

February 20, 2024

Howard County Council  
3430 Court House Drive  
Ellicott City, MD 21043

**RE: MBIA Letter of Opposition CB8-2024**

Dear Chair Jung and the Members of the Howard County Council,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **CB8-2024**. MBIA **opposes** the Act in its current version.

This bill amends the process for approving waivers which allow for alternative compliance to protections of wetlands, streams, and steep slopes and requires the Departments that grant the waivers to adhere to certain requirements. Under this new provision, whenever waiver petitions are considered, there will now be an open meeting with an agenda made available beforehand and meeting minutes available after. It also requires the Department of Planning and Zoning to notify all interested parties on file and property owners within 100 yards of the project's edge. This will inevitably lead to delays due to the administrative burden of sending out notifications, scheduling meetings, posting agendas, conducting the meetings, and providing minutes after the meeting. We believe that these additional bureaucratic hurdles are unnecessary for a streamlined approval process.

Our State currently faces a housing shortage of approximately 96,000 housing units. If nothing changes, that number will increase by 5,600 units per year. The National Association of Homebuilders reports that the estimated rent of a Maryland Housing Unit is more than 30% of household incomes state wide with 25% of people spending more than 50% of their income on housing. In order to address this problem, we need a concerted effort to make housing available, and affordable to the residents of this state. Passing bills like CB8-2024 that create more administrative delays will only make the effects of this crisis worse. We are happy to work with the council to find a better solution that promotes both environmental conservation and sustainable economic development.

For these reasons, MBIA respectfully urges the Council to vote no on CB8-2024. Thank you for your consideration.

For more information about this position, please contact Alex Andelsman at 410-800-7327 or [aandelsman@marylandbuilders.org](mailto:aandelsman@marylandbuilders.org).

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**From:** Sharon Boies <sbmuzicmts@gmail.com>  
**Sent:** Tuesday, February 20, 2024 11:04 AM  
**To:** Jung, Debra; Walsh, Elizabeth; Rigby, Christiana; Jones, Opel; Yungmann, David; CouncilMail; Ball, Calvin  
**Cc:** Williams, China; Royalty, Wendy; Goldscher, Paige  
**Subject:** \*\*\*TIME SENSITIVE\*\*\* PLEASE VOTE IN FAVOR OF CB8 TONIGHT  
**Attachments:** CB8-2024 Protections of Wetlands, Streams, Steep Slopes, written testimony Feb 20 2024.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good morning Council members,  
Please see my written testimony below.  
I am asking for you to please support CB8-2024.  
Please don't table this tonight, please vote in favor of the bill.

Thank you for your immediate attention and consideration.  
Very Sincerely,  
Sharon Boies

Howard County Council Members

County Executive, Dr. Ball

Testimony - CB8-2024

Protections of Wetlands, Streams, and Steep Slopes

Position – Support

Hearing Date 2/20/2024

Dear Council members,

I urge you to vote in favor of CB8-2024.

CB8 is simply an act amending the process for approving waivers which allow for alternative compliance to protections of fragile habitat, soil, and ecosystems, our wetlands, streams, and steep slopes. CB8, if passed, would add a few commonsense measures which would provide more transparency, increase public knowledge and engagement, and add integrity to the current process.

This amendment doesn't change the ability to obtain a waiver, it improves the current approval process for obtaining a waiver for alternative compliance to protections.

I think all of us have noticed the significant deforestation of our county, especially in recent years, it hasn't let up and it seems there isn't an end in sight.

The message is clear, wildlife has no rights in Howard County, and it really feels from your actions that you don't take global warming and species die-off seriously at all.

I have asked on numerous occasions, why does the county bother to note "specimen trees" if it offers them no additional protections?

How many "specimen trees" has the county approved to be cut down?

What is the process for approving them to be cut down?

What is the process for determining if a project warrants the waiver that allows for the removal of a forest of mature trees and specimen trees?

Who is making these decisions for all of us? When do these decisions occur? Are they decided behind closed doors?

When is the public allowed to weigh in on these decisions because oftentimes it's much too late, if ever at all, even if you live or own property right next to an area that might be negatively impacted, or, even if your property could be negatively impacted because of an approved waiver.

A “stream restoration” was allowed to deforest up to 13.50 acres of mature forest in Howard County, it has left our neighborhood stunned. I called the Department of Natural Resources to try to figure out how this happened, and to find out who made this inconsiderate decision for all of us and without any public participation in the decision? I was told the contractor obtained a waiver from requirements of the Forest Conservation Act.

My neighborhood is far from alone. Had it not been for this experience, a 6 mile long “stream restoration” stood to be permitted which would have allowed for up to 65 acres of mature forest, I said 65 acres of mature forest to be removed -gone- vanished – from Howard County’s landscape. 330 addresses were notified with a 30 day notice, that there was going to be a” stream restoration” called the Lake Elkhorn Mitigation Bank, but this was 6 miles away in Long Reach so folks didn’t pay much attention to the notice.

I am still trying to find out what role the county played in the approval process that allowed this project to move forward. Who approved this project and when?

The public has been paying more attention and when we have had the opportunity to get involved such as with the project proposed for Centennial Park and the Plum Tree Branch in Dunloggin, the county and the community have been able to work together to arrive at more acceptable and successful outcomes instead of the county creating feelings of distrust and disappointment.

CB8 is simply asking for a few things that could have made such a difference if it were already in place before the project that occurred in my neighborhood or on what was proposed for the Lake Elkhorn watershed.

CB8 is simply calling for the county to directly notify adjacent landowners and residents within 100 feet of a project requesting a waiver, and to advertise and make available the meetings at which the waivers will be discussed.

We can’tt plant our way out of what we have allowed to be cut down in the past, but we can take commonsense measures to ensure that we are giving consideration to what we approve in the future.

As our county looks for ways to combat the negative impacts of greenhouse gases, it must give more consideration to the negative impacts of mature tree loss.

Please watch this 3 and a half minute long video on the impacts of deforestation, this was created by children concerned for their future.

Also, please take less than 1 minute to view the image produced by NASA of the air pollution that hovers over our county. Mature trees are our air filters. They take decades to grow and deserve more than minutes long conversations between a few people to allow their removal.

Please vote in favor of CB8 – 2024, tonight. Please do not table this commonsense and common courtesy bill.

Thank you for your immediate consideration.

Truly Yours,

Sharon Boies

Columbia, MD

Please watch this short video -

<https://www.youtube.com/watch?v=0D0zp7Q4YnE>

Please see the image and note the pollution levels over our county -

<https://www.nasa.gov/news-release/nasa-shares-first-images-from-us-pollution-monitoring-instrument/>

My neighborhood creek after the “restoration”





Changes to the hydrology and water quality after the stream “restoration” in my neighborhood.

**From:** [Bruce Harvey](#)  
**To:** [CouncilMail](#)  
**Subject:** Testimony on CB8-2024  
**Date:** Tuesday, February 20, 2024 4:52:01 PM  
**Attachments:** [Testimony 240220 CB8 Alternative Compliance.docx](#)

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Attached is my written testimony on CB8.

Bruce A. Harvey  
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Williamsburg Homes  
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Bruce A. Harvey  
Written Testimony 02/20/2024  
Howard County Council

Bill CB8-2024 – Amending the process for approving waivers which allow for alternative compliance

My name is Bruce Harvey, and I am President of Williamsburg Homes. I live on Elmwood Road in Fulton, MD. I am providing this testimony in opposition to Council Bill CB-8.

CB-8, if passed, would require that Alternative Compliance Requests submitted to the DPZ Director, Office of Sustainability Administrator and DPW Director now be heard in a public forum. Not only would the public now be invited but notification would have to be sent to adjoining property owners. Alternative Compliance Requests are not a zoning hearing and should not be treated as such. This is just an attempt to slow down and potentially stop the subdivision process. These alternative compliance requests are very technical in nature and the 3-person team certainly has the technical knowledge to review these variances. The review process was only recently changed to include this 3-person panel and their decision needs to be unanimous. This certainly provides adequate review of the Alternate Compliance Request. If we go to a public process, this will just provide the public another chance to tell the 3-person group why a project “should not be built in their backyard.” Let’s also remember that government projects should be subject to this additional scrutiny including school construction. These projects also require environmental waivers.

Governor Moore has written and stated, **“We must address the housing crisis at its source: Withering supply. Since the 2008 Great Recession, our state has not built new homes at an adequate pace to keep up with demand. The result is a staggering housing shortage of approximately 96,000 housing units — and counting.”**

Comptroller Brooke Lierman in her State of the Economy Report stated, **“The cost of housing is impacted by housing inventory. Between 2019 and 2022, the housing inventory dropped between 40% and 75% in every county (57% on average, statewide) while median home prices increased 27% statewide.”**

This bill will only exacerbate the significant housing shortage that exists in Howard County today. In addition, with additional delay from adding a public forum to the process, costs of subdivision will increase, so certainly not helping housing affordability in any way.

I urge you to defeat CB-8. The process we set up a couple of years ago for Alternative Compliance is still relatively new and doesn’t need to be modified at this time.