

CB54-2022

**Sayers, Margery**

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**From:** S VanWey <svanwey444@gmail.com>  
**Sent:** Monday, September 19, 2022 7:45 PM  
**To:** CouncilMail  
**Subject:** CB54-2022

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

We strongly support CB54-2022 submitted by Councilwoman Liz Walsh.

Regards,

Ralph and Suzanne VanWey

## Sayers, Margery

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**From:** Rhoda Fawcett <rhodafawcett@gmail.com>  
**Sent:** Monday, September 19, 2022 7:10 PM  
**To:** CouncilMail  
**Subject:** Support for CB52

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

My husband and I moved to Columbia in 1980. We raised our family here and continue to love the area. We hope to live in our home for as long as possible.

We have been fortunate enough to utilize the aging in place tax credit for 3 years and hope to do so for as long as we can. We do not object to our taxes being utilized for the school system or other programs that we no longer use. We are cognizant of the fact that the County must be top notch and strong in all areas to continue to be a model for the state and country, for that matter. Howard County must remain a diverse, inclusive community for all.

That is why it is important to extend the aging in place tax credit beyond 5 years. Seniors continue to have the need for it beyond 5 years, especially as the years go by. I applaud Deb Jung for introducing this legislation and strongly urge the Council to pass CB52.

## Sayers, Margery

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**From:** Dan H <westphillydan@yahoo.com>  
**Sent:** Monday, September 19, 2022 2:21 PM  
**To:** CouncilMail  
**Subject:** Testimony in Support of CB54-2022  
**Attachments:** CB54 2022 testimony submitted.odt

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

Please find my written testimony in support of CB54-2022 attached. For convenience, I have also pasted the testimony into this email.

thank you,  
Dan Hajdo  
Resident of District 2  
Columbia, MD 21045  
westphillydan@yahoo.com

My name is Dan Hajdo, a resident of District 2 in Howard County and I write to offer testimony in support of CB54-2022.

Land-take has been clearly shown to result in damage to ecosystems, (both above and below the soil) and biodiversity, as well as negative impacts on climate change.<sup>i</sup> The increased risk of water pollution and storm water management issues is particularly clear when land-take occurs in a watershed.

Given these facts, it is difficult to see why land-take should be permitted at all in our Tiber watershed. Difficult, that is, from the point of view of a public policy oriented to the public goods of sustainability, climate resilience, climate crisis mitigation, and the preservation of natural resources.

From this perspective, the proposed amendments are a reasonable step in the right direction. It recognizes the need to prioritize these public goods in the face of ever increasing environmental degradation and climate disaster. It recognizes the superiority of natural infrastructure to human engineered approaches.<sup>ii</sup>

I recognize that there is another perspective, one that either has entirely different policy goals and priorities, or that minimizes the conflict between their goals and the public goods mentioned above.

There are at least two major claims made from this perspective. One: that “economic development” in the form of new construction generally has a positive effect on the public welfare. Second: that building more housing of any type will lead to greater availability of “affordable housing.”

The first claim is far too complex and contentious to address here, but even advocates must admit the tentative nature of economic predictions. Perhaps more importantly, there is no reason to believe that building in the Tiber Watershed is

not only necessary, but essential to achieve such enormous gains in public welfare that it outweighs the damage of land-take.

The second claim faces this same hurdle, of showing why it would be both necessary and essential to build in the watershed. More importantly, the second claim lacks any evidence to support it and must address the evidence refuting the claim. As it is, these claims are incomplete and baseless if not entirely specious.

Finally, minimizing the conflict between policy goals is a mistake. While any particular building project might be said to have a small adverse effect on sustainability and other environmental goals, a policy that prioritizes continual land-take is inherently unsustainable. Replacing forested areas and natural infrastructure with even a LEED certified built environment does not resolve this inherent conflict.

The first perspective recognizes this conflict, and rather than dismissing the costs of any particular instance of land-take to the public good, would dismiss the small, and dubious claims of gain of any particular instance of land-take. Where there is a clear instance of conflict, as in the case of the Tiber Watershed, this is the proper perspective.

<sup>i</sup>“Land take is the transformation of agricultural, natural and semi-natural spaces into urban and other artificial uses.” (Colsaet et al. 2018). It might also be called “land-consumption” although it is more often referred to euphemistically as “development.” For more, see [Colsaet, Alice, Laurans, Yann, Levrel, Harold \(2018\) \*What drives land take and urban land expansion? A systematic review\*; Land Use Policy 79, 339-349](#). For an international perspective and links to research, see [Land take in Europe — European Environment Agency \(europa.eu\)](#)

<sup>ii</sup>For more, see for example: [Rosenbloom, Jonathan \(2018\) \*Fifty Shades of Gray Infrastructure: Land Use and the Failure to Create Resilient Cities\*; Washington Law Review, Vol. 93, No. 1](#).

## Sayers, Margery

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**From:** Daniel Karp <danielkarp@gmail.com>  
**Sent:** Monday, September 19, 2022 11:14 AM  
**To:** CouncilMail  
**Subject:** Support for CB54-2022

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

I'm writing to express my support for CB54-2022.

As a homeowner with a home in the Tiber Branch watershed (at 3637 Fels Lane in Ellicott City), this bill has the potential to restrict our rights with regard to our own property, but that is far outweighed by the value to the community of preserving the entire watershed, and protecting Old Ellicott City from future flooding.

I urge all council members to vote for this bill.

-Daniel Karp

September 19, 2022

Council Bill 54-2022

Hello to all members of the Howard County Council,

I am writing to express my support of Council Bill 54-2022.

My husband and I are not originally from Maryland. Prior to moving to Howard County in 2005, we had lived in Baltimore City for a number of years. When we were looking to buy a home to raise a family, Howard County seemed the perfect choice as Maryland natives described Howard County as the county with great schools and “tree huggers.” When asked what they meant by “tree huggers,” we were introduced to Howard County’s ability to respect environmentally friendly community planning. Now that we have lived here for 17 years, I am saddened to say that I cannot describe the Howard Community as “tree huggers” any longer. While our community needs to expand, I feel there are ways we can do that but still preserve our value of respecting our environment. Howard County likes to set the precedent for the state and even the country. Why can’t our county set the precedent of how to plan communities that preserve our environment?

Please put forth Council Bill 54-2022. Our community health needs this bill and our future as leaders in a climate changing world need this bill.

Thank you,  
Laura Wisely  
5811 Main Street  
Elkridge

## Sayers, Margery

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**From:** Hans and Marie Raven <hansandmarie.raven@verizon.net>  
**Sent:** Sunday, September 18, 2022 9:04 PM  
**To:** CouncilMail  
**Subject:** Testimony in support of CB54

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

Dear Councilmembers,

I am writing in support of CB54, for Forest Conservation in the Tiber Watershed. I think legislation like this is long overdue, and should be considered a model for other highly sensitive areas of the county. It is a shame that two major, devastating floods have had to run through the Tiber Branch watershed in Ellicott City for the county to realize that off-site reforestation commitments by developers do NOT help preserve the characteristics of the land that they are developing. Off-site reforestation or fee-in-lieu payments are simply inadequate for preventing horrible loss to the very ground and surrounding area being developed. Too many specimen trees have been lost by developers who prefer the easy route of cut and clear for maximum ease of home site establishment and maximum density. It creates additional long term burdens on the county to then mitigate and stabilize areas which could have been preserved through maintenance of native tree and ground cover.

I speak from experience on this issue, as an individual home builder here in Howard County. When my husband and I applied to develop our land in 2010 located on the Patuxent River in Savage, just downstream from the confluence of the middle and little Patuxent, we carefully developed the footprint of our home and the orientation on the lot to preserve as many trees as possible. We also created easements at the property boundaries for forest conservation abutting the Savage park trail. We appreciated DPZ's review of our application, looking at how could we possibly preserve even more trees from our original plan. I did find it strange however, that our permitting and application process was not given the blank-check greenlight that so many other developers are given. Literally down the street from us on Gorman Road where a former trailer park was redeveloped into townhomes, not a single tree was preserved in the development process. For a week it appeared one massive specimen tree at the very center of the property was being preserved until it too sadly was cut and cleared. Despite all of the storm water management devices included in the process of this development, per county code at the time, there have been chronic issues with erosion on the Savage Trail downslope from this particular development, known as Riverwalk. I have photos of the multiple projects completed by the Park Rangers to attempt to stabilize the trail bed over the years.

My husband and I were a part of the group who so vehemently opposed the proposed development of the Savage Mill remainder property adjacent to the upper Mill parking lot. It was obvious that Bozzuto was not concerned with re-siting any of the homes in their proposed development to preserve specimen trees, or even take advantage of the natural river views. They were simply concerned with achieving the maximum density allotted to them, without thought for the impact on the steep slopes, and run-off into the river below. Thankfully this development was defeated and the area is now parkland, as it should be. However, I shudder to think about the impact that other developments adjacent to the direct Patuxent watershed, such as the former Milk Producer's Cooperative parcel at Rt. 216 and Leishear Road, will have in the future on the surrounding neighborhoods and possibly the river as well. Although lightly forested, this parcel already had significant flooding issues across Gorman Road into the backyards of the homes across from the Gorman Farm.

I ask you to please take a common sense approach to managing development in this sensitive area. Given the slow growth of trees, especially to achieve specimen size, the cost benefit ratio is much starker than Benjamin Franklin's "a stitch in time saves nine." This legislation has the potential to help prevent additional millions of dollars of damage control in the future, and if enacted sooner could have prevented the necessity of some of the millions already spent. It is imperative that forest conservation waivers be granted under only the narrowest of guidelines as outlined in this legislation. Thank you for your consideration.

Sincerely,  
Marie

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



## Sayers, Margery

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**From:** Susann Mick <susannmick@yahoo.com>  
**Sent:** Saturday, September 17, 2022 9:13 AM  
**To:** CouncilMail  
**Subject:** CB54

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

Testimony on  
Forest Conservation

Our forests are deserts. Our forests should be full of tree saplings, shrubs, young adult trees along with mature trees. Instead there are only stands of mature trees reaching the end of their lives. Lives that have done their very best to reproduce themselves year after year. Instead the floors of our watershed iare bare when they should be covered in carbon dioxide sucking greenery.

This devastation is caused by the white tail deer who browse and munch their way across the land consuming every sapling trying to become a tree.

Get rid of the deer, corral them, control them and let Mother Nature do the job she's designed to do.

We can replant our forest tree by tree each of which needs protection from the deer. The watershed can do its work much better if we give it the help of riding it of the deer.

Keeping development under control is the second most important thing we can do to protect the watershed.

Thank you

[Sent from Yahoo Mail for iPad](#)

## Sayers, Margery

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**From:** Baker, Kevin  
**Sent:** Friday, September 16, 2022 4:28 PM  
**To:** Sayers, Margery  
**Subject:** FW: Councilwoman Walsh Files Bill to Protect Trees in the Old Ellicott City Watershed

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For Related Documents under CB54

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**From:** Kristy Hartman Mumma <[khmumma@outlook.com](mailto:khmumma@outlook.com)>  
**Sent:** Thursday, September 15, 2022 1:21 PM  
**To:** Walsh, Elizabeth <[ewalsh@howardcountymd.gov](mailto:ewalsh@howardcountymd.gov)>  
**Subject:** Fwd: Councilwoman Walsh Files Bill to Protect Trees in the Old Ellicott City Watershed

Hello Liz,

Thank you for your persistent efforts to protect our natural resources and our mature trees. This banking forest, is nonsense.

I support your leadership and will help share your message, to get support for your bill.

I also ask, can you look to additional legislation for similar protections in our historic districts?

I look forward to your ideas!

Kristy H. Mumma

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**From:** Liz Walsh, D1 Councilwoman <[councildistrict1@howardcountymd.gov](mailto:councildistrict1@howardcountymd.gov)>  
**Sent:** Thursday, September 15, 2022, 12:01 PM  
**To:** [khmumma@outlook.com](mailto:khmumma@outlook.com) <[khmumma@outlook.com](mailto:khmumma@outlook.com)>  
**Subject:** Councilwoman Walsh Files Bill to Protect Trees in the Old Ellicott City Watershed



# NEWS RELEASE

## HOWARD COUNTY COUNCIL – DISTRICT 1

**FOR IMMEDIATE RELEASE:**

Contact Wendy Royalty: (410) 313-2001  
[WRoyalty@HowardCountyMD.gov](mailto:WRoyalty@HowardCountyMD.gov)

## **Councilwoman Walsh Files Bill to Protect Trees in the Old Ellicott City Watershed**

*Ellicott City, MD (September 15, 2022)* – At last week’s legislative session, Councilwoman Liz Walsh introduced Council Bill 54-2022 to eliminate waivers that allow for the removal of the biggest, oldest trees in the Tiber Branch Watershed. In addition, this bill would prevent developers from “banking” removed trees outside of developments in the watershed.

In 2016, the Lacey property was one of many developments that filed a waiver to remove highest-conservation-priority “specimen trees” off Church Road in old Ellicott City. Long Gate Overlook banked 1.82 acres of forest on two separate properties outside the old Ellicott City watershed. And, in January 2020, the Taylor Service Company cut down 72 trees at their proposed Taylor Highlands development without authorization from the Department of Planning & Zoning.

“Our D1 office has seen developers submit plan after plan the last several years that reduce the number of trees in our district,” said **Councilwoman Liz Walsh**. “This legislation is directly targeted at preventing development projects from destroying the few natural flood mitigation protections we have left.”

This legislation was modeled after Council Bill 60-2016, legislation sponsored by former Councilman Jon Weinstein and current County Executive Calvin Ball after the 2016 flood in old Ellicott City. That legislation established a new section in County code that prevents waivers for steep slopes, wetlands, streams, and floodplains for developers building in the Tiber Branch Watershed. This bill would add forest conservation to that section.

Testimony for these bills will be accepted at the legislative public hearing on Monday, September 19, 2022.

- Anyone may sign up to testify by visiting [apps.howardcountymd.gov/otestimony](https://apps.howardcountymd.gov/otestimony).
- The meeting is open to the public and may be viewed online by visiting [cc.howardcountymd.gov/Online-Tools/Watch-Us](https://cc.howardcountymd.gov/Online-Tools/Watch-Us).
- If you would like to submit written testimony, please email [CouncilMail@HowardCountyMD.gov](mailto:CouncilMail@HowardCountyMD.gov).

**To read Council Bill 54-2022, please visit [cc.howardcountymd.gov/Legislation](https://cc.howardcountymd.gov/Legislation).**

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