

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. 57 -2021

Introduced by Liz Walsh

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

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 16.1212. Forest Conservation Fund.*

7 *Subsection (c) Noncompliance Penalties.*

8 *Section 16.1213. Enforcement; penalties.*

9

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

11 Subtitle 12. Forest Conservation.

12

13

14 **Section 16.1212. Forest Conservation Fund.**

15 *Noncompliance Penalties.* The noncompliance penalty is a fine per square foot
16 of [[forest cut, cleared or graded]] VEGETATION DISTURBED AND PER INCH
17 CIRCUMFERENCE OF TREE MEASURED AT 4.5 FEET ABOVE THE GROUND DISTURBED which
18 [[may]] SHALL be assessed against violators of this subtitle as specified in section
19 16.1211 of this subtitle. The amount of the noncompliance penalty is set by resolution
20 of the County Council, and in no event shall it be less than the minimum set by state
21 law.

22

23 **Section 16.1213. Enforcement; penalties.**

24 The provisions of this subtitle may be enforced with any or all of the following measures:

25 (a) *Revocation of exemption:* The Department may revoke an exemption for properties
26 that are in violation of the conditions of exemption set forth in section 16.1202(b) of this
27 subtitle and may require compliance with the retention, reforestation and afforestation
28 requirements of this subtitle. Prior to revocation, the Department shall notify the violator
29 in writing and provide an opportunity for a response.

30 (b) *Revocation of approved forest conservation plan:* The Department may revoke an
31 approved forest conservation plan for cause, including any of the following conditions:

1 (1) Noncompliance with this subtitle or with conditions of an approved forest
2 conservation plan; or

3 (2) Obtaining approval of the plan through fraud, misrepresentation, a false or
4 misleading statement, or omission of a relevant or material fact.

5 Prior to revocation, the Department shall notify the violator in writing and provide an
6 opportunity for a response.

7 (c) *Stop-work order*: The County may issue a stop-work order against any violator of this
8 subtitle, the Manual, an order, an approved forest conservation plan, the associated forest
9 conservation agreement and long-term deed of forest conservation easement, or a
10 declaration of intent.

11 (d) *Injunction*: The County may seek an injunction requiring a violator to cease the
12 violation and take corrective action to restore or reforest an area.

13 (e) *Noncompliance penalties*: The County [[may]] SHALL assess a noncompliance
14 penalty as defined in section 16.1212 of this subtitle, against a violator of this subtitle, the
15 Manual, an order, an approved forest conservation plan, an associated forest conservation
16 agreement, a long-term deed of forest conservation easement or a declaration of intent.

17 (F) *SUSPENSION OF PLANS PROCESSING*. FOR ANY WILLFUL OR REPEATED VIOLATION OF
18 THIS SUBTITLE, THE DEPARTMENT SHALL REVOKE ANY APPLICABLE APPROVED FOREST
19 CONSERVATION PLANS AND SUSPEND ONGOING PROCESSING OF ANY OTHER PLANS
20 SUBMITTED BY OR ON BEHALF OF THE VIOLATOR OTHER THAN A REVISED FOREST
21 CONSERVATION PLAN OR PLANS FOR THE PROPERTIES IN VIOLATION. THE DEPARTMENT
22 SHALL PROVIDE PUBLIC NOTICE OF THE CIRCUMSTANCES OF SUCH SUSPENSION ON THE
23 COUNTY WEBSITE AND DIRECTLY TO THE DEPARTMENT OF INSPECTIONS, LICENSES AND
24 PERMITS; THE ADMINISTRATIVE ASSISTANT TO THE ZONING BOARD; THE COUNTY
25 COUNCIL; AND THE COUNTY EXECUTIVE, WITHIN FIVE DAYS OF REVOCATION. UPON THE
26 DEPARTMENT'S APPROVAL OF AND THE VIOLATOR'S COMPLIANCE WITH A REVISED,
27 CORRECTIVE FOREST CONSERVATION PLAN OR PLANS, INCLUDING RESTORATION AND ON-
28 SITE REFORESTATION EXCEEDING IN SUBSTANTIAL PART OTHERWISE APPLICABLE
29 REQUIREMENTS, THE SUSPENSION MAY BE LIFTED.

30 (G) *REVOCATION OF ANY ON-SITE EXCEPTIONS*: FOR ANY WILLFUL OR REPEATED VIOLATION
31 OF THIS SUBTITLE, THE DEPARTMENT SHALL DEEM VOID, WAIVED AND DENIED ANY

1 PREVIOUSLY GRANTED OR PENDING APPLICATION FOR A WAIVER, NECESSARY
2 DISTURBANCE, VARIANCE, ALTERNATIVE COMPLIANCE, OFF-SITE COMPLIANCE OR ANY
3 OTHER EXCEPTION FROM THE ON-SITE REQUIREMENTS OF THE FOREST CONSERVATION ACT
4 FOR ANY PROPERTY IN VIOLATION.

5 ~~[(f)]~~ (H) *Civil Penalties.* In addition to and concurrent with all other remedies, the
6 Department of Planning and Zoning may enforce the provisions of this subtitle or an
7 approved forest conservation plan with civil penalties pursuant to the provisions of Title
8 24, "Civil penalties," of the Howard County Code. A violation shall be a class A offense.
9 Each day a violation continues is a separate violation.

10

11

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

Office of the County Auditor
Auditor's Analysis

Council Bill No. 57-2021

Introduced: July 6, 2021

Auditor: Michael A. Martin

Fiscal Impact:

We anticipate that the legislation will increase the collection of fines resulting from noncompliance, however due to the reasons identified in the comments below, we are unable to estimate the fiscal impact at this time.

According to the Director of the Department of Planning and Zoning (the Director), the changing of the terminology from a fine per square foot of “forest cut, cleared, or graded” to “vegetation disturbed and per inch circumference of tree measured at 4.5 feet above the ground disturbed” will result in increased County revenues from fines, but it will be challenging to quantify this increase until they have a better understanding of the legislation’s text. The Director has the opinion that the proposed language of the bill is vague compared to how it currently reads and that terms such as “disturbed” and “vegetation removed” are not sufficiently defined.

The bill also modifies text so that the Department of Recreation and Parks (DRP) “shall” collect fines associated with noncompliance instead of how it currently states they “may” collect such penalties. This change will remove DRP’s ability to work with property owners to abate their fines, which is how most residential violations are handled. Per the Director, out of the 22 recorded residential violations in FY 2019 and FY 2020 combined, only one in each year resulted in fines.

Attachment A shows a breakdown of noncompliance incidents and associated fines for FY 2019 and FY 2020.

Purpose:

This legislation enhances enforcement measures and penalties for violations of the Forest Conservation Act of Howard County by:

- Broadening the language as to what triggers noncompliance,
- Requiring fines for each instance of noncompliance,
- Providing measures for the suspension of Forest Conservation plans due to noncompliance, and
- Establishing criteria that would enable the County to revoke any granted exceptions to on-site plans.

Other Comments:

Per the Director:

- The Department of Recreation and Parks manages a record of noncompliance, which is broken into two categories: construction (developers) and post-construction (residential). In both cases, DRP works with the property owners when noncompliance arises in order to achieve compliance. This can be accomplished through penalties, replanting, and ongoing inspections.
- Typically, there have not been fines associated with construction forest conservation projects unless the developer were to default on the project, in which case funds are used to bring the site back to compliance.
- Outside of the developer inspection process, DRP has traditionally conducted forest conservation enforcement based on complaints, meaning the change in language from “may” to “shall” will unlikely impact the total number of cases, but rather how the department works with individuals to achieve compliance.

Attachment A

DRP Noncompliance Records	FY 2019	FY 2020
Total Developer Inspections	138	131
Developer Inspection Failures	80	84
Developer Violations w/ Fines	-	-
Residential Violations*	7	15
Residential Violations w/ Fines	1	1
Annual Revenues from Fines	\$1,900	\$4,406

***Residential violations that did not incur a fine under the current County Code would now be required to get the property into compliance, as well as pay a fine. There would no longer be the option for DRP to work with property owners and abate penalties from violations.**

CB57-2021

Sayers, Margery

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

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

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

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 Councilmember 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

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

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

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

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
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

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

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

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

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

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

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

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

Sayers, Margery

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

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

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

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

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

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

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

CB 57-2021

Sayers, Margery

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

From: no-reply@howardcountymd.gov
Sent: Wednesday, August 11, 2021 3:54 PM
To: maryelda@verizon.net
Subject: Council - I Support CB-57-2021

First Name: Mary
Last Name: Arrington
Email: maryelda@verizon.net
Street Address: 2520 Pfefferkorn Rd.
City: West Friendship
Subject: I Support CB-57-2021

Message: 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

IndivisibleHoCoMD

CB57-2021: Implementing Forest Conservation Ordinance Enforcement Measures and Penalties

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-57.

Again, testimony by others has given strong arguments for CB57. So here I want to highlight two points made by the director of the DPZ in the fiscal impact statements of CB-56 and CB-57 that support CB-57.

In the Fiscal Impact statement for CB-56, the DPZ director asserts that changing tree retention diameters means “development may become more difficult, possibly resulting in more requests for variances to remove specimen trees” This, in turn, means more staff hours.

In other words, the DPZ director suggests that developers regard land use laws like the Forest Conservation Act, merely as obstacles that are more or less easy to overcome; hence, it's likely that they will continue to seek favorable treatment (rather than, say, refraining from cutting down our forests).

This certainly seems like it might be the case, but I defer to the director's judgment in assuming it would be.

Given this statement on the tendency of “developers” to attempt to bypass legal requirements, the more rigorous enforcement provided by CB-57 is certainly needed.

Next,

In the Fiscal Impact Statement for CB-57, the director of DPZ however, presents another important bit of information in favor of passing CB-57. In an attachment to the statement, we have a chart from the Department of Parks and Recreation. It tells us that in 2019, 80 out of 134 developer inspections found violations of the Conservation Act. So, more than half. In 2020, 84 out of 131 developer inspections found violations. Yet, in both years, there were zero fines.

This raises two important points.

First, the provision in the law as written where fines “may” be levied, is not working well. Changing the “may” to “shall” should help, particularly since CB-56 strengthens protections. If it does not appear to deter violations by developers, then a simple solution would be to increase fines for non-residential violations.

Second, while the DPZ director has an opinion on the statistics for residential violations, the director has no opinion on the statistics for developer violations. That seems a missed opportunity since, apart from what I've just mentioned about fines helping decrease violations, it seems to me that had there been fines for all these developer violations, it would certainly help pay for any added staff hours for the DPZ.

Alternatively, the extra staff hours the DPZ anticipates might be mitigated with a simple reorientation of the DPZ. Rather than viewing one of the main functions of the DPZ as making things easier for developers, it might instead shift focus away from variances to more important matters like serving the public interest.

Sayers, Margery

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

CB57-2021

June 21, 2021

Re: OPPOSITION TO CB57 – Enhanced Penalties for Forest Conservation Violations

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 57, which would create enhanced penalties for violations of the county Forest Conservation Act. 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 there isn't a track record that indicates that changes are necessary at this time.

This legislation would require that the Department of Inspections automatically revoke processing of Forest Conservation Plans and suspend the processing of new plans for violators of the Forest Conservation Act for all properties on which a violation occurred. This bill represents a significant change to the forest conservation act that is still new and not yet fully implemented as stated above. Additionally, the act has no timeline for when a revised forest conservation plan must be issued by the department, allowing projects to be potentially suspended in perpetuity.

For these reasons, MBIA respectfully requests the Council vote against Council Bill 57-2021. Thank you for your attention to this vital issue and your continued support of the local home building industry. If you have any questions about these comments and would like to discuss MBIA's position further, please do not hesitate to contact me at iambruso@marylandbuilders.org or (202) 815-4445.

Best regards,

Isaac Ambruso, Director of Legislative and Regulatory Affairs

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



Sayers, Margery

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

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

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-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: 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: Cory Pollitt <cory_pol@yahoo.com>
Sent: Saturday, July 24, 2021 10:11 AM
To: CouncilMail
Subject: Support for legislation
Attachments: CB57-2021.pdf

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

As we feel the effects of climate change, it's more important than ever to keep green space. We need to decrease development and save green space. Please support

https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=12814&fbclid=IwAR0sw_n3eQP_SdwKq_pAi5y9wq7z2Mv55U1Z0vtSePEp09UIDJJAGC-g3s

<https://apps.howardcountymd.gov/olis/GetFile.aspx?id=29914>

I also live in that area. It's too crowded already. We cannot make it even busier. The schools are overcrowded.

~cory

Sayers, Margery

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

   30

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

plan, which was granted last year, call 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. Keshia Braunschill, 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

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)

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

Testimony in Support of CB57-2021

Susan Garber North Laurel speaking for HCCA, the People's Voice, and the Savage Community Association

No law, any law, is effective unless there is a means and a will to enforce it. Enforcement is necessary to provide a deterrent to offenders. Importantly, penalties necessary to serve as a true deterrent should be consistent with the severity of the offense.

The persons for whom I speak and many others grasp these concepts. You need to convince us that all of you do also. Council Chair Walsh clearly does, as demonstrated by her introduction of CB 57-2021.

This bill provides a better, stronger deterrent to the removal of mature trees by clarifying and enhancing the array of penalties available to Planning and Zoning. Most importantly, the DPZ will be empowered to revoke any approved forest conservation plan and suspend processing of any other plans submitted by a property owner who willfully or repeatedly violates forest conservation law.

Additionally, monetary penalties will be calculated per inch of (unlawfully removed) tree circumference and per day that any violations continue unabated. This combination can make it unprofitable to try to get away with something. Only in this manner can those developers unwilling to play by the rules be stopped.

To truly make a difference YOU must pass CB 57 and insist that the DPZ apply it regularly and equitably. This will let the word go out that there will be NO more overlooking or forgiveness of questionable "ooops." It will reinforce that no trees should be cut down before final plans are approved.

In my opening statement I commented that penalties should be consistent with the severity of an offense. In other words the consequence of stealing a loaf of bread should be different than the consequence of committing manslaughter or murder. An analogy may help illustrate that the consequences set out in CB57 are justifiable, as it relates to willfully breaking the Forest Conservation laws, whether a first or repeat offense.

Is the offense more analogous to stealing a loaf of bread because one is hungry? NO. If developers were starving as a result of Howard County's laws they wouldn't be clamoring to build here.

Is the offense more analogous to manslaughter or murder? YES. **The trees have been killed.** Planting new ones won't replace the ones removed for a long time. Some are simply

irreplaceable. The human race has lost a source of life-sustaining oxygen. Wildlife has lost its habitat. And residents downhill, as we have seen repeatedly in Ellicott City, have to live in a constant state of fear that their luck may run out the next time an event traceable to climate change occurs: they may lose their own life, the life of their family or friends, their home, their business.....their tolerance for those who allowed this to happen, who looked the other way, who prioritized a need for more housing for new residents over protection of existing ones, who literally are willing to **flush** them down the valleys on the water generated from bald acres and impervious pavement of development permitted above.

The consequences of not strengthening our forest conservation laws as in CB56 and enforcing them as in CB57 disproportionately negatively affects our low income neighborhoods and communities of color according to an article in the Washington Post just yesterday. 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, With significantly less tree canopy temperatures are up to 10 degrees hotter than surrounding 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. 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.**

Certainly both laws create some challenges for some development. It may require more creative placement and design for buildings and may prevent a development from being maximally profitable However, forest conservation is an important environmental goal that is **strongly supported by the vast majority of our citizens.**

As elected officials charged with creating our laws and providing enforcement mechanisms for those laws YOU have an obligation to do the right thing by your constituents, to support CB 57 as we're requesting. You'll sleep better for it and so will we.

Thank you.

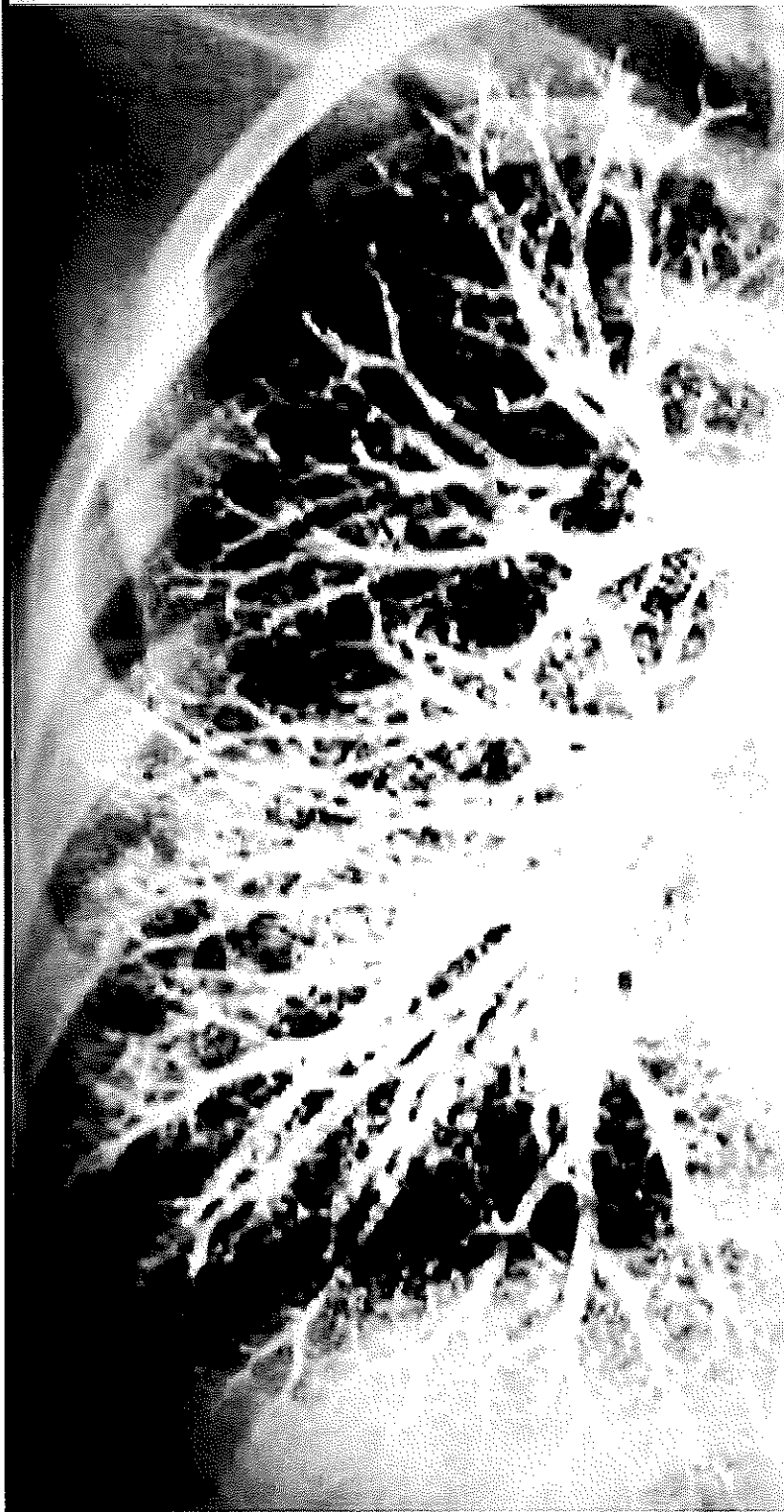
Sayers, Margery

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

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

From: S VanWey <svanwey444@gmail.com>
Sent: Thursday, July 22, 2021 2:13 PM
To: CouncilMail
Subject: Support for CB-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,

We support CB-57 as it holds developers financially accountable for clear cutting land in developments. Developers know that clear cutting land takes away all trees, grasses, and herbs. Clear cutting takes away oxygen and health, causes run off, flooding, loss of habitat, and a natural, easy way to disperse carbon from our atmosphere.

Developers need to be held financially accountable because their promises not to clear cut in the past have been broken. It is now time to hold them financially accountable.

Please vote for this bill to help your lives, the lives of all Howard County citizens; and indeed, the lives of all citizens in the world. Your favorable vote will help prevent global warming and protect crops, species, and health.

Suzanne and Ralph VanWey

Sayers, Margery

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

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

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

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 highs 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](#).



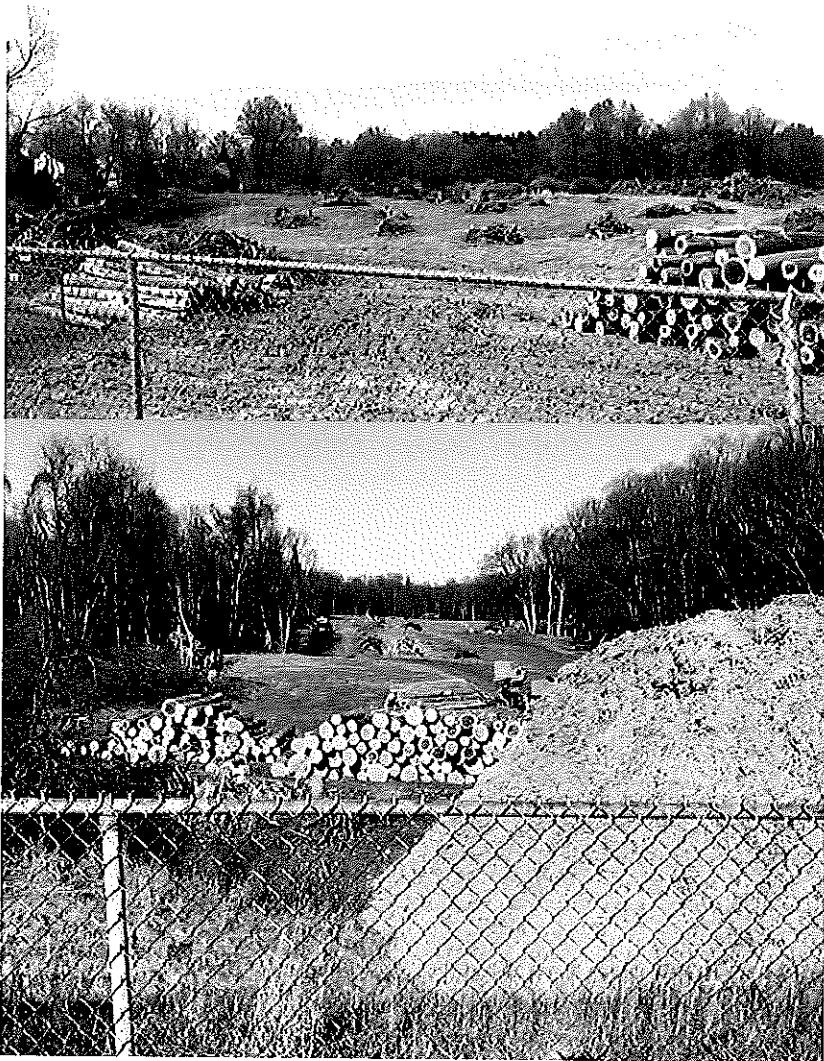
From: Ted Cochran <tedcochran55409@gmail.com>
Sent: Wednesday, July 21, 2021 4:20 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>
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**
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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_Housing%20Opportunities%20Master%20Plan_Full_FINAL.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_Housing%20Opportunities%20Master%20Plan_Full_FINAL.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

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

Smarter Growth Alliance for Howard County

July 21, 2021

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

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

Dear Council Members:

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

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

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

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

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

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

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

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

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

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

Sincerely,

Audubon Society of Central Maryland
Julie Dunlap
Education Chair

Maryland Ornithological Society
Kurt Schwarz
Conservation Chair

Clean Water Action
Emily Ranson
Maryland State Director

Patapsco Heritage Greenway
Steve Wachs
President

Howard County Sierra Club
Carolyn Parsa
Chair

Preservation Maryland
Ruby Nwaebube
Advocacy Associate

Howard County Bird Club
Mary Maxey
President

Safe Skies Maryland
Mark Southerland
Legislative Director

Howard County Citizens Association
Stu Kohn
President

Savage Community Association
Susan Garber
Board Chair

Maryland Conservation Council
Paulette Hammond
President

The People's Voice
Lisa M. Markovitz
President

Maryland League of Conservation Voters
Ben Alexandro
Water Program Director

Transition Howard County
Mary Ann Barry
Member

cc: The Honorable Calvin Ball, County Executive



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

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

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

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

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

Printed Name: STEPHEN MCKENNA

Signature: [Handwritten Signature]

Date: 7/20/2021

Organization: Preservation Howard County

Organization Address: PO Box 406, Simpsonville MD 21150

Number of Members: _____

Name of Chair/President: Dr. Tara Simpson

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

Sayers, Margery

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

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

Dear Councilmember Rigby (and fellow councilmembers),

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

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

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

Sincerely,
Marie Raven

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

Sayers, Margery

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

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

Sure.
Thanks,
Kim

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

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

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

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

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

Printed Name: Kim Drake

Signature: Kimberlee Drake Date: _____

7.21.21

Organization: Smarter Growth Alliance of Howard County____

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

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

Name of Chair/President: _____ Ruby Nwaebube

_____ Advocacy Associate PRESERVATION MARYLAND _____

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

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

Good Morning

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

Sincerely,

Margery

Margery Sayers

Executive Assistant

Howard County Council

410-313-0832

Sayers, Margery

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

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

Hello Honorable Howard County Council,

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

Thank you,
Ruby

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



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

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

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

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

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

Printed Name: Dan Hajdo

Signature: _____

Date: 07/20/2021

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

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

Please support CB 56 & CV 57.

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

Sent from my iPhone

Sayers, Margery

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

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

From: Julia Hawrylo <oychoolie@yahoo.com>
Sent: Monday, July 19, 2021 2:37 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>; Jones, Opel <ojones@howardcountymd.gov>; Rigby, Christiana <crigby@howardcountymd.gov>; Jung, Deb <djung@howardcountymd.gov>; Yungmann, David <dyungmann@howardcountymd.gov>; Ball, Calvin <cball@howardcountymd.gov>
Cc: Royalty, Wendy <wroyalty@howardcountymd.gov>; Baker, Kevin <kebaker@howardcountymd.gov>; Harris, Michael <mrharris@howardcountymd.gov>; Gelwicks, Colette <cgelwicks@howardcountymd.gov>; Williams, China <ccwilliams@howardcountymd.gov>; Knight, Karen <kknight@howardcountymd.gov>
Subject: Support for CB 56 and 57

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

Dear Council Members and Dr. Ball,

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

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

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

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

Thank you,
Julia Hawrylo
Ellicott City Historic District

Sent from my iPad

Sayers, Margery

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

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

Good afternoon,

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

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

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

Please vote in favor of CB56 and CB57

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

Sayers, Margery

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

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

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

Robin Vestal
8420 Savage Guilford Rd
Savage, MD
20763

Sayers, Margery

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

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

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

Sayers, Margery

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

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

Council Members:

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

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

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

Thank you,

Kim Robertella Glinka

*** abridged from commentary by science journalist Jim Robbins*



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

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

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

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

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

Printed Name: Susan Garber

Signature: _____

Date: 7/21/2021

Organization: Savage Community Association

Organization Address: P.O. Box 222 Savage 20763

P.O. Box 222 Savage 20763

Number of Members: 550

Name of Chair/President: Susan Garber

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



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

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

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

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

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

Printed Name: Susan Garber

Signature: _____

Date: July 21, 2021

Organization: the Howard County Citizens Association, HCCA

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

P.O. Box 89 Ellicott City, MD

Number of Members: 500

Name of Chair/President: Stu Kohn

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



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

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

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

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

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

Printed Name: Susan Garber

Signature: _____

Date: 7/21/21

Organization: The People's Voice

Organization Address: 3205B Corporate Ct. Ellicott City 21042

3205B Corporate Ct. Ellicott City 21042

Number of Members: 4000+

Name of Chair/President: Lisa Markovitz

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