perspective on this bill that may not have been voiced by others. It is a perspective from the standpoint of equity.

First, we are in a climate emergency, one where the crimes against our environment (and hence ourselves), disproportionately affect the marginalized and dispossessed. In such a tremendous, worldwide crisis it is easy view local decisions as unimportant. Yet this emergency calls on everyone to do as much as they can. Just as we take every precaution we can, locally, in our public health crisis, we should view our responsibility to others in the same way in our local action on the climate crisis. CB-56 is a step in the right direction.

Second, just as public parks in general, public schools, and fire departments benefit us all, a sustainable, resilient ecosystem also benefits all regardless of economic status. It is a public good. CB-56 strengthens protection of that public good. Our forests are a public good. On the other hand, making things easier, and just that much more profitable for developers is not. We should not act as if the two considerations require some balance.

Third, CB-56 establishes a 5 year "look-back" period that helps close a loophole in existing practice – a loophole that benefits a few wealthy corporations and individuals. It's the kind of loophole, and the kind of benefit, no one else enjoys. Not that there aren't many more such inequities in our laws, but, every attempt to rectify such unwarranted favorable treatment is a step in the right direction.

We are all aware of an obvious objection, that there is a an oft repeated story that tells us the pursuit of corporate profit is actually a public good. There is only time here to say, that story would be more convincing if it didn't contradict sound theory and experience.

## Sayers, Margery

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**From:** Sarah Scott <sarahkscott12@gmail.com>  
**Sent:** Friday, July 30, 2021 12:39 PM  
**To:** CouncilMail  
**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.]

Please stop cutting down so many trees!

I am from the piney woods of East Texas, where tall trees create beautiful forests providing shade from the summer sun and homes for wildlife. When I moved to Howard County 5 years ago, I fell in love with the beautiful forests that reminded me of home. I admire the way Columbia is nestled among the trees demonstrating harmony with man and nature.

But lately I've seen more clearing of large swaths of land for development. I understand progress, but there is no harmony, only discord. Our world is demonstrating more and more signs of a climate in trouble, and our actions in our own backyard should be where we more fiercely work to protect the environment. I have a 2 year old daughter, and I worry about the world she will inherit. I want to feel that Howard County will work to protect the earth and be a safe haven for nature. I love the hiking trails along the Patuxent and paths through wooded neighborhoods.

I believe that the proposed bills will protect mature and historic trees, fight climate change by sequestering carbon, slow storm water runoff, reduce flooding, provide habitat to wildlife, assure tree equity in communities of color, positively impact mental health, keep developers from purposely and repeatedly breaking the regulations to make even bigger profits. I strongly encourage you to vote in favor of them.

I watched a large lot off of Vollmerhausen Road near my home get decimated for new constructions (and that's nothing compared to where apartments and condos are being built), and when I told my daughter that seeing so many trees cut down at once makes me sad, she replied "It makes me sad, too, mommy. I loooove trees!" Please take every action available to you to strengthen the forests and wildlife of Howard County. Our children's future is worth far more than a developers profits. Please.

Thank you,  
Sarah Scott



11825 West Market Place | Fulton, MD 20759 | 301-776-6242

CB 56-2021

June 21, 2021

**Re: OPPOSITION TO CB56 – 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 56, 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](mailto: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

## Sayers, Margery

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**From:** Tori Diersen <torridtorid@yahoo.com>  
**Sent:** Wednesday, July 28, 2021 8:45 AM  
**To:** CouncilMail  
**Subject:** Support of CB 56 and CB 57

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

I am writing in support of CB 56 and 57 because I believe they will protect our natural environment which is CRITICAL to our futures. Saving mature and historic trees not only beautifies our neighborhoods, but it also helps with water management by slowing run-off (therefore preventing flooding). Additionally, preventing soil erosion and protecting natural habitats for insects, birds, and many other members of the wildlife community that we share our space with is of extreme importance to me and many of those that I know. I feel disappointed by the number of times I hear about a developer ignoring regulations and damaging our environment because the consequences are not enough of a deterrent when weighed against the monetary profit they will experience. It is emotionally exhausting and disappointing to know that the interests of me and my loved ones are not being protected. I absolutely favor the natural environment over concrete and steel monstrosities and nature brings me and nearly everyone I know a sense of peace, health, and relaxation. Please consider CB 56 and 57 positively and demonstrate that you care about the mental and emotional health of the residents in your county as well as the environment and our futures.

Thank you,  
Tori Diersen  
Savage, MD

**Sayers, Margery**

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**From:** Susan Garber <buzysusan23@yahoo.com>  
**Sent:** Friday, July 23, 2021 3:37 PM  
**To:** CouncilMail  
**Subject:** Washington Post article on tree inequity and urban heat islands CB56 and 57  
**Attachments:** A cool idea for low-income urban areas hard hit by warming climate\_ More trees - The Washington Post.pdf

[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 have attached the article I referenced in my testimony on Wednesday evening. I felt certain you would want to read it in its entirety. "Tree equity" is a genuine health issue and something Howard County should be addressing, including in the development of the next General Plan. It is not enough to try to "fix" the issue with replanting of small young trees. Special prioritization must be given to the **preservation of remaining trees** (perhaps by setting aside *hands-off areas*) in existing urbanized areas designated for growth and density increases. Alternately, identified **'tree deserts'** should be excluded from consideration for additional growth/density increases so that citizen to mature tree ratio is not dropped further.

Additionally, replacement of street trees needs greater emphasis and funding to cool the sidewalks in the desired 'walkable communities'. I recall during budget work sessions that DPW has a very large backlog of requests for street tree replacement that can only be diminished with the allocation of resources in future budget years.

Thank you for consideration of these thoughts as you deliberate on CB56 & 57. I strongly urge your support of both bills without amendment.

Regards,

Susan Garber  
North Laurel/Savage

# A cool idea for low-income urban areas hard hit by warming climate: More trees

By Alex Brown

July 12, 2021 at 7:00 a.m. EDT



SEATTLE — As the Pacific Northwest sweltered through a recent record-breaking heat wave, many residents here in America's least air-conditioned city sought relief under the shade of cedars and maples in city parks. But in some areas of Seattle, that shelter was hard to come by.

"If you look at aerial photographs, north Seattle looks like a forest," said Washington state Rep. Bill Ramos, a suburban Democrat who sponsored a bill the legislature recently passed to help cities improve their tree canopy.

"On the south side, you see nothing but rooftops and asphalt and not a green thing anywhere. It's strictly a matter of socioeconomics and race."

That disparity is not unique to Seattle. American Forests, a Washington, D.C.-based conservation nonprofit group, released a nationwide analysis last month showing that low-income neighborhoods and communities of color have significantly less tree canopy. Those areas also are more likely to suffer from the urban heat island effect caused by a lack of shade and an abundance of heat-absorbing asphalt. Heat islands can be as much as 10 degrees hotter than surrounding neighborhoods.

"We found that the wealthiest neighborhoods have 65 percent more tree canopy cover than the highest poverty neighborhoods," said Ian Leahy, the group's vice president of urban forestry. "As cities are beginning to heat up due to climate change, people are realizing that trees are critical infrastructure. I've never seen as much momentum toward urban forestry across the board."

In many cities and states, policymakers and advocates say they're aiming to correct decades of inequities in urban tree canopy.

They acknowledge how racist policies such as redlining have had a stark effect on the presence of urban green space, and that trees are important for public health. Some leaders have even pledged to use American Forests' "Tree Equity Score" to target their tree plantings in the neighborhoods that need it most.

"People weren't thinking about trees as these resources that provide a lot of benefits," said Kevin Sayers, urban forestry coordinator with the Michigan Department of Natural Resources. "They thought of them as niceties, and trees followed money. There's now a recognition that trees were not equitably distributed and maintained."

Sayers works to help cities and nonprofit groups manage and improve urban forests. Michigan's 10-year Forest Action Plan, which was drafted last year, calls for a neighborhood-by-neighborhood tree canopy analysis with the goal of



rian, which was granted last year, called for a neighborhood-by-neighborhood tree canopy analysis, with the goal of reaching equity. Sayers said he will work to incorporate the new tree equity data into that plan.

In many places, efforts to increase urban tree canopy are still in their early stages. Officials are conducting surveys, setting goals and making plans — while acknowledging the real work is still ahead. They say it will take time to build trust in underserved communities, scale up planting programs and change local laws to protect existing trees. But longtime foresters say political buy-in for such efforts has never been higher.

## 'Nature's air conditioners'

Trees provide important public health benefits, starting with the cooling shade they provide.

A study published last year in the journal *Environmental Epidemiology* found that heat causes thousands of excess deaths in the United States each year, far above official estimates. City and state leaders expect climate change to worsen the threat.

“Trees are nature’s air conditioners, and we’re starting to talk about them as a real adaptation investment,” said Shaun O’Rourke, a managing director at the Rhode Island Infrastructure Bank who also serves as the state’s chief resilience officer.

The state has worked with 20 municipalities in its program to fund climate resilience projects, and all of them have sought more resources for urban tree planting, O’Rourke said. Meanwhile, the Rhode Island Department of Health has incorporated tree canopy data into its health equity indicators, putting it alongside categories such as health-care access and food insecurity.

“The data shows that Latinos and African Americans have a higher likelihood of dying after five days of extreme heat, and that’s an injustice,” said Cindy Montañez, chief executive of Tree People, a nonprofit organization that works on planting and education projects near Los Angeles. “Planting trees is not about carbon reduction, it’s about saving lives.”

Los Angeles has appointed its first city forest officer to coordinate the city’s urban forestry efforts across departments. Rachel Malarich, who took the job in 2019, has been tasked with increasing tree canopy in underserved neighborhoods by 50 percent by 2028.

“Nineteen percent of all the tree canopy cover in Los Angeles exists where 1 percent of our population lives, concentrated in these affluent areas,” Malarich said. “The conversation has changed, and there are more public officials recognizing that tree canopy is not a beautification measure, but a central piece of our infrastructure.”

Trees also help to filter pollution from the air and absorb storm-water runoff. Studies also have shown that the presence of trees can have positive effects on mental health and cognitive function.

Earlier this year, the Phoenix City Council voted to partner with American Forests to create an equitable tree canopy across all of its neighborhoods by 2030. The city has identified the busiest walking corridors where shade could prove most beneficial, and it’s planning to plant 1,800 trees along nine miles of “cool corridors” each year.

In Boston, researcher and advocate Neenah Estrella-Luna is serving as a consultant to help draft the city’s first urban forest plan. Her team is working with city officials and community leaders to develop a pathway to tree equity in 20

years.

“The folks most marginalized — people of color, immigrants and low-income people — have the least access to anything green,” she said. “This is clearly an issue of environmental justice.”

## Legislative efforts

Some state lawmakers have been active on the issue, as well. Ramos introduced a bill this year that will require Washington’s Department of Natural Resources to conduct a statewide assessment of urban tree canopy to find where it’s lacking. The measure, which was adopted by large, bipartisan majorities and signed into law, will also allow the agency to provide technical assistance to local governments for forest management. Half the money must go to underserved communities.

“We know trees create better health,” Ramos said. “How can we say that some people should have trees and other people shouldn’t?”

In California, State Assembly member Luz Rivas, a Democrat from the San Fernando Valley, has sponsored a bill that would create a funding program to help communities adapt to extreme heat. Projects could include urban forestry and green spaces. The bill passed overwhelmingly in the Assembly and is under committee review in the state Senate.

## Taking root

State and local leaders acknowledge that reaching tree equity won’t be easy or simple. Many urbanized areas lack suitable places to plant, especially spots that can accommodate the large trees that provide the biggest benefits. Also, most urban trees grow on private land, meaning cities cannot rely only on parks and streets to reach their goals.

In many neighborhoods, cities have done a poor job of maintaining existing trees, which can damage houses and cars if unhealthy trees are left to fall. That has made some residents skeptical about new plantings.

“Tree planting is always a very visible thing, but nobody likes to give due recognition to tree maintenance,” Sayers said.

Even in cities with strong tree planting programs, leaders have found they are still losing canopy cover each year as urban sprawl and development uproots existing trees to make way for housing. Forestry experts say cities need strong tree protection ordinances to have a chance of reaching their goals.

Foresters say their programs are often understaffed, and they are some of the first to face cuts during difficult economic times. Kesha Braunskill, urban forestry coordinator with the Delaware Forest Service, said tree equity programs need to have a stronger workforce and a consistent presence in the areas they’re trying to reach.

“We need more of us, and more of us that look like the communities we serve,” she said. “We have to formulate relationships. We can’t just walk in, plant a tree and walk away.”

— **Stateline**

*Stateline is an initiative of the Pew Charitable Trusts.*

**Sayers, Margery**

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**From:** Elizabeth Fixsen <efixsen@yahoo.com>  
**Sent:** Friday, July 23, 2021 3:17 PM  
**To:** CouncilMail  
**Subject:** supporting CB 56 and CB 57

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

Dear County Council --

I am writing this message in support of these two bills, to ensure strong protection and preservation of trees and forests in Howard County. Please see this excerpt from "The Human Health and Social Benefits of Urban Forests" ([https://www.cdec.ny.gov/docs/lands\\_forests\\_pdf/ucfdovetail2016rpt.pdf](https://www.cdec.ny.gov/docs/lands_forests_pdf/ucfdovetail2016rpt.pdf))

Urban forests can provide economic, environmental, and social benefits. Economic benefits such as lower heating and cooling costs and higher property values are fairly well recognized. From an environmental perspective, urban forests tend to enhance regional biodiversity, mitigate stormwater management demands, and improve air quality. Urban forests can also increase carbon sequestration and reduce the urban heat island effect.

Howard County does need more housing -- AFFORDABLE housing. But forests should not be sacrificed for the sake of tract developments of single-family homes. Instead, we need to make more judicious use of existing land for multi-story housing for lower-income residents. If we keep cutting down more and more trees, the county will not be liveable for anyone.

Liz Fixsen  
8394 Commercial Street  
Savage, MD 20763



# HCCA

**Howard County Citizens Association**

*Since 1961...*

*The Voice Of The People of Howard County*

Date: 21 July 2021

Testimony in Support of CB56-2021

Susan Garber, North Laurel

I'm honored to have been asked by the Howard County Citizens Association, The People's Voice, and the Savage Community Association to speak in support of CB56. You're well aware that I often come to 'speak for the trees'. But tonight, in addition to the 5000+ members of the organizations for whom I am testifying, I'm speaking for the welfare of the existing residents of Howard County..... and the rest of the human race.

Anyone who has watched the news lately is aware of life threatening heat waves, droughts, and horrific forest fires in the Western US—which effected our air quality here today. Devastating flooding at **inconceivable** levels today in China and last week in Germany, one of the richest countries in the world, (plus other surrounding countries in Eastern Europe) has caused us to monitor the death toll and to say prayers....prayers for those lost **and** prayers of thanks that it wasn't us losing family and friends and all we possess. Has witnessing these disasters on the media brought home that being rich, like many in Howard County won't save you, your family, or your home—whether a mansion or a subsidized apartment. Fingers are being pointed at manmade climate change as a major contributing factor to these deadly situations.

While Howard County **has** implemented several things to reduce our contribution to climate change, we continue to fall far short in one critical area-- protecting our mature trees. Trees contribute so much, not the least of which is the sequestering of carbon and production of the oxygen we can't live without. Their roots stabilize the soil and soak up run-off. They provide habitat to many species and their sheer existence in our parks and trails helped center us and support our mental health during this long pandemic.

We're thankful that Council Chair Walsh, who has consistently taken action to protect our dwindling forests--especially where steep slopes and storm water management issues prevail-- has now submitted CB56. We were frankly very disappointed that Council members Jones, Rigby and Yungmann voted against the Amendment to CB42-2021, introduced by Liz Walsh and supported by Deb Jung, which would have reduced the number of years before an initial report on the effectiveness of our new Forest Conservation bill.

How much additional forest loss will occur over a 7 year period? How much will the frequency and severity of flooding, extremes of heat and cold, forest fires, hurricanes, tornados, etc. increase over 7 years if Howard County doesn't do its part to make wise decisions about protecting this limited precious resources.

There's only a small percentage of land left for development in this county. Yet I suspect that most developers today simply regard trees as an inconvenience or nuisance. This is unlike when lots Rouse was selling had signs indicating "Except for you, this tree is the most valuable thing on this lot." Sadly, today's developers see trees only as additional expense and additional limitations on layouts to achieve a desired number of units. To them, it appears trees are "a renewable resource", so replacing for example one 50 year old tree with 2 trees only a few inches in diameter is a fair trade off. BUT NO. That couldn't be further from the truth.

By all measurement, from shade and cooling produced, stabilization of soil, absorption of runoff, habitat provided to carbon sequestration and oxygen production—one would have to wait 30 to 50 years to gain back what has been lost by the destruction of that one mature tree. Which of you—or them—is willing to give up breathing for 30 -50 years while the world's trees catch up???

We hope **all** Council members will demonstrate to their constituents their full commitment to equitable forest preservation. Show that you understand the wisdom behind clearly establishing the criteria for specimen trees. Show that you can grasp how a tree can itself be historic. Show you are aware of the critical need for a look-back to put an end to owners/developers shamelessly unethically removing trees just ahead of submitting plans to avoid the expenses and regulations in place. Show you care more for the welfare of your constituents and the planet, than for a developer friend or campaign contributor. We urge you to vote yes on CB 56.

**Sayers, Margery**

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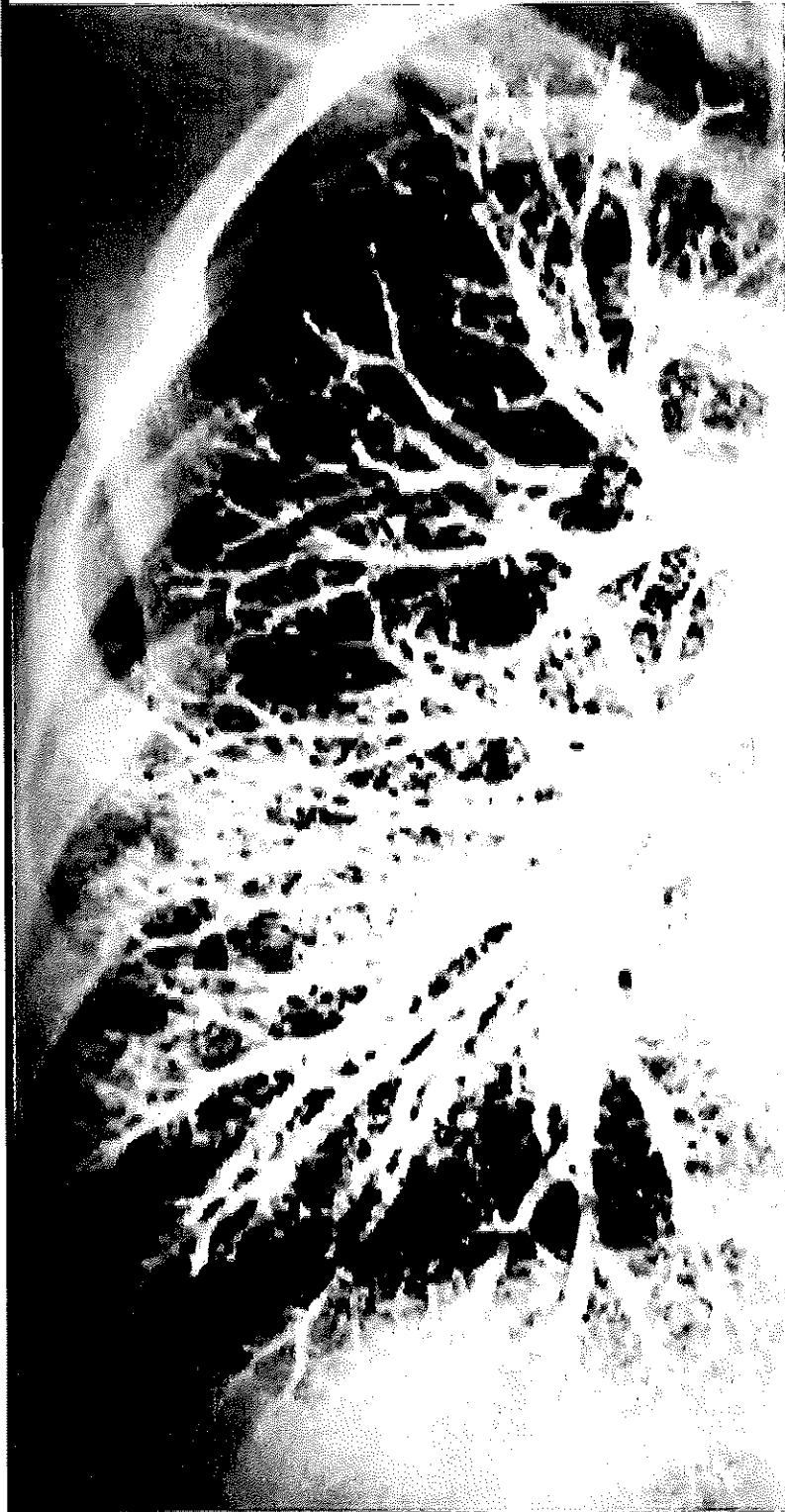
**From:** Susan Garber <buzysusan23@yahoo.com>  
**Sent:** Friday, July 23, 2021 3:05 PM  
**To:** CouncilMail  
**Subject:** Personal thoughts to share in support of CB 56 and CB 57-2021

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

Trees provide life sustaining oxygen. Unless one is willing to cart around an oxygen tank or forego breathing until saplings can grow to the size of a mature tree, we should prioritize preserving trees over developer profit and the convenience of clear cutting.

This is a lung.

This is a tree



We breathe in what trees breathe out, and they breathe  
what we breathe out. We are nature.

Most sincerely,  
Susan Garber  
North Laurel/Savage



**Sayers, Margery**

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**From:** Ed Lilley <ecrfpres@aol.com>  
**Sent:** Friday, July 23, 2021 8:07 AM  
**To:** CouncilMail  
**Subject:** 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 vote yes for Forest Protection Bills CB 56 & CB 57!

Thank You!

Ed Lilley

**Sayers, Margery**

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**From:** S VanWey <svanwey444@gmail.com>  
**Sent:** Thursday, July 22, 2021 1:47 PM  
**To:** CouncilMail  
**Subject:** Support for CB-56

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

Dear Council Members,

We support CB-56 to help retain trees with a 24 inch diameter and larger to supply us with oxygen while taking in toxic carbon from our air. In addition, we need to retain native trees of Maryland to provide a healthy and diverse mix to be there if other trees die out.

Please pass this bill as it is so important to our well being.

Suzanne and Ralph VanWey

**Sayers, Margery**

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**From:** Brian England <beengland@comcast.net>  
**Sent:** Thursday, July 22, 2021 8:31 PM  
**To:** CouncilMail  
**Subject:** CB56 and CB57  
**Attachments:** Clear cut development in Columbia .pdf

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

Please support these bills! It's time to emulate what James Rouse showed us, working with the land and caring for the environment! Columbia is an example of development that works with the contours of the land and saves trees! The county should stop allowing "clear cutting" and "flattening" of the land! We should be improving on the Columbia example not "DESTROYING IT"  
Brian England 410 952 6856  
11915 Gold Needle Way  
Columbia Md 21044

Sent from my iPad

## Clear cut development in Columbia

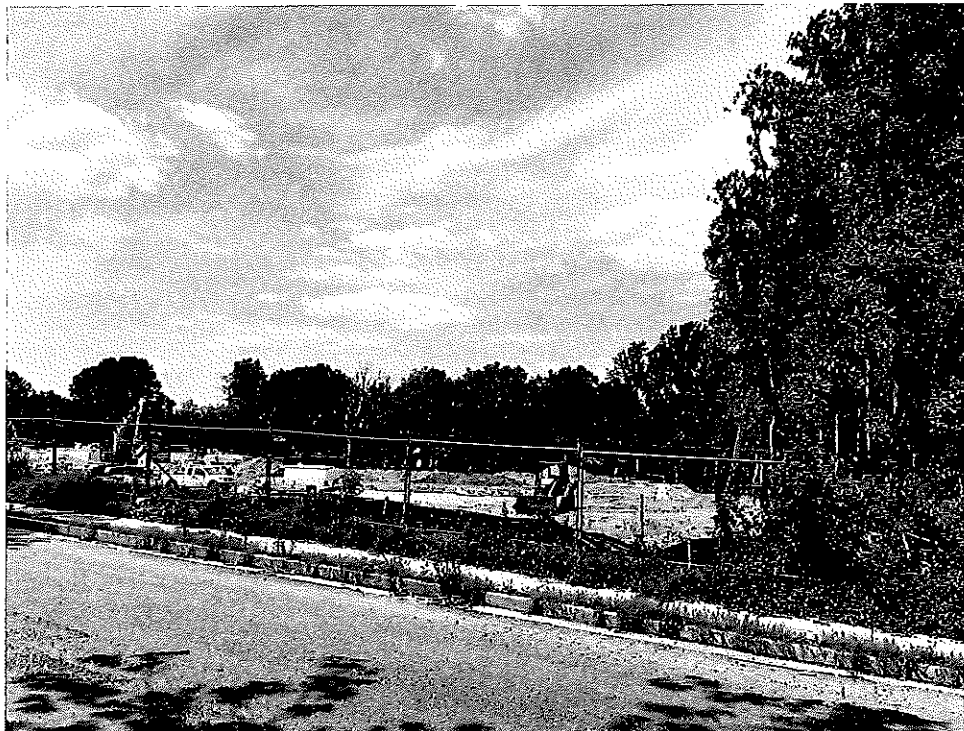
In the past development in Columbia was done taking into account the effect on the environment. Trees were saved where possible and the contours of the land embraced. Now since the lack of consistent oversight developers have been allowed to “clear cut the land” and “flatten the land”.

Here's a current example. The Hitman property on Red Branch Road.

Original development July 2018



Current development July 2021



**Sayers, Margery**

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**From:** caralyn wichers <caralyn27@gmail.com>  
**Sent:** Thursday, July 22, 2021 8:29 PM  
**To:** CouncilMail  
**Subject:** Legislation

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

Please support the forest protection bills. And please do more to protect the land within a 5 mile radius of Historic Ellicott City. I still can't believe flooding prevention initiatives haven't commenced. We have lost too many permeable surfaces and the forests that help stop the erosion and flooding.

Caralyn Wichers

Sent from my iPhone

**Sayers, Margery**

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**From:** William Beck <william.a.beck@gmail.com>  
**Sent:** Thursday, July 22, 2021 5:42 PM  
**To:** CouncilMail  
**Subject:** Support for forest bills CB56 and CB57

[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 am writing to urge your support for CB56 and CB57, which will strengthen forest preservation in Howard County. We need to protect our existing forests to the largest extent possible. These trees take decades to grow and cannot be "replaced" by planting saplings someplace else. They play a major role in reducing storm runoff, filtering water, absorbing CO2, supporting a wide range of wildlife, and also making Howard County a good place to live.

William Beck  
17719 Foxmoor Drive  
Woodbine, MD 21797

**Sayers, Margery**

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**From:** Mary Zagar Brown <mzbrown@me.com>  
**Sent:** Thursday, July 22, 2021 5:28 PM  
**To:** CouncilMail  
**Subject:** Supporting CB56 and 57

[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 support bills CB56 and 57 to protect our forests. Native trees are critical to preventing flooding, keeping our waterways clean, protecting local eco systems, and slowing climate change. I hope the council will support these bills and protect our rapidly disappearing forests.

-Mary Brown, Ellicott City resident

**Sayers, Margery**

---

**From:** Nicole (Bosch) Tsang <nrbosch@yahoo.com>  
**Sent:** Thursday, July 22, 2021 5:13 PM  
**To:** CouncilMail  
**Subject:** Support for forest protection bills

[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 would like to express my support for CB 56 and CB 57. With CO2 in the atmosphere at a record high we can see the devastating effects of climate change occurring with no end in sight across our country and the world. We must protect forests to help mitigate the worst effect of climate change, far worse than what we have seen. I fully support these two forest bills and hope you will pass both bills.

Thank you for your time.  
Nicole Tsang



## Sayers, Margery

---

**From:** Jung, Deb  
**Sent:** Wednesday, July 21, 2021 9:38 PM  
**To:** Sayers, Margery  
**Subject:** FW: In support of CB56 & CB57

*Deb Jung*

Councilmember District 4  
3430 Court House Drive  
Ellicott City, MD 21043  
410-313-2001

Sign up for my newsletter [here](#).



---

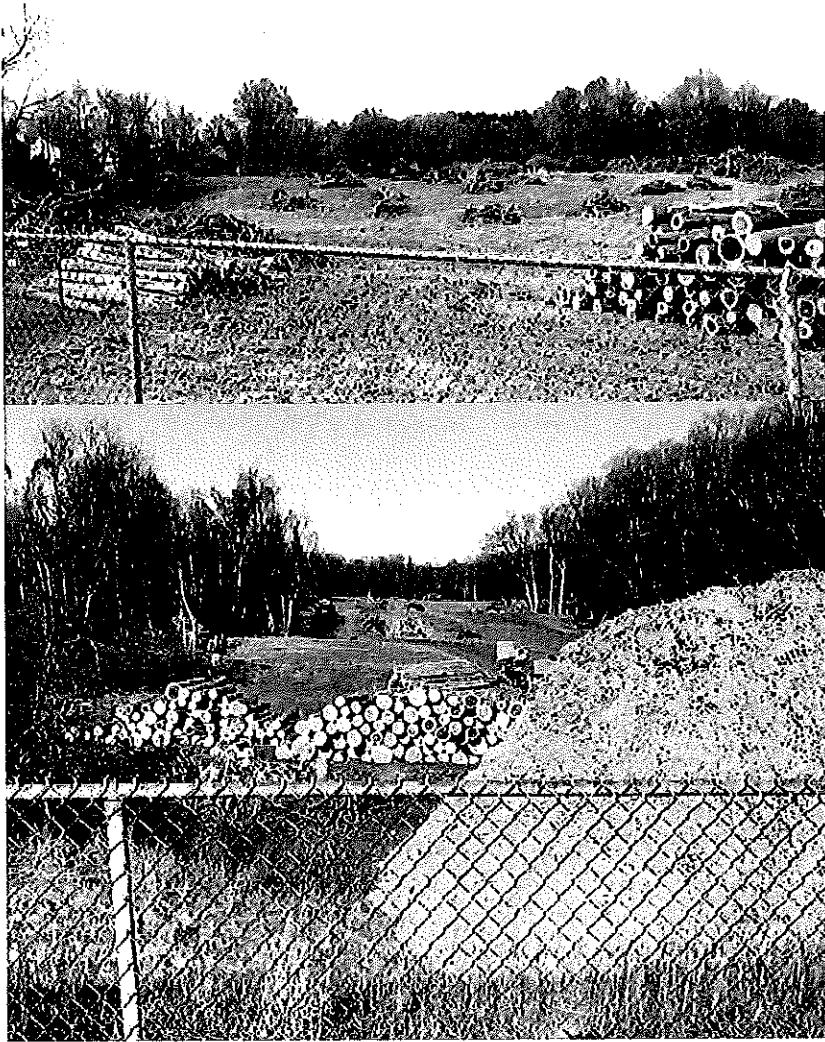
**From:** Ted Cochran <tedcochran55409@gmail.com>  
**Sent:** Wednesday, July 21, 2021 4:20 PM  
**To:** Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>  
**Subject:** In support of CB56 & CB57

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

Greetings,

I am strongly in support of CB56 and CB57, bills which would add much-needed protection to Howard County's forests. I grew up in Howard County and now live in Columbia. Even now, 50 years after its founding, the original trees of Columbia are easily identified compared to those planted during the development. Trees take more than five decades to replace, and we need to do much more to preserve the ones we have.

It is easier to pack houses into a lot if it is clear cut; as a result we continue to see woods and forests clear cut for developments (as for example on Grace Drive, see the picture below, in which a forest backing onto the Patuxent Environmental Area was obliterated) with little regard for working with or around specimen trees, as would be done by a steward of the earth's resources.



I am especially concerned that the loss of trees in historic districts changes the character of the area, in addition to increasing the need for stormwater management expenses.

Current remediation efforts are drastically insufficient; a 100-foot specimen tree requires between 100 and 1000 ten-foot trees to compensate for its loss (not two), depending on the shape and structure of the species of tree that is lost. Clearly it is impossible to fully remediate the loss of a 100-foot tree on a quarter acre lot!

On a personal note, the house I grew up in is blessed with the second largest American Holly tree (*Ilex opaca*) in Howard county (see below) which because of the shape of the trunk could be lost to developers under current regulations without review or recourse should the property ever be sold.



Our forests are under significant stress as it is, with the loss of elms and ashes due to insects and disease. Strong regulations are necessary; penalties need to be increased. The fact that no developer has been fined in the past two years for violations of forest conservation plans illustrates this point perfectly.

The county needs to encourage developers to be better, and these two bills are a first step in that direction.

--tc  
Ted Cochran  
5178 Downwest Ride  
Columbia, MD

**Sayers, Margery**

---

**From:** DaleNSchumacher <dalenschumacher@aol.com>  
**Sent:** Wednesday, July 21, 2021 2:32 PM  
**To:** CouncilMail  
**Subject:** Testimony CB 56-2021 and CB 57-2021 Deforestation Case Report and Summary  
**Attachments:** W12739c Testimony CB 56 and 57.docx

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

Dear Council Persons,

Immediately following is the Summary and Deforestation Case Report extracted from my full testimony. The complete testimony is attached.

I reside at 6581 Belmont Woods Road in Elkridge. I strongly supportive of CB 56-2021 and CB 57-2021. For context I was a member of the Planning Board in the 1990s.

**SUMMARY:** The development process is increasingly complex requiring developers, attorneys, and land use planners. The health care process is increasingly complex requiring hospitals, clinicians, and planners. Both directly impact residents' quality of life. Both need to meet standards and demonstrate continuous improvement. The development process needs to conform to the highest professional standards.

**DEFORESTATION CASE REPORT - Regarding a neighborhood property. When being developed a County representative came out and tagged every specimen tree on the 14+ acres that was to be spared. But the builder cleared the entire property. Because of storm water run-off issues right after clearing started (probably exacerbated by the tree removal), the County was queried. They said it was likely cheaper for the developer to pay the fines associated with tree removal than work around them. And the larger trees likely were sold off to a local mill, which can also offset the fines. Like every development, a small number of little trees were planted to compensate for those removed, it will be years for them to reach maturity.**

Bottom Line!!!

**CB 56-2021 and CB 57 2021 propose reasonable, transparent, and achievable standards. The Council has legal, environmental and climate change responsibilities to pass this legislation. Please do not delay.**

Thank you. The complete testimony is attached.

Dale

Dale N. Schumacher, MD  
410 984 0789

1 CB 56-2021 and CB 57-2021 7-21-21

2 My name is Dale Schumacher, MD

3 I reside at 6581 Belmont Woods Road in Elkridge. I am strongly supportive of CB 56-2021 and CB 57-  
4 2021. For context I was a member of the Planning Board in the 1990s.

5 **SUMMARY AND CASE REPORT: The development process is increasingly complex requiring**  
6 **developers, attorneys, and land use planners. The health care process is increasingly complex**  
7 **requiring hospitals, clinicians, and planners. Both directly impact residents' quality of life. Both need**  
8 **to meet standards and demonstrate continuous improvement. The development process needs to**  
9 **conform to the highest standards.**

10 **DEFORESTATION CASE REPORT - Regarding a neighborhood property. When being developed a**  
11 **County representative came out and tagged every specimen tree on the 14+ acres that was to be**  
12 **spared. But the builder cleared the entire property. Because of stormwater run-off issues right after**  
13 **clearing started (probably exacerbated by the tree removal), the County was queried. They said it was**  
14 **likely cheaper for the developer to pay the fines associated with tree removal than work around**  
15 **them. And the larger trees likely were sold off to a local mill, which can also offset the fines. Like**  
16 **every developer, a small number of little trees were planted to compensate for those removed, it will**  
17 **be years for them to reach maturity.**

18 **CB 56-2021 and CB 57 2021 propose reasonable, transparent, and achievable standards. The Council**  
19 **has legal, environmental and climate change responsibilities to pass this legislation. Please do not**  
20 **delay.**

21 **Observations and Commentary: There are three reasons to pass these bills.**

- 22 1. Then - the less complex 1990s and the complex 2020s
- 23 2. Transparency, Professionalism and Peer Review
- 24 3. The Howard County Development gestalt - high expectations of quality housing.

25  
26 • **Then the 1990s and Now**

- 27 ○ Then - In the 1990s the development process was less complex. Best and highest use was the  
28 mantra. County build out was projected to be 200,000 residents and the expectation was that  
29 as many as 3,000 residences would be in downtown fulfilling the James Rouse vision. Land was  
30 plentiful – in 1989 permits for over 5,000 housing units were issued. The Adequate Public  
31 Facilities Ordinance (APFO) established. Less complex times and less demands on the  
32 development process.

- 33     ⊖ Now - in 2021 development and land use is far more complex. The County is participating in a  
 34     complex deliberative process to assure quality housing and preservation of environmental  
 35     resources: 1) **Age Friendly Howard County** - an AARP initiative. 2) The **Howard Hughes**  
 36     **Corporation County** agreement to locate 900 units in down-town Columbia. 3) The **Housing**  
 37     **Opportunities Master Plan (HOMP)**, a recently released 43-page plan. HOMP recommends  
 38     2,000 housing units per year for the next decade. The HOMP is environmentally silent and does  
 39     not mention or consider: "park," "forest" or "trees". But, the HOMP has high expectations that  
 40     its adoption will improve the quality of life and quality of housing.
- 41     ⊖ The word quality appears 24 times in the document., [https://live-hoco-](https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-05/Howard%20County%20Housing%20Opportunities%20Master%20Plan%20Full%20FINAL.pdf)  
 42     [d9.pantheonsite.io/sites/default/files/2021-](https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-05/Howard%20County%20Housing%20Opportunities%20Master%20Plan%20Full%20FINAL.pdf)  
 43     [05/Howard%20County Housing%20Opportunities%20Master%20Plan Full FINAL.pdf](https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-05/Howard%20County%20Housing%20Opportunities%20Master%20Plan%20Full%20FINAL.pdf) 4)  
 44     **Howard County by Design** <https://www.hocobydesign.com/> - the 10-year strategic general  
 45     plan that substantially impacts land use and will bring together housing and environmental  
 46     policies.
- 47     • Transparency and Peer Review
    - 48     ○ County Executive Calvin Ball is definitive, "Transparency is a cornerstone of good government  
 49     and a priority of my administration. We are making it easier than ever for residents to learn  
 50     about our land development regulations and access all of our Alternative Compliance  
 51     information. In response to ongoing concerns about the granting of waivers, we will also file  
 52     legislation to make development requirements stricter and our environmental protections  
 53     stronger (emphasis added). The future of development in Howard County will be smarter, more  
 54     transparent, and more environmentally conscious. Calvin Ball October 4, 2019"  
 55     [https://www.howardcountymd.gov/planning-zoning/county-executive-calvin-ball-plans-](https://www.howardcountymd.gov/planning-zoning/county-executive-calvin-ball-plans-strengthen-development-regulations-launches)  
 56     [strengthen-development-regulations-launches](https://www.howardcountymd.gov/planning-zoning/county-executive-calvin-ball-plans-strengthen-development-regulations-launches)
    - 57     ○ The 2020s development process is complex and strongly impacts resident quality of life. Given  
 58     this complexity it is fair to compare the development/developer process with other professions  
 59     that impact our quality of life. For example, the medical and legal professions have extensive  
 60     peer review, external oversight, transparency and look backs guided by this peer review process.  
 61     In my profession of medicine there are entry criteria - years of training and licensing and peer  
 62     review. Our records of prior performance are used to grant hospital privileges and observation  
 63     can even continue for surgeons during selected procedures. Importantly in medicine there are

64 both look backs and ongoing monitoring. I strongly support the five year look back as proposed  
65 in CB 56-2021.

66 • County Development Gestalt

67 ○ Housing Opportunity Master Plan and Priorities

68 - [https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-](https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-05/Howard%20County%20Housing%20Opportunities%20Master%20Plan%20Full%20FINAL.pdf)

69 [05/Howard%20County Housing%20Opportunities%20Master%20Plan Full FINAL.pdf](https://live-hoco-d9.pantheonsite.io/sites/default/files/2021-05/Howard%20County%20Housing%20Opportunities%20Master%20Plan%20Full%20FINAL.pdf) . The

70 **Housing Opportunities Master Plan**, as noted above, does not mention parks, forest, trees, and  
71 monitoring. Nor does the plan provide priorities for trees and forest in the east. When  
72 developing higher densities and particularly in low-income residences it is important to preserve  
73 specimen trees to create shaded settings for play areas and heat relief as we see an increase in  
74 global warming. Quality of life and quality of housing are interlinked. High demands and  
75 expectations of adherence to rigorous forest standards as proposed in both CB 56-2021 and CB  
76 57-2021 are reasonable. The development community has the expertise to meet these  
77 standards.

78

79 • Conclusion

80 The planning and development process is complex. The citizens of Howard County have  
81 expectations that the development process will be increasingly precise and meet the reasonable  
82 standards and lookback proposed in CB 57 and CB 26.



**Sayers, Margery**

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**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:** Baker, Kevin  
**Sent:** Monday, July 26, 2021 5:11 PM  
**To:** Sayers, Margery  
**Subject:** FW: In support of CB56 & CB57

**From:** Ted Cochran <tedcochran55409@gmail.com>  
**Sent:** Wednesday, July 21, 2021 4:20 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>  
**Subject:** In support of CB56 & CB57

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

Greetings,

I am strongly in support of CB56 and CB57, bills which would add much-need protection to Howard County's forests. I grew up in Howard County and now live in Columbia. Even now, 50 years after its founding, the original trees of Columbia are easily identified compared to those planted during the development. Trees take more than five decades to replace, and we need to do much more to preserve the ones we have.

It is easier to pack houses into a lot if it is clear cut; as a result we continue to see woods and forests clear cut for developments (as for example on Grace Drive, see the picture below, in which a forest backing onto the Patuxent Environmental Area was obliterated) with little regard for working with or around specimen trees, as would be done by a steward of the earth's resources.





I am especially concerned that the loss of trees in historic districts changes the character of the area, in addition to increasing the need for stormwater management expenses.

Current remediation efforts are drastically insufficient; a 100-foot specimen tree requires between 100 and 1000 ten-foot trees to compensate for its loss (not two), depending on the shape and structure of the species of tree that is lost. Clearly it is impossible to fully remediate the loss of a 100-foot tree on a quarter acre lot!

On a personal note, the house I grew up in is blessed with the second largest American Holly tree (*Ilex opaca*) in Howard county (see below) which because of the shape of the trunk could be lost to developers under current regulations without review or recourse should the property ever be sold.



Our forests are under significant stress as it is, with the loss of elms and ashes due to insects and disease. Strong regulations are necessary; penalties need to be increased. The fact that no developer has been fined in the past two years for violations of forest conservation plans illustrates this point perfectly.

The county needs to encourage developers to be better, and these two bills are a first step in that direction.

--tc  
Ted Cochran  
5178 Downwest Ride  
Columbia, MD

**Sayers, Margery**

---

**From:** Ray Donaldson <rtdonaldson@gmail.com>  
**Sent:** Monday, July 26, 2021 4:05 PM  
**To:** CouncilMail  
**Subject:** Please support CB56 and 57.

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

Hello all,

Please support the two forest protection bills, CB56 and 57. My family has lived in Howard County since 1972. We need to preserve as much beauty in the county as possible. Do not just sell out to developers.

Thanks,

Raymond T Donaldson

**Sayers, Margery**

---

**From:** John Peery <johncpeery59@gmail.com>  
**Sent:** Tuesday, July 27, 2021 10:47 PM  
**To:** CouncilMail  
**Subject:** Please vote FOR CB56 & 57.

[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 write you today in support of CBs 56 and 57. Passing these two bills will provide a much needed hedge against the threat of over-development, not only in my community of Savage, but in also in other communities across the county concerned about preserving the character and quality of their natural environment. Protecting and preserving our woodlands and other natural habitats is a key component to flood control and managing storm water runoff. There are so many other benefits to passing these bills; fighting climate change by sequestering carbon, providing habitat to wildlife, assuring tree equity in communities of color, and positively impacting mental health, just a few among them. It just makes good sense to preserve our natural inheritance, not just for us current residents, but also for our children and grandchildren.

Thank you for your kind consideration in favor of CB56 & 57.

John Peery  
8115 Rosaria Lane  
Savage

**Sayers, Margery**

---

**From:** Norma Broadwater <normafaye71@yahoo.com>  
**Sent:** Tuesday, July 27, 2021 9:49 PM  
**To:** CouncilMail  
**Subject:** In support of 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.]

Good evening, County Councilmembers. I'm writing in support of CB 56 & 57, which from what I can tell serve to beef up requirements for preservation of old growth timber, which I believe are worthy of protection in our County. Although development is rapidly replacing farmland in the eastern half of Howard County, that should not be done at the cost of the natural environment and aspects of it that are unique and difficult to replace. Furthermore, I am in support of legislation that provides serious punishments to developers who ignore this requirement, as that seems to be the only way to get those with a profit mindset to pay attention to the rules.

Thank you for doing your part to protect our natural and built environment.

Sincerely,

Norma Broadwater  
Savage, MD

## Sayers, Margery

---

**From:** Monica Palumbo <monipalumbo@yahoo.com>  
**Sent:** Tuesday, July 27, 2021 4:07 PM  
**To:** CouncilMail  
**Cc:** monica@indigoivyfarm.com  
**Subject:** Regarding CB56/57

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

I'm a member of the Savage Community Association. I am in absolute favor of CB56 & 57.

Among many reasons, the bills will protect mature and historic trees, fight climate change by sequestering carbon, slow storm water runoff, reduce flooding, provide habitat to wildlife, assure tree equity in communities of color, positively impact mental health, and keep developers from purposely and repeatedly breaking the regulations to make even bigger profits.

It is no surprise that collectively we are facing climate change crises. As a flower farmer, supporter of regenerative practices and environmental justice, here squarely sits the opportunity to make good happen.

Please pass CB56/57.

Sincerely,  
Monica Palumbo (McColm)  
8525 Commercial St  
Savage, MD 20763  
443.492.8637  
monica@indigoivyfarm.com

Sent from my iPhone



# 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: CB56-2021: AN ACT adding new definitions to the Forest Conservation ordinance; establishing a "look-back" provision for the disturbance of certain trees; reducing the diameter threshold to 24 inches for forest retention; 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 the CB 56-2021 to add new definitions, and strengthen protections for forest retention by reducing the minimum criteria of 30 inches to trees 24 inches in diameter, and additionally to establish a 5-year "look-back" period to prevent the clearing of trees before the project officially starts and subsequently activates the Forest Conservation ordinance.**

In 2019 the County Council passed into law a revision of the Forest Conservation Act for Howard County that brought about greater protection for our forests. This act offers more protection than the state law mandates. This increased stringency is commendable; however, it is not adequate assurance against continued forest loss, and may not lead to our goal of zero net forest loss. Recently Deb Jung introduced CB42 to examine the data regarding how well our Forest Conservation ordinance is working. This bill passed, however, we have a long wait for the results, and there is an urgency right now. We want to thank Liz Walsh for introducing CB56 right now to address the weakness in the Forest Conservation ordinance that we know of now and can address now without waiting for the report to come.

*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*

We rely on the Forest Conservation Act to preserve our forests; it is our strongest tool. However, the regulations in the Forest Conservation Act are only activated once the developer has submitted a site-specific forest conservation plan as part of entering into the development or subdivision process with the (Department of Planning and Zoning) DPZ. Developers and landowners make plans years in advance and may start to clear parts or all of their lands in preparation for the development. And, if they do early enough in the process, they can avoid the stipulations of the Forest Conservation ordinance that would require them to retain forest, protect specimen trees, and/or reforest on or off-site. With the addition of a 5-year “look-back” rule, DPZ would review the property for any tree removal or land disturbance that occurred in the 5 years before the application of the plan to develop. If such disturbances were found, this bill would mandate that the disturbed areas be considered forested areas in the site-specific forest conservation plan, and protected as such according to the County’s Forest Conservation ordinance. Implementation of this “look-back” provision now could start saving the existing forest and assuring forest obligations are calculated based on the earlier condition of the property. Howard County urgently needs you to pass this part of the bill.

In Section 16.1205 - Forest retention priorities, there are a few changes proposed that would strengthen protections for individual trees. This bill suggests adding or clarifying certain criteria that would qualify a tree for on-site retention. First, in part 2 the bill adds wording that could make trees on historical sites be considered to be historical structures themselves. Second, the definition of tree that is to be retained is defined as a tree that is 75% or more in diameter of a state champion tree. This bill further clarifies that definition to be 75% of a state champion tree of that same species. Additionally, in this section, the overall measurement of 30 inches to qualify for retention is reduced to 24 inches. This is another way that younger trees can be protected in the site plan. It is important to note, that while younger, a 24-inch diameter tree is still a mature and ecologically valuable tree that is worthy of protection.

This law would also expand the areas designated as on-site forest retention priorities to include the newly defined area of the Green Cultural Trail and Targeted Ecological Areas (TEAs). The Green Cultural Trail as defined in the Ellicott City Watershed Master Plan is important to add here and to protect within the Forest Conservation ordinance. TEAs are defined and mapped by the Maryland Department of Natural Resources (DNR) and equally important to afford the highest protection. This bill adds protection to trees within cemeteries and historical areas as well, even further reducing the size that a tree must qualify to 12 inches in diameter or larger.

At each point in time when it can be observed that there is a loophole, limitation, or some way in which the Forest Conservation ordinance fails to protect our forest, we must act. This is such a time and this bill will strengthen the act. We must act now because the longer we wait the more we lose and with each passing month, those losses are becoming unsustainable and irreplaceable.

We ask that you pass this bill intact with the strong protections that we need to save forests from here out into the future. Forest retention is our single greatest tool in preventing climate change, preserving biodiversity, and controlling flooding. We CANNOT wait to take strong and strategic steps.

Sincerely,

Audubon Society of Central Maryland  
Julie Dunlap  
Education Chair

Clean Water Action  
Emily Ranson  
Maryland State Director

Howard County Sierra Club  
Carolyn Parsa  
Chair

Howard County Bird Club  
Mary Maxey  
President

Howard County Citizens Association  
Stu Kohn  
President

Maryland Conservation Council  
Paulette Hammond  
President

Maryland League of Conservation Voters  
Ben Alexandro  
Water Program Director

Maryland Ornithological Society  
Kurt Schwarz  
Conservation Chair

Patapsco Heritage Greenway  
Steve Wachs  
President

Preservation Maryland  
Ruby Nwaebube  
Advocacy Associate

Safe Skies Maryland  
Mark Southerland  
Legislative Director

Savage Community Association  
Susan Garber  
Board Chair

The People's Voice  
Lisa M. Markovitz  
President

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 [councilmkt@howardcountymd.gov](mailto:councilmkt@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**

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**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\_\_\_\_

## Sayers, Margery

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**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  
[mwaebube@presmd.org](mailto:mwaebube@presmd.org)  
[presmd.org](http://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-56 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 Individislbe

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

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto: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**

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**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

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**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

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**From:** Kaitlyn Stewart <kaitlynrocestewart@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**

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**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**

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**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 CB5~~7~~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

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto: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.*



**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 CB56-2021 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

*This form can be submitted electronically via email to  
[councilmail@howardcountymd.gov](mailto: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 56-2021 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

*This form can be submitted electronically via email to  
[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 2 hours prior to the start of the  
Public Hearing.*