

Habicht, Kelli

From: Tolliver, Sheila
Sent: Tuesday, September 09, 2014 11:36 AM
To: Habicht, Kelli
Subject: FW: Patapsco Greenway Testimony
Attachments: Patapsco Heritage Greenway Testimony Spreadsheet.xlsx

Please file list with CR 96-2014

From: Hammond, Patricia
Sent: Tuesday, September 09, 2014 10:56 AM
To: Tolliver, Sheila
Subject: Patapsco Greenway Testimony

Shelia,

Here are the names and addresses of constituents who submitted testimony via email to Mary Kay. Thanks.

Trish

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(on behalf of Preservation Howard County's Officers and Board)

Re: CR 96-2014 Support

copy for CC

Statement of Paulette Hammond, President, Maryland Conservation Council*

Re: Patapsco Heritage Greenway Management Proposal

To: Howard County Council, meeting, Monday, July 21, 2014, 7:30 pm

Born and raised in Catonsville, and growing up next to the Patapsco State Valley Park (PVSP), I developed a strong identification with it and its well-being. When I heard that there was a management plan being re-introduced by the Patapsco Valley Heritage Greenway (PHG) I took an interest. So did the organization I head as President, the Maryland Conservation Council (MCC). One of our Board members had been involved in the early discussion of the PVSP management plan in the 1990's. At that point we opposed the plan. When the plan was re-proposed in 2013, I attended a meeting at the Catonsville Library, where I heard the presentation by the PHG. At that point I thought that it was a plan worthy of our scrutiny. I invited John Slater (and Gary Maule) to attend one of our Board of Director's (Board) meetings at the Cove Point Light House (quite a trek for all of us.) At that point John asked for our support of the plan, but we deferred the decision, opting to discuss it at another Board meeting, which we will continue to do.

A meeting was called on April 22nd at the headquarters of the PVSP with all the interested parties at that point, I attended with Richard Hughes, MHAA; Jen Ruffner, MHAA staff, Rob Dyke, Park Director; John Slater, President, PHG, Steve Titus, PHG head of the Environment Committee, Cathy Hudson, PHG Treasurer; Gary Maule, PHG Board member; Sarah McClain, American Rivers; David Flores, Blue Water Baltimore; and Joanne Heckman and Alexander English, Sierra Club. It was decided at that meeting that we needed a Memorandum of Understanding (MOU) before the environmental groups present (MCC and Sierra Club, among others) could move forward on approving the Plan presented by the PHG. MCC agreed to be the point group with Sierra Club (SC). Unfortunately, there was a disagreement on the format and objective of the MUO, so that never happened.

The PHG Plan was presented to the Howard County Planning Board in June, and I attended with some of our MCC members from the Chesapeake Audubon Society. The Planning Board decided, after several testimonies to study the issue before they could issue a recommendation to the Howard County Council.

Subsequently, the Chesapeake Audubon Society (CAS) got involved and decided to suggest some revisions to the Patapsco Heritage Area Management Plan (Plan). Those revisions (over 2 dozen) were accepted and will be incorporated into the plan, strengthening the plan's environmental protections and community input

A recent meeting between MCC, CAS and National Audubon Society members with John Wilson, DNR liaison to the Maryland Heritage Area Authority and Nita Settina, Superintendent of the Park System, reassured us that DNR will continue to follow all legal protocols in addressing the Park's ecological needs, balanced by the social needs of State residents (accessibility, environmental education—especially of youth, etc.) in the Plan.

While I speak only for myself, I feel the revisions accepted by PHG were MCC's main purpose in participating in this process. Therefore, I can see no reason that the proposed revised Plan should not go forward.

*For identification purposes only

SIERRA CLUB OPPOSES INCLUDING PVSP IN PHG HERITAGE AREA

The Patapsco Heritage Greenway, Inc. is a private organization that has submitted a proposal to become the "managing entity" of a Heritage Area that would include 5000 acres of Patapsco Valley State Park.

The purpose of the Heritage Area is to "increase the economic activity associated with tourism" by "creating opportunities for small business development, job growth, and a stronger tax base". This is not an appropriate goal for a State Park.

The "managing entity" is entitled to apply for state grants for its own management, and also for land acquisition and capital projects in the designated area.

The PHG, Inc. draft Management Plan describes [land acquisition](#) and [construction projects](#) that PHG would carry out in Patapsco Valley State Park.

The PHG's draft Management Plan for the new Heritage Area has been submitted to Baltimore County and to Howard County for approval. The Maryland Department of Natural Resources (which includes the Maryland Park Service) is not included in the county approval process.

The DNR Management Plan for the Patapsco Valley State Park ought to supersede the PHG Management Plan of the Heritage Area, however, the Maryland Department of Natural Resources has no current Management Plan for the Patapsco Valley State Park. The PHG, Inc. draft Management Plan describes partnerships, collaborations, and "management authority" for the PHG in the State Park, as well as a plan for PHG, Inc. to [fund and work on a new DNR Master Plan for the State Park](#).

Sierra Club Position

The proposed "Patapsco Valley Heritage Area" should be defined to exclude the Patapsco Valley State Park from the boundaries of the Heritage Area.

Excluding the State Park from the area does not affect the ability of the Patapsco Heritage Greenway, Inc. to promote heritage tourism in or around the Park.

It also doesn't affect the ability of the PHG, Inc. to coordinate environmental stewardship activities in the Park, as it has for the last 15 years, in collaboration with the Sierra Club and others.

Management of the State Park should be the responsibility of the Park Service and subject to public oversight. It is not appropriate to give special access, influence, or authority to any particular special-interest group. The Patapsco Heritage Greenway, Inc. is a special interest group seeking a charter to promote heritage tourism. As such, it

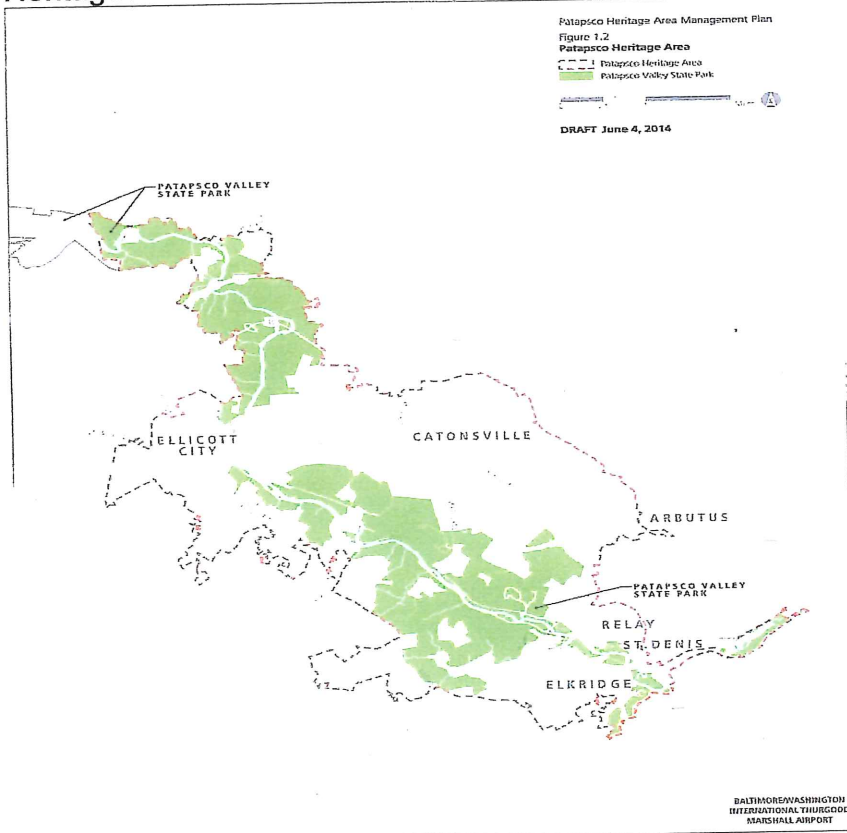
should not be given special privileges or responsibilities regarding funding, planning, or development of the State Park.

The Sierra Club, other environmental groups, and special interest groups representing particular users of the State Park, are available to collaborate with DNR to develop a new DNR Master Plan for the Patapsco Valley State Park. Decisions about heritage tourism, as one aspect of park management, should be decided in that public forum.

The proposed Heritage Area should not include the State Park until an up-to-date Master Plan (or Management Plan) for the Patapsco Valley State Park has been prepared by DNR with the participation of all stakeholders and the approval of the public.

Howard and Baltimore County are being asked to approve the Management Plan, including the boundaries of the Heritage Area, the land acquisition and construction proposals listed for the Patapsco Valley State Park, and the management authority assigned to Patapsco Heritage Greenway, Inc.

The counties do not have the authority to approve these provisions in the Management Plan on behalf of the State and shouldn't give the appearance of doing so. The Patapsco Valley State Park should be excluded from the boundary of the proposed Heritage Area so that the County Council's decision applies only to the County.



Quotations (in *italics*) are from the draft Management Plan by the Patapsco Heritage Greenway, Inc. Page numbers refer to the June 2014 version of the draft Management Plan.

Land Acquisition:

- supporting state funding for *land acquisition by MD DNR in Patapsco Valley State Park* with emphasis on properties that have historic significance
- PHG will also focus on working with partners to permanently protect lands of conservation interest, particularly *lands that can be added to existing parks for which public access is possible.*

Construction projects:

These include constructing an overlook above the Thomas Viaduct, constructing riverfront parks, and constructing numerous trails, trailheads, and parking facilities.

- *PHG is currently partnering with Patapsco Valley State Park (MD DNR) to create a viewing area from which visitors can see the viaduct and read about its history.*
- Action 2.4.3d Collaborate with Patapsco Valley State Park (PVSP) (MD DNR) and CSX to develop a viewing platform for the Thomas Viaduct (page 201).
- Of particular interest will be exploring opportunities for additional riverfront parks along the Patapsco River (page 203).
- Action 4.4.1d *Explore opportunities for riverfront parks within the heritage area; support efforts to fund, plan, and develop riverfront parks at identified locations.*
- **Linking Heritage Area Experiences**
- Action 4.2.1a Collaborate with heritage partners to develop a trail link from Oella to Ellicott City.
- Action 4.2.1b Collaborate with heritage partners to develop a trail link from Frederick Road (MD 144) to Ilchester.
- Action 4.2.1c Collaborate with heritage partners to develop a trail link to Ellicott City via the trestle bridge.
- Action 4.2.1d Collaborate with heritage partners to develop a sidewalk on Oella Avenue, linking Banneker Park to the No. 9 Trolley Trail.
- Action 4.2.1e Collaborate with *Patapsco Valley State Park (PVSP) (MD DNR) to develop an ecologically sensitive loop trail.*
- Action 4.2.1f Collaborate with Catonsville Rails to Trails to further develop hiking/biking trail enhancements in the greater Catonsville area.
- Action 4.2.1g Collaborate with the Howard County Department of Recreation and Parks, Patapsco Valley State Park (PVSP) (MD DNR), and Friends of PVSP to examine options for *providing ecologically sensitive trail and biking links to Patapsco Valley State Park*; explore options for funding projects; include high priority projects in annual work plans or in the five-year plan.
- Action 4.2.1h Support efforts to provide a trail linking the heritage area with BWI Airport.

- Action 4.2.1i Collaborate with Patapsco Valley State Park (PVSP) (MD DNR) to develop a recreational trail link from Avalon to the Baltimore Harbor.

- **Adequate Parking to Accommodate Visitors Seeking to Enjoy Heritage Recreation Experiences**

- Action 4.2.1j Inventory **trailhead parking facilities on all trails**; assess parking issues; establish priorities for addressing issues; and explore funding options to address issues.

- Management actions by heritage partners, and supported by PHG, will address chronic trail management issues where they currently exist and **provide new trail links that will enhance connectivity** and the general recreation experience throughout the valley. PHG will work with its partners to ensure that best management practices for trail design, construction, and maintenance are used; this will ensure that potential adverse impacts to the heritage area's resources associated with trail development and use are mitigated.

DNR Master Plan (or Management Plan)

- A major effort will focus on supporting efforts by MD DNR to complete and implement a new management plan for Patapsco Valley State Park.
- Action 4.1.1a Support efforts by Patapsco Valley State Park (PVSP) (MD DNR) and the Friends of PVSP to **pursue funding for a new management plan** for the park; **participate as an active stakeholder in plan development**; support implementation of plan recommendations.

Patapsco Heritage Greenway, Inc. already assigned itself management responsibility for the "recognized" heritage greenway, which includes the PVSP.

In 1997, the Patapsco Heritage Greenway Committee acted to create the Patapsco Valley Heritage Greenway and to achieve its status as a recognized state heritage area through the Maryland Heritage Areas Program. **In the ensuing years, the Patapsco Heritage Greenway, Inc.** (also operating under the name of the Friends of the Patapsco Valley Heritage Greenway) **assumed management responsibility** for the recognized heritage area, organizing and hosting projects, programs and special events to celebrate, preserve, protect, and conserve the valley's historic, cultural, archeological, natural, and recreation resources.

Copy & Distribute

John McCoy

11965 Simpson Rd

Clarksville

Good Evening

I am a career public servant. My work focuses on watershed management and restoration.

I serve on the Board of Directors of the Patapsco Heritage Greenway, The Middle Patuxent Environmental Area and am a Commissioner on the Patuxent River Commission.

I support Council Resolution 96. I have found in my work that the best way to restore wildlife and water quality in a river is to get the people who live and work in the area that feeds water to that river interested and involved in the rivers welfare. To do that there has to be an advocate and a plan. I believe the Patapsco Heritage Greenway has been serving in that advocacy role for the last 17 years and I believe the Patapsco Heritage Area Management Plan is the plan.

I think the Patapsco Valley has a wonderful historic and cultural heritage that spans our Colonial and industrial development periods. Hard to imagine ships once sailed to Elkridge. The river gorge is a unique environmental feature as the river falls from the piedmont to the coastal plain. Harnessing the river and its tributaries in the gorge provided the power that fueled our industrial development. This history deserves to be in the forefront of our thoughts and plans as a community.

The historic community's names resonate with those familiar, Oella, Relay, Daniels. But, we have so many unfamiliar residents, there has to be a plan in place to help them identify with their locality and its resources and care about them. Even more so for those who come to visit and use places like Patapsco State Park and Ellicott City. There has to be a plan to educate visitors about our history and contributions to history.

When they care they become willing to act to preserve and protect . That is what I see this plan causing and I think the Patapsco Heritage Greenway has the experience and maturity to help the community act to preserve, protect, interpret and restore the environment, history and culture of the Patapsco Valley. I see this being a benefit to the residents of the Valley, the Governments on either side of the Valley and the State Park that straddles the river.

So I ask you to support Council Resolution 96-2014 and in doing so move the Patapsco Heritage Area one step closer to becoming a Certified Maryland Heritage Area. That certification will help open doors for State grant funding for preservation, restoration and interpretive activities in the Valley.

Michael's & Deborah

July 21, 2104: Testimony before the Howard County Council in **opposition** to **Council Bill 37** proposed by Councilmember Greg Fox and in **support** of the county's nutritional standards for food and drinks sold on county property

Good evening, Councilmembers.

I am here tonight to offer testimony in opposition to Council Bill 37 and in support of the county's nutritional standards for food and drinks sold on county property. As you know, these standards were a signature feature of the Horizon Foundation's Howard County Unsweetened launch in December 2012.

I am in the last two months of my time on the board of Horizon after eight years of service to the citizens of Howard County, but I cannot go quietly while this important progress we have made is being threatened. But I appear before you tonight as a parent, grandparent, Howard County school teacher and co-founder of the Alpha Achievers program. I see and work with other peoples' children every day and my concern is for them.

Preventable diseases such as diabetes, hypertension, heart disease and certain types of cancer have been traced to unhealthy eating: particularly, sugary drinks - the single most contributing factor to obesity. Indeed, children today get over 300 calories a day from sugary drinks. That is why Horizon has worked so hard to change to healthy

alternatives the food and drink options served in our community.

I am especially concerned because the referenced diseases disproportionately afflict African and Latino Americans and African and Latino American *children* in particular. **Alarmingly, 50% of African American and Latino children will have diabetes at some point in their lives.** (REPEAT) I know for a fact that two of my 9th graders – one Latino and the other African American - were so diagnosed early last year. And as I see them in the corridors and my classroom, I cannot help but wonder who will be next.

And while I am sure it is not his intention, Councilman Fox is, in effect, devaluing the health of African Americans and Latinos in Howard County.

We all must die from something; but this council, should it pass this legislation; would be acting to facilitate the pain, suffering and ultimately, the deaths of its own constituents.

It is my sincere hope that you will not be joining Mr. Fox, and that instead, you will continue to support the efforts of groups such as Horizon, The Howard County Chapter of the Alpha Phi Alpha Fraternity, Inc. and the Alpha Foundation of Howard County, Inc. to make it easier for all residents of Howard County to live long, healthy, productive lives. Vote for health and life.

Thank you.

David H. Barrett

Ellicott City

Good evening

My name is Terry Levee and I would like to thank the board and its members for the opportunity to speak on behalf of the Glenelg High School Booster Club in support of CB 37-2014. Although I am speaking on behalf of the boosters, I have over 30 years of experience in the grocery business serving in various food safety and quality assurance leadership roles. Currently I am Director of Quality Assurance and Food Safety for Natural Markets Food Group which owns and operates stores in the US and Canada.

Let me start by quoting the county's board of health website-

The County's vision is to have

A model public health community in which health equity, improved health outcomes, and healthy lifestyles are accessible and achievable for all who live, work, and visit Howard County.

While the mission is

To open the door to improved health for all Howard County residents through quality and client-centered health services, evidence-based public health advocacy and outreach, strong policies and partnerships, and a dedicated and effective public health workforce.

In reading the vision and the mission nowhere does it state that it will be accomplished through government regulations or oversight.

It also goes on to list recommendations to the residents of the county on ways to help with a healthy lifestyle- again these are recommendations by the board of health not necessarily intended to be a regulation.

One of the reasons regulations and laws like this have had trouble passing is because of the Equal Protection Clause of the Fourteenth Amendment, which claims that these types of bans discriminates against certain sales outlets because it bans sales of these drinks and products in certain outlets but not others. It has also been noted that it discriminates against beverage manufacturers who sell products in certain size containers over sixteen ounces (like Honest Tea) but not beverage manufacturers that sell products in containers under sixteen ounces. In recent rulings the courts have evaluated this claim under the rational basis test.

There are several reasons to argue that the law is not rational. First, it does not really address the problem of obesity because people can always choose other high calorie foods at other venues. Second, the law is easily evaded by purchasing those products and bringing the product into the regulated place of business. Third, the law doesn't apply to the sale of those products in other outlets discriminating against those only selling to the regulated businesses (county owned properties).

Another common mistake with these type of laws is that it selectively picks out common items like sugar-sweetened beverages or candies as a cause of obesity which is misleading. Research has shown that the majority of the public does not believe that the solutions to obesity are as simplistic as a ban on the size of just one item that people consume, nor should they. By selectively picking out and offering less variety many groups are forced to look elsewhere for their products. Individuals such as those that are lactose intolerant, has allergies, restricted diets such as Gluten free are forced to look elsewhere and sometimes pay a higher price for those goods.

From a study done in 2013 it showed almost 36 percent of U.S. adults and about 17 percent of youths are considered obese, according to the U.S. Centers for Disease Control and Prevention in Atlanta. Obesity is measured by using weight and height to calculate a number called body mass index, according to the CDC. Although that number may be high, are we overregulating the other 62 and 83 percent? Can those numbers be squarely put on the type of products the county is trying to ban? Certainly the answer is no-

The solution to obesity is more of an individual responsibility, not more government intervention or corporate responsibility.

Each person is responsible for how much he or she eats. Unless a person is coerced or deceived, the credit or blame for a good or bad diet lies solely with that person. Parents are responsible for the care of their children, including what and how much the children eat. They are also responsible for teaching good dietary habits so that children will learn how to eat healthfully. Parents are ultimately responsible if their children are obese. What this law and the county is telling us is that we can't trust parents to make decisions for their families in what we should or should not eat.

Based on a quote from the county- In Howard County, the regulations apply only to county buildings and events. "We are not telling people what they can or can't serve in their store or restaurant," We're just saying on county property or a county park or building, you are going to have a healthy option. " - this rule does not give us healthy options, it gives only options that you the board feel are healthy

But here's one solution the county can use to help-

Mandate that food-preparation and buying skills be incorporated into the school curriculum. This can be done by sprinkling these skills into a range of classes from kindergarten through high school. This responsibility has fallen into the hands of the manufacturers, retailers and sales outlets. Although they should help these fundamentals should be stressed at an earlier age.

One reason that that buying skills are important is that in an article dated from July 2014, the most comprehensive study of its kind indicates that yes, unhealthy food is about \$1.50 cheaper per day, or about \$550 per year, than healthy food. For many low-income families, that means quite a lot. That translates to about \$550 more per year for one person, and that could be a real barrier to healthy eating.

Since some of these calories are in fact empty calories, from the standpoint of nutrition they are not terrific, but the empty calories keep you from being hungry, and this is why people buy them, especially lower-income people so the county needs to give them the availability and choice of as many products as they can.

One reason so called unhealthy foods may cost less is because food policies have focused on the production of "inexpensive, high volume" commodities, which has led to "a complex network of farming, storage, transportation, processing, manufacturing, and marketing capabilities that favor sales of highly processed food products for maximal industry profit." Given this reality, creating a similar infrastructure to support production of healthier foods might help increase the availability — and reduce the prices — of more healthful diets. As a county lets

work with local and national businesses and manufactures on supplying products instead of banning them or their products.

All studies agree that obesity "is almost entirely preventable through proper diet and exercise." The county should offer ways in which the government, healthcare workers, and community leaders could work to prevent the further spread of obesity, including ensuring that all citizens are educated about the importance of physical activity, healthy eating habits, preventive screenings, and making smart choices. In a recent study it concluded that 77 percent of the variation between thinner and heavier kids could be attributed to genetic differences not necessarily lifestyle although lifestyle can help.

The responsibility for obesity and other diet-related diseases does not lie with the government or the food industry; it lies with individuals. It is common knowledge which foods are high-calorie and high-fat. It's well documented that these foods should be eaten in moderation, not in excess. When they are eaten in excess they often produce diet-related health issues. When they are eaten in moderation they do not. The burden of poor responsibility lies, therefore, with consumers not producers

In closing let me reiterate that

Obesity cannot be compared to a contagious disease where government intervention can help-the diversity of our county and the individualized health problems obesity causes make it a crisis incapable of being solved by government regulation. It is important "to remember that there is no particular advantage that the public health sector has in dealing with the problem of obesity. This is a serious problem for individuals, but like other serious problems, such as bankruptcy or heart attacks, there are multiple ways to do it. The only solution is for us to demand ownership of and responsibility of our own health and fitness. Health and medical savings accounts are a good first step. Education and training is a good second step. Protecting the ability of health insurers to charge lower premiums for good personal habits would be a great third step. But most importantly, we need to return personal responsibility not the policy-making process. What each individual puts into his or her body ought to be the sole concern and responsibility of each individual —not nutrition activists, not state or

federal agencies. Individual responsibility, rather than government regulation, is more likely to lead to a solution.

Thank you for your time.

Terry Levee

Attached are copies of pictures of the Patuxent River watershed provided by Susan Garber at the legislative public hearing on 7/21/2014 re: CR 87-2014.

4/29/14



7/1/12







Swamp Mill - a house







African American Community Roundtable

P. O. Box 1236
Columbia, MD 21044

July 21, 2014

Dear Mr. Chairman and Council Members:

The African American Community Roundtable is a coalition of 25 civic organizations, faith communities, fraternities, sororities, and government agencies that advocates for a better quality of life for African American residents living in Howard County.

It cannot be denied that obesity and its associated diseases like coronary heart disease, stroke, type 2 diabetes, and some cancers are becoming a serious public health problem, both nationally and here in Howard County. In 2012, 56% of Howard County adult residents and 25% of children reported being overweight or obese. Type 2 diabetes is becoming more and more common among children and teens, particularly those who are low income or minority. While nearly 1 in 3 children in the general population is likely to develop diabetes in their lifetime, 1 in 2 African American children are likely to contract this chronic health issue. The disproportionate targeting of communities of color by companies marketing sugary drinks and unhealthy foods is one factor in the perpetuation of health disparities in the United States.

We, the Roundtable are writing in solidarity to ask that you vote against CB 37-2014 as a demonstration of the county's commitment to combatting these worrisome trends and improving health outcomes for its citizens of every demographic. The county executive's nutrition standards are a crucial step in developing a county-wide culture of health that supports healthy eating and makes healthy foods and beverages readily available for all. Critics of these guidelines have argued that they restrict choice; however, many of the more vulnerable members of our community currently lack freedom of choice because of issues of cost and availability.

Considering that Howard County Recreation and Parks programs serve about 50,000 children each year and countless other citizens receive food and beverages at county events and on government property, you are in an important and influential position. Although the county can't control what products are stocked on supermarket shelves or how companies spend their millions of dollars in marketing, by ensuring that healthier options are provided at county parks, libraries, and everywhere that people work, play, learn, and pray, the county can both model healthy behavior and expose all of its citizens to the kinds of foods and beverages that will keep them healthier for longer.

A failure to impose any kind of nutrition standards in the face of the extensive body of evidence condemning sweetened beverages would be a failure to meet the government's responsibility of actively making Howard County a safer and healthier place to live. Howard County has consistently been a national leader in addressing the most important health concerns of the time. This, now, is not the time for it to roll back the tremendous progress that has been made in promoting better health outcomes for all.

Thank you for your attention to this matter.



Susan Garber
9100 Gorman Rd.
Laurel 20723

In Support of CB37-2014

I'm sure the County Executive had good intentions when he instituted the restrictions on snack foods on county property and at county-sponsored events. Sure it's a good idea to include healthy choices –the keyword here being CHOICES.

I am here to support CB 37-2014 because banning certain foods completely and dictating substitutions seems an overreach of government power and does not recognize an individual's right to choose.

I became aware of the ban when the Senior Council (of which I am a member) at the North Laurel Community Center was informed they couldn't repeat their annual fundraiser at National Night Out. The highly successful practice of selling a hot dog, a bag of a chips, and a canned soda for \$2.00 would no longer be permitted. Only items from the prescribed list of "healthy" foods could be sold. And by the way—the free ice cream everyone has always enjoyed would also be banned. This ruffled a lot of senior feathers!!!!!!

My personal experience convinces me that to achieve healthy weight loss and maintenance the Executive's ban must be over-turned by CB-37.

Successful weight loss programs all espouse:

1. smaller portions and
2. more exercise.

I made the personal choice to join a weight loss program and was successful in losing 10% of my body weight, getting my body mass index into the healthy range in just 7 months. What made the program successful for me was its philosophy that you don't need to give up ANY food that you enjoy—you simply need to limit its intake. Knowing I can still partake of a little funnel cake at the St Louis Church picnic or strawberry shortcake at Savage Fest enables me to satisfy a craving-- while also limiting me to eating that treat on site rather than having it at home. Bottom line: I don't feel deprived—a key reason why diets fail.

Yes, we should encourage **including** more healthy choices BUT not by banning the special treats which special events bring to mind. What you or I eat on the 4th of July –or Thanksgiving—is not typical of one's daily diet. The County simply needs to step back and let the citizens have the choice at County sponsored events.

Acknowledging the county's desire to make or keep residents healthy, I'd like to suggest instead an all-out attack on deer ticks rather than snack foods. I personally know of 3 people so far this summer who have been hospitalized with Lyme disease. The constant threat of Lyme disease seriously affects the ability to partake in outdoor activities—and activity is the second key component to maintaining a healthy weigh

Testimony for Action on Children's Health at County Council Hearing

My name is Rev. Janelle Smith. I am an attorney barred in the state of Maryland and the District of Columbia. More importantly, I am a mother and the Youth Pastor at Saint John Baptist Church, which serves over 1700 members, many of whom will be effected by the proposed legislation. So as you may imagine, this issue is beyond personal to me. I am here tonight to testify against Bill 37, but I am not alone. I am here with PATH, People Acting Together in Howard County, a social justice organization of 15 congregations representing approximately 15,000 county residents. Would everyone here with PATH please stand? Thank you.

We currently have legislation in place that promotes the health and welfare of our children and yet, there is an attempt to roll it back. Why would we roll back legislation that promotes healthy options for Howard County youth when nearly one out of every three children will likely develop diabetes in their lifetime and one in two or 50% of African Americans and Hispanics will likely develop diabetes in their lifetime?!

When I was in school, we didn't have access to a ton of sugary drinks nor did I have friends who had to take insulin during lunch. Now, my middle son has more friends with diabetes than I do. These are children! These are our children!

Diabetes and other preventable diseases such as hypertension, heart disease and certain types of cancer have been traced to unhealthy eating, particularly, sugary drinks - the single most contributing factor to obesity. And yet, we want to flood our children's community centers and vending machines with the food and drinks known to kill them slowly! Our children are bombarded with marketing that promotes unhealthy eating habits. Do we really want to perpetuate the cycle of unhealthy eating by repealing guidelines that promote healthy eating and improve our children's well-being? Do we want to continue to see our children plagued by preventable diseases when we have the power and legislation already in place to improve their health?!

I serve over 250 youth at St John, which means 82-125 of my youth are projected to develop diabetes! I am a mother to three African American children which means one or two of my boys will likely end up with diabetes if we continue to ignore the facts and repeal legislation created to help end the deadly epidemic of diabetes and obesity in children.

Approximately 50,000 children will come through a Howard County Program each year. We have the opportunity to improve the health of 50,000 children by saying no to Bill 37. The current legislation is working! More and more families are choosing healthier food and drink alternatives and teaching their children to do the same. The County's Nutrition guidelines guarantee that our children consistently receive the highest quality food and drink available.

If you want to witness the children in Howard County grow into healthy adults, you will not allow Bill 37 to pass. Our children's health must remain our priority!

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Smith". The signature is fluid and cursive, with a large initial "J" and a stylized "S".

Rev. Janelle Bruce Smith, Esq.
Youth Pastor
St John Baptist Church
9055 Tamar Drive
Columbia, MD 21045

Howard County Council Testimony

3430 George Howard Building

CR 096

July 21, 2014

Let me just start by saying that for the past few years I have been assisting in the research of a primary resource book delving into the lives of 17th Century recusants leading up to the English Civil War-which means ; in simplified terms, that I have read a lot of visitation books & parish records from the 15- and 1600's. The importance of the research and why it pertains to this matter is that many of the familial interconnections we have written about had direct descendants (many of just one generation down) that came to Maryland and were a part of the First Provincial Settlement- . So I understand the importance of Maryland history, the first people that came here from Europe and the structures they built. Some, like Green's Inheritance, remain at least partially original & are still in use today- others like Col. Henry Darnall's Woodyard, are heartbreakingly gone forever, reduced to rubble and foundation stones.

I appreciate and understand what Patapsco Heritage Greenway is trying to do. A heritage area in our county would be thrilling to have, especially because Maryland's history is relatively ancient and subversively profound. We need to preserve our past instead of bulldozing through it and building something bright, shiny & new.

I have met some of the principles at PHG; they are good people trying to accomplish something they think is of utmost importance. They have worked hard through past years in their clean-up efforts (which I have to say are commendable) but they have also worked to foster relationships with the right people- decision-makers, people in local government, the council, local leaders. They have succeeded also in gathering many loyal local residents.

I think, though, that there has been one component partially lost in the zeal to achieve their heritage status- and that is the little people. Just regular residents of this area- people that visit the park on a regular basis. People that live this are for two reasons-the parks and the schools.

I know a lot of local parents, as we are heavily involved in scouts and numerous other area kids' activities. Whenever I have brought up the Park & PHG in conversation, I have never received a response from any parents that they know what PHG is, and what they are trying to achieve. I know that they have held public meetings in the past to educate people on who they are, but

I'm here to tell you that the message has not permeated as far as it really should have. I know because I'm one of the little people.

I think, however, that everyone is in agreement that a local heritage area outside of the park would be a magnificent added asset, an educational opportunity, and something with which we can take pride. However, the land within the park must be considered apart for several important reasons.

The shared consensus or idea among many of the people that frequent the Patapsco Park is that it really is a gem, a treasure of open space greenery nestled between two bustling suburban areas. A wilderness-filled camping spot ten minutes away from your house is a rarity in an area like ours- yet we are fortunate enough to claim propinquity to it. I think everyone would agree that conserving this treasure should be paramount.

But in addition to taking human concerns into consideration, we would be remiss to forget the needs of the biodiversity within the park, who depend upon its unspoiled resources to survive. The wildlife of the park is critically important, and should be to all of us. We are not here for us alone. My opinion, as I believe would be a shared opinion of many logically-minded area citizens is this: their right to a less-encroached habitat trumps our need to reminisce on our past industrial triumphs.

What I am asking you to do is to approve PHG's application to become a Heritage Area, excluding the state park portion. It would then be prudent to request the DNR to write a strong conservation plan for the park, one that would override all other interests. Once approved and in active use, the idea of PHG adding a small portion of the parkland to their Heritage Area can then be revisited.

I understand that the DNR is on board with PHG's proposed Heritage Area, but what must be considered here is that the Park is supposed to be for everyone, and that no particular interest should take precedence over another. We have an incredible asset in Patapsco Valley State Park; we should be careful not to sacrifice a part of that asset in order to enhance or formulate another - when both assets (the heritage area and an in-tact park) can co-exist successfully.

Thanks you.

July 21, 2014

CR96-2014 Patapsco Heritage Area Master Plan: Pro

Chairman Ball and members of the County Council:

My name is Cathy Hudson and I have lived in Elkridge, surrounded by the Patapsco State Park for the last 53 years. It has been those rivers and hills and animals that nurtured my environmental love, and it has been the pressure of development on this area-first when I was a youngster and observed my parents fighting off quarter acre zoning in an adjacent large tract of land, and later various attempts to develop Belmont - that sharpened my skills in preventing the destruction of something precious.

I first started attending PHG meetings some 15 yrs ago. I had just finished some acrimonious zoning battles where developers from outside my community had a vision for my community that was different than the vision that I had. I was tired of fighting against things. I wanted to work with a group that was for something, with people who loved my community and who would work towards good things for it. That was when I discovered the PHG group and grew excited about how they loved my community, understood the tremendous stories that were waiting to be told about the valley, and who understood that historians and environmentalists had much in common and much could be gained by working together.

I soon became a board member and in the last 5 years have been the treasurer of the group. I have been privy to all information and can say with certainty that we don't have any hidden agendas. And we don't greenwash. We are out there getting things done, working collaboratively and I am proud of the many things that our many volunteers have accomplished.

And lastly, the State Park needs to be an integral part of this heritage area as they are an important part of the community. They need a say in what happens in the areas around them and they need our help and support as well. They want to be a player and we need to make sure that they are.

July 21 2014

Re: CR96-2014 Patapsco Heritage Greenway Management Plan

Mr. Chairperson and Members of the ^{COUNCIL}~~Planning Board~~:

The League of Women Voters of Howard County would like to voice their support for the CR96-2014 Patapsco Heritage Greenway.

We have reviewed the draft concerning management of this designated area and find appreciable merit in the focus of document: to promote and facilitate stewardship of the heritage of the area, to provide interpretation of heritage experiences for visitors focused on the Patapsco Valley vital importance in Maryland's industrial revolution, - to increase the economic benefits of heritage tourism in the Patapsco Valley, to offer residents and visitors opportunities to explore and learn about the heritage area through a variety of quality recreation experience and to assure a strong sustainable organization for management of that area.

The League's support of these recommendations is based on our local position concerning Land Use, Planning, and Zoning and particularly on an environmental and sustainable balance concerning the protection of habitat and natural resources through a professional staff.

The League requests your support of this plan for the Patapsco Valley.

Sincerely,
Alison Beall
Director, League of Women Voters of Howard County

CC: Alice Giles- Co-President
Lillie Gallant- Co-President



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

July 21, 2014

TESTIMONY IN FAVOR OF THE PATAPSCO HERITAGE AREA
MANAGEMENT PLAN: RESOLUTION 96-2014

THE HOWARD COUNTY CITIZENS ASSOCIATION ENDORSES THIS PLAN. WE APPRECIATE THAT HOWARD COUNTY HAS SPENT \$75,000 TO DEVELOP THIS PLAN THROUGH THE PATAPSCO HERITAGE GREENWAY, INC THAT WILL BECOME THE MANAGING NON-PROFIT FOR THIS SIGNIFICANT GREENWAY AREA. THE 300 PAGE PLAN IS COMPREHENSIVE AND SHOULD PROVIDE COORDINATED DIRECTION FOR BOTH HOWARD AND BALTIMORE COUNTIES. WE WOULD SUGGEST THAT YOU CONSIDER THE FOLLOWING RECOMMENDATIONS BASED ON OUR REVIEW OF THE PLAN;

1. WE NOTE ABOUT 108 SHORT TERM PRIORITIES FOR FISCAL YEARS 2015, 2016, AND 2017 OR ABOUT 35 ANNUALLY. THIS APPEARS TO BE UNREALISTIC SINCE THERE WILL ONLY BE ONE FULL TIME AND ONE PART TIME EMPLOYEE OF THE NON-PROFIT. VOLUNTEERS ARE ALSO PROPOSED TO BE USED, BUT THEIR PRIORITIES SHOULD BE SEPERATLEY IDENTIFIED FOR ANNUAL COMPLETION. WE SUGGEST THAT NO MORE THAN TEN PRIORITIES BE IDENTIFIED FOR EACH FISCAL YEAR AS MAJOR FOR THE NON-PROFIT.
2. SECTION 9 OF THE NON-PROFITS BY-LAWS REQUIRES AN ANNUAL REPORT. WE SUGGEST THAT SECTION 9 OF THE BY-LAWS ALSO REQUIRE THIS ANNUAL REPORT BE PROVIDED AS A REQUIRED SUBMISSION TO HOWARD COUNTY AND ACCEPTED BY COUNCIL RESOLUTION. THIS NON-PROFIT HAS AN INDEFINITE LIFE AND YOU AS THE COUNCIL IN YOUR OVERSIGHT ROLE SHOULD REQUIRE AN ANNUAL ACCOUNTABILITY SINCE THE HERITAGE GREENWAY IS SUCH A VALUABLE OUTDOOR AREA.
3. SECTION 3 OF THE NON-PROFITS BY-LAWS ONLY REQUIRES THAT NOTICE OF THE ANNUAL GENERAL MEETING BE SENT TO "ALL MEMBERS OF RECORD". SINCE THE HERITAGE AREA ENCOMPASSES SO MANY TOWNS IN THE PATAPSCO VALLEY AND A LOT OF OUTDOOR VENUES OF INTEREST TO MANY CITIZENS IN HOWARD COUNTY, WE SUGGEST THAT THIS NOTICE ALSO BE REQUIRED TO BE POSTED 30 DAYS PRIOR TO THE GENERAL MEETING IN LOCAL NEWSPAPERS AND THE BALTIMORE SUN. THIS SHOULD BE ADDED TO SECTION 3 OF THE BY-LAWS.

Paul J. Vershulka

My name is Betsy McMillion. I live at 6759 Athol Avenue, in Elkridge, Maryland and have lived, worked and played in the Patapsco River Valley for the past 27 years.

I am in support of Council Resolution 96-2014.

I did not plan on testifying, but came home from vacation in Virginia to tell you a little bit more about the Patapsco Heritage Greenway group who I have volunteered and worked with for the past ten years.

I recently checked my email and FACEBOOK and have been bombarded with questions and concerns about erroneous information being circulated. For public record, here are some of the concerns I have heard and want to set the record straight.

The Patapsco Heritage Greenway is a non-profit 501c3 organization.

I have had the honor and privilege of developing, directing and managing PHG's environmental education and restoration programs for the past 10 years. We do extensive work in the lower Patapsco River watershed area, including Patapsco State Park land. It is because of the dedication and commitment of our volunteers who share the same passion of protecting the valley that we are making a difference.

One of my biggest challenges in running the environmental programs is getting all of the different jurisdictions in the valley to work together. This includes 4 counties and the state of Maryland especially the park system. They all have their different requirements and often do not communicate with one another. PHG has played an important role in acting as liaison and protector to make sure everyone is working together to help preserve the valley.

I have brought our brochure which explains who we are, and the most recent statistical accomplishments of our environmental restoration and education programs and how they have evolved over the past 10 years.

Through the work of our dedicated and concerned volunteers, members and partnerships with other organizations we have been able to accomplish a great deal with our primary mission to preserve, protect and enhance the history, heritage and natural resources of the Patapsco River Valley.

I personally know the board members and others that are involved in this management plan. They share the same passion as myself...we truly love the Patapsco River Valley and want to see it protected and preserved. If you want to see the work we have done in both the park and surrounding areas, I would be more than happy to give you a tour of what we have done, give you a list of our partners, or answer any questions you may have.

We do good work. Thank you for your support.

Five storm drain stenciling projects to date 2010-Catonsville; 2011-Groveton Ekrage; 2012 Odell; 2013 Odell & Catonsville.

Copy and distribute

Victoria Goodman
523 Hilton Ave., Catonsville MD 21228
410-869-7322

RE: Howard County Council Testimony Council Resolution 96-2014

July 21, 2014

Chairman Ball and Members...

Thank you for the opportunity to testify before you this evening.

My name is Victoria Goodman and I live at 523 Hilton Ave. in Catonsville in Baltimore County. And although I do not live here in Howard County I think you know that I have spent a great deal of my life (close to 40 years in fact) working here. Tonight, I am here to ask that you pass Council Resolution 96-2014 and support the Patapsco Heritage Greenway's effort to gain certification of the Patapsco Valley Heritage Area as a Maryland Heritage Area.

I have been aware of the Patapsco Heritage Greenway's efforts on behalf of the Valley since it first began. I have watched over the years as the organization led the charge to help protect, sustain and educate the community about the unique resources found within the Valley. I became a member of the Friends of the Patapsco Heritage Greenway a little over a year ago specifically to support this Heritage Area certification effort, and I was recently appointed to the Board of Directors.

Tonight however, I speak to you not only as a member of the Board but in three different voices.

First, as a resident living within the proposed area, I believe this Management Plan is a comprehensive assessment and forward looking action plan. It provides a long overdue, well thought out, and practical compass for sustaining what is no doubt one of Maryland's greatest natural and historical locations. I see this effort as a benefit to my family and my community.

Secondly, as a board member I strongly support the ultimate purpose of this document which is to obtain certification of the proposed area as a Maryland Heritage Area. The benefits of this certification are many. Key among them is the funding opportunities for local organizations working in concert with the Patapsco Heritage Greenway to sustain and support the unique natural, cultural and historical resources of the valley. Together with this funding we can work harder and smarter to enhance the quality of life experience for those living, working, learning and playing within the Heritage Area.

Finally, my support for this effort runs deep in my veins and straight from my heart because my family and I are part of the Patapsco Valley story. I grew up on the banks of the river in what is now the all but extinct mill town of Daniels. My great grandfather, my grandmother, my mother and my father all worked in the mill once located there. Today, my 85 year old mother (who does live here in Howard County) still attends church there and sits in a pew under a stained glass window dedicated to my father. Both my great grandfather and great grandmother are buried there behind the church and the remnants of my father's schoolhouse lie just beyond. They were hard working people like those who came before them up and down the Patapsco River in the mill towns that dotted its banks. Theirs is a story worth telling. It is the story of the valley's heritage... of my heritage.. and the heritage of many sitting here tonight.

I encourage and ask that you support this resolution and the Management Plan as submitted to you so this story can be told and remembered by generations to come.

Thank You

SIERRA CLUB OPPOSES INCLUDING PVSP IN PHG HERITAGE AREA

The Patapsco Heritage Greenway, Inc. is a private organization that has submitted a proposal to become the "managing entity" of a Heritage Area that would include 5000 acres of Patapsco Valley State Park.

The purpose of the Heritage Area is to "increase the economic activity associated with tourism" by "creating opportunities for small business development, job growth, and a stronger tax base". This is not an appropriate goal for a State Park.

The "managing entity" is entitled to apply for state grants for its own management, and also for land acquisition and capital projects in the designated area.

The PHG, Inc. draft Management Plan describes [land acquisition](#) and [construction projects](#) that PHG would carry out in Patapsco Valley State Park.

The PHG's draft Management Plan for the new Heritage Area has been submitted to Baltimore County and to Howard County for approval. The Maryland Department of Natural Resources (which includes the Maryland Park Service) is not included in the county approval process.

The DNR Management Plan for the Patapsco Valley State Park ought to supersede the PHG Management Plan of the Heritage Area, however, the Maryland Department of Natural Resources has no current Management Plan for the Patapsco Valley State Park. The PHG, Inc. draft Management Plan describes partnerships, collaborations, and "management authority" for the PHG in the State Park, as well as a plan for PHG, Inc. to [fund and work on a new DNR Master Plan for the State Park](#).

Sierra Club Position

The proposed "Patapsco Valley Heritage Area" should be defined to exclude the Patapsco Valley State Park from the boundaries of the Heritage Area.

Excluding the State Park from the area does not affect the ability of the Patapsco Heritage Greenway, Inc. to promote heritage tourism in or around the Park.

It also doesn't affect the ability of the PHG, Inc. to coordinate environmental stewardship activities in the Park, as it has for the last 15 years, in collaboration with the Sierra Club and others.

Management of the State Park should be the responsibility of the Park Service and subject to public oversight. It is not appropriate to give special access, influence, or authority to any particular special-interest group. The Patapsco Heritage Greenway, Inc. is a special interest group seeking a charter to promote heritage tourism. As such, it

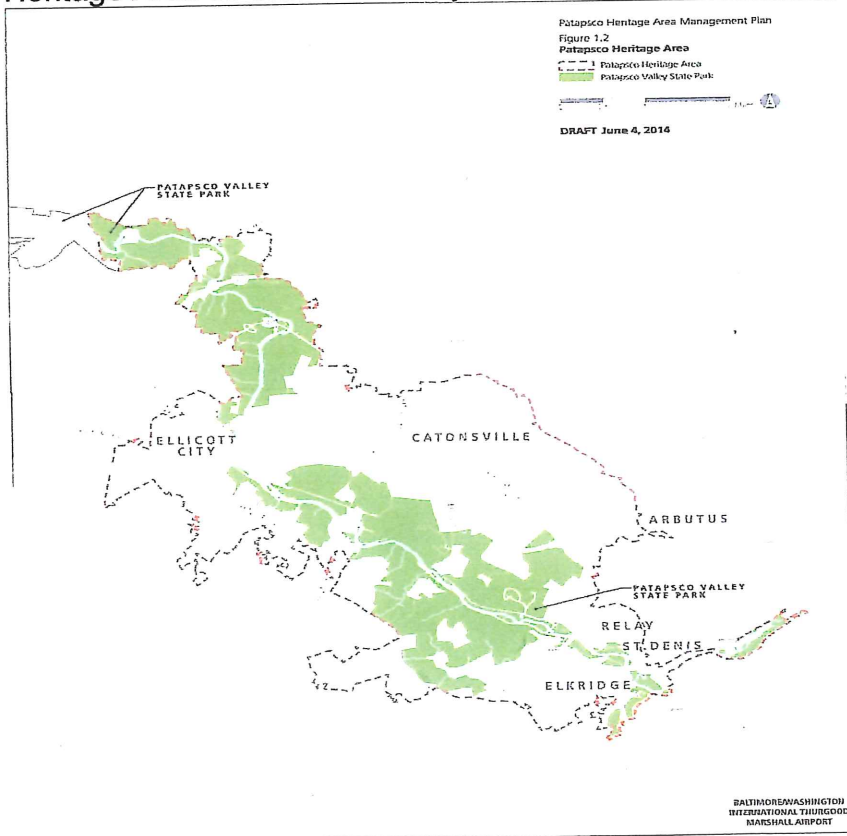
should not be given special privileges or responsibilities regarding funding, planning, or development of the State Park.

The Sierra Club, other environmental groups, and special interest groups representing particular users of the State Park, are available to collaborate with DNR to develop a new DNR Master Plan for the Patapsco Valley State Park. Decisions about heritage tourism, as one aspect of park management, should be decided in that public forum.

The proposed Heritage Area should not include the State Park until an up-to-date Master Plan (or Management Plan) for the Patapsco Valley State Park has been prepared by DNR with the participation of all stakeholders and the approval of the public.

Howard and Baltimore County are being asked to approve the Management Plan, including the boundaries of the Heritage Area, the land acquisition and construction proposals listed for the Patapsco Valley State Park, and the management authority assigned to Patapsco Heritage Greenway, Inc.

The counties do not have the authority to approve these provisions in the Management Plan on behalf of the State and shouldn't give the appearance of doing so. The Patapsco Valley State Park should be excluded from the boundary of the proposed Heritage Area so that the County Council's decision applies only to the County.



Quotations (in *italics*) are from the draft Management Plan by the Patapsco Heritage Greenway, Inc. Page numbers refer to the June 2014 version of the draft Management Plan.

Land Acquisition:

- supporting state funding for *land acquisition by MD DNR in Patapsco Valley State Park* with emphasis on properties that have historic significance
- PHG will also focus on working with partners to permanently protect lands of conservation interest, particularly *lands that can be added to existing parks for which public access is possible.*

Construction projects:

These include constructing an overlook above the Thomas Viaduct, constructing riverfront parks, and constructing numerous trails, trailheads, and parking facilities.

- *PHG is currently partnering with Patapsco Valley State Park (MD DNR) to create a viewing area from which visitors can see the viaduct and read about its history.*
- Action 2.4.3d Collaborate with Patapsco Valley State Park (PVSP) (MD DNR) and CSX to develop a viewing platform for the Thomas Viaduct (page 201).
- Of particular interest will be exploring opportunities for additional riverfront parks along the Patapsco River (page 203).
- Action 4.4.1d *Explore opportunities for riverfront parks within the heritage area; support efforts to fund, plan, and develop riverfront parks at identified locations.*
- **Linking Heritage Area Experiences**
- Action 4.2.1a Collaborate with heritage partners to develop a trail link from Oella to Ellicott City.
- Action 4.2.1b Collaborate with heritage partners to develop a trail link from Frederick Road (MD 144) to Ilchester.
- Action 4.2.1c Collaborate with heritage partners to develop a trail link to Ellicott City via the trestle bridge.
- Action 4.2.1d Collaborate with heritage partners to develop a sidewalk on Oella Avenue, linking Banneker Park to the No. 9 Trolley Trail.
- Action 4.2.1e Collaborate with *Patapsco Valley State Park (PVSP) (MD DNR) to develop an ecologically sensitive loop trail.*
- Action 4.2.1f Collaborate with Catonsville Rails to Trails to further develop hiking/biking trail enhancements in the greater Catonsville area.
- Action 4.2.1g Collaborate with the Howard County Department of Recreation and Parks, Patapsco Valley State Park (PVSP) (MD DNR), and Friends of PVSP to examine options for *providing ecologically sensitive trail and biking links to Patapsco Valley State Park*; explore options for funding projects; include high priority projects in annual work plans or in the five-year plan.
- Action 4.2.1h Support efforts to provide a trail linking the heritage area with BWI Airport.

- Action 4.2.1i Collaborate with Patapsco Valley State Park (PVSP) (MD DNR) to develop a recreational trail link from Avalon to the Baltimore Harbor.

- **Adequate Parking to Accommodate Visitors Seeking to Enjoy Heritage Recreation Experiences**

- Action 4.2.1j Inventory **trailhead parking facilities on all trails**; assess parking issues; establish priorities for addressing issues; and explore funding options to address issues.

- Management actions by heritage partners, and supported by PHG, will address chronic trail management issues where they currently exist and **provide new trail links that will enhance connectivity** and the general recreation experience throughout the valley. PHG will work with its partners to ensure that best management practices for trail design, construction, and maintenance are used; this will ensure that potential adverse impacts to the heritage area's resources associated with trail development and use are mitigated.

DNR Master Plan (or Management Plan)

- A major effort will focus on supporting efforts by MD DNR to complete and implement a new management plan for Patapsco Valley State Park.
- Action 4.1.1a Support efforts by Patapsco Valley State Park (PVSP) (MD DNR) and the Friends of PVSP to **pursue funding for a new management plan** for the park; **participate as an active stakeholder in plan development**; support implementation of plan recommendations.

Patapsco Heritage Greenway, Inc. already assigned itself management responsibility for the "recognized" heritage greenway, which includes the PVSP.

In 1997, the Patapsco Heritage Greenway Committee acted to create the Patapsco Valley Heritage Greenway and to achieve its status as a recognized state heritage area through the Maryland Heritage Areas Program. **In the ensuing years, the Patapsco Heritage Greenway, Inc.** (also operating under the name of the Friends of the Patapsco Valley Heritage Greenway) **assumed management responsibility** for the recognized heritage area, organizing and hosting projects, programs and special events to celebrate, preserve, protect, and conserve the valley's historic, cultural, archeological, natural, and recreation resources.

July 21, 2014
Council Resolution 96-2014

Dear members of the Howard County Council,

My name is Nancy Pickard and I was recently honored to become a member of the Patapsco Heritage Greenway Board. I am pleased to be here this evening as both a county resident and representative of the Board to speak about the considerable public outreach that PHG has undertaken to inform and engage residents and businesses in Howard and Baltimore Counties regarding the Heritage Area Master Plan.

In the course of the past year, Patapsco Heritage Area members have held more than nine (9) public meetings throughout the county. Our members have met with a number of interest groups to engage them in discussion and seek input regarding the proposed Heritage Area Master Plan. These meetings included 12 non-profit entities such as Historic Ellicott City, The Ellicott City Partnership, Howard County Historical Society and the League of Women Voters. In addition, meetings were held with 15 university and government entities, including staff at UMBC, members of the Howard County Council, Tourism Boards and County Parks & Recreation staff.

In addition to meetings, we have endeavored to increase visibility and public access to the plan by adding a copy of the proposed Heritage Area Master Plan to our website in late March 2014. The website has allowed for public comments and suggestions on the plan. PHG members have worked diligently to address all comments received via the website, have sought comment from individuals and organizations and worked to incorporate specific recommendations. The Patapsco Heritage Greenway has taken purposeful steps to inform the public throughout this multi-year process and believe that our outreach has been very successful.

Thank you,

Nancy Pickard
3113 Elmmede Road
Ellicott City, MD 21042

Public Meetings 2013-2014

June 12-13, 2013 Urban Land Institute Technical Assistance panel

Public meetings: June 12 at UMBC US Geology Survey Center
June 13 Robinson Nature Center.

August 26, 2013 Public Meeting at Banneker Park, Oella

September 24, 2013 Public meeting Urban Land Use Report, Catonsville Library

September 30, 2013 Public meeting St. Augustine's, Elkridge

November 12, 2013 Howard County Council status briefing

January 30, 2014 Public Meeting Heritage Area themes and maps, Roger Carter Center

March 25, 2014 Public meeting presentation draft Master Plan, Relay Town Hall

March 29, 2014 Public meeting presentation draft Master Plan, Grace Episcopal Church, Elkridge

March 31, 2014 Public meeting presentations draft Master Plan, Catonsville Club House, Catonsville.

June 19, 2014 Howard County Planning Board

July 17, 2014 Baltimore County Planning Board

Nonprofits and other interested groups meetings included:

Friends of the Patapsco Valley State park, Preservation Howard County, Historical Society of Howard County, Historic Ellicott City Inc., Ellicott City Partnership, Maryland Conservation Council, Howard County Sierra Club executive committee, Howard County Bird Club, League of Women Voters Boards for Howard County and Baltimore County, Baltimore Historical Society, Columbia Rotary and the Greater Elkridge Community Organization.

Governmental entities and Universities included:

Council member Courtney Watson, Howard County and Council member Tom Quirk, Baltimore County, UMBC staff, Planning Departments and Planning Directors Howard and Baltimore Counties, Maryland State Parks Service, Tourism officials Howard and Baltimore Counties, Director Maryland Heritage Authority, Howard County Recreation and Parks Director, Patapsco Valley State Park officials, Howard County Sustainability Board, National Park Service, Morgan University students, Department of Natural Resources, Heritage Authority Technical Committee, and Towson University staff.



Patapsco Heritage Greenway
P. O. Box 96
Ellicott City, MD 21041
410-480-0824

July 21, 2014

The Honorable Calvin Ball, Chairperson
Howard County Council
3430 Courthouse Drive
Ellicott City, MD 21043

Ref: CR 96-2014 - Patapsco Heritage Area Management Plan

Dear Councilman Ball:

This is a long letter. Its length is necessary as a response to the Howard County Sierra Club's mischaracterizations of the Patapsco Heritage Greenway (PHG) and the role of the Maryland Heritage Area Authority (MHAA). We hope this letter will help you in the Howard County Council's hearing on CR 96-2014. Several PHG officers plan to attend to be available to answer any questions.

Let me address the broad concepts advanced by the Howard County Sierra Club.

Heritage

The American Oxford Dictionary defines "heritage" as:

Property that is or may be inherited; an inheritance; valued objects and qualities such as cultural traditions, unspoiled countryside, and historic buildings that have been passed down from previous generations:

It is the concept of heritage that drives the PHG and the MHAA. Indeed heritage is in the name of both organizations. It is who we are.

Our heritage in the Patapsco Valley is unique. Not just because of its unspoiled countryside; not just because of its rich historical contribution to industrial America; and not just because of its preserved buildings, museums, and landscapes. But because together these things create a whole greater than the parts. This tapestry of nature, culture, and history when woven together are a special statement about who we are and who we want to be. If we do not husband this heritage, we risk losing it. That is why PHG is seeking certification, so the community can come together with a big voice that says, "This is our valley, and we want its heritage preserved."

Nobody tells the park what to do

Let's look specifically at the natural environment. We live in a highly dense population center. The Patapsco Valley State Park (PVSP), the first Maryland state park, was planned over 100 years ago and has grown to 16,043 acres with eight recreational areas. It is owned by the State of Maryland and managed by the Maryland Department of Natural Resources (DNR). DNR budgets, staffs, and administers the Park. They do so under the laws of Maryland, and neither adjacent counties nor others tell them how to manage the park.

PVSP is neither a wilderness nor a "Central Park." It is a heavily used urban park for the residents in and around the Valley. Last year 1.2 million visitors came to PVSP, and population projections are that more will come each year. Thus, it is important that DNR have in place an up-to-date PVSP management plan considering the State's goals, existing budgets, and foreseeable uses. We support PVSP in developing a plan as does the Sierra Club. Both of us would rather see it done sooner than later. And both PHG and Sierra Club are eager to offer ADVICE on what should be in that plan. Here's is what Rob Dyke, Park Manager, PVSP, submitted for the Heritage Area Management Plan:

The current 5,346 acres of the Patapsco Valley State Park located within the Heritage Area are governed by the land use designations of the Maryland Department of Natural Resources as set forth in the Code of Maryland Regulations 08.07.06.02. In accordance with these general provisions, the park area classifications, uses, and development activities are determined by the current Patapsco Valley State Park Master Plan and subsequent and more detailed plans for individual areas. The planning staffs of the Land Acquisition and Planning Group and Integrated Policy and Review Unit are involved in all long-range planning, management, and development projects within the Park. The Maryland Park Service oversees the implementation of these activities."

Planning and "Management Plans"

No effort to protect, preserve, conserve, enhance, utilize, or monitor land use should be attempted without planning. The Sierra Club is having difficulty separating the difference between plans for land use and plans for organizations. They see something called a "management plan" as a term of binding, directed action. They also sometimes change the term to "development plan" to convey a derogatory meaning with the implication that bulldozers are idling at the park boundary ready to assault the forest. Let's clear things up.

We agree DNR needs to update their PVSP plan (they call it a management plan) as soon as possible. Estimates are that to prepare a plan will cost about \$100,000, which DNR does not have. PHG and Sierra Club can work together to help the park obtain funding and prepare this plan.

The Heritage Area "Management Plan" associated with the request for certification is written to meet the needs of the MHAA requirements. MHAA is not about to award funding and support to a Heritage Area without a well-documented plan. MHAA calls this a "management plan," and the 294-page document encompasses the underlying principles, organization, and suggested strategies for the making of a successful Heritage Area. It is not a contract for action, but a strategy for operating in a dynamic world of

many stakeholders, changing conditions, and limited dollars. **It is our PHG organization's Management Plan. It is not a management plan for the Patapsco State Park.** It is important to be clear what is meant by the use of "management plan," or perhaps more correctly clear about which "management plan" is being talked about.

Communication, collaboration, and consensus

PHG prefers to use a model that promotes openness and transparency. We have hosted many public meetings as well as discussions with interested parties and organizations explaining what the certification effort is designed to do and what is in the Management Plan. Thus, it is disappointing for local Sierra Club members, who have attended many of these meetings, to assert they were not included in the discussions. It simply is not so.

We solicited comments on the drafted portions of the certification management plan at public meetings. In addition, we posted the latest drafts on our Webpage as they became available so that we could continue to improve the document. The final draft was posted on June 5th as reported. It incorporated the thoughts and comments from all those who responded to the document as it emerged. All Sierra Club comments were reviewed and considered.

So despite our best efforts to engage the local Sierra Club in meetings and continued dialogue; despite our attempts to reach out to them to discuss differences; and even despite some friendly, even hopeful, oral discussions, the written record seems to show that differences may not be overcome. Nonetheless, should certification be forthcoming, Sierra Club will continue to be invited to the table to bring their perspective and experience to the discussions. I think PHG has been honest in its openness and candid about the process of achieving certification. We will continue to be welcoming and inclusive.

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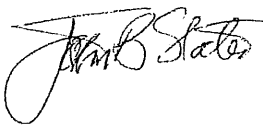
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Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "John B. Slater". The signature is fluid and cursive, with the first name "John" and last name "Slater" clearly distinguishable.

John B. Slater, President
Patapsco Heritage Greenway
c/o Slater Associates, Inc.
5560 Sterrett Place, Suite 302
Columbia, MD 21044
410-992-0001

My name is Christine Dietrich and I reside at 8411 Foundry St. Savage. I want to thank Jen Terrasa for her work in genuinely listening to members of the community and attempting to improve transparency of county council work and developments. I'm here to comment on 3 items.

SCHOOL OPEN/CLOSED CHART

I live in the southeastern portion of the county and I'm highly concerned about the rapid growth in my area. I have advocated tirelessly on the impact of the growth on our schools. Regarding the proposed open/closed schools chart, I believe there is work to be done on the numbers being presented. Speaking specifically of Bollman Bridge ES, the chart indicates the school has a capacity of 663. As of today, the schools enrollment is 756, this does not include the average of 50 students that are expected to enroll late by the end of October. That puts our enrollment over 800... can you even visualize 800 five to ten year olds in one building each day? Is this the kind of learning environment we want for our youngest citizens? In addition, the district has experienced a great number of transient students resulting in 375 students joining the school and 390 leaving in the past year (this includes the 5th grade graduating class). I'm most concerned because there are 3 more developments, that I know of, that are coming in our school district: 35 townhomes near the Mill in Savage, 416 apartments in Annapolis Junction and a minimum of 50 residences near the intersection of Rte 1 and Guilford Rd. Where will these students go to school? Will Bollman Bridge be closed by the time these places are built? As I have stated before, portables are not a solution. There are shared spaces such as hallways, gym, cafeteria, and specials classrooms that cannot accommodate the growth. There has been discussion about building new schools in our area but where? And when? Smart growth would require communication between DPZ and the school system so that we are growing at a rate that everyone can keep up with.

I also ask you to clarify, what exactly does it mean when a school is closed? It is my understanding that a development can only be delayed for up to 4 years, and then they are permitted to build. But what is the county doing in that time to resolve the overcrowding? Bollman Bridge has just been through redistricting in 2012 and a

huge addition and is STILL overcrowded. It is not fair to the children who are attending the school right now.

SLOW GROWTH REFERENDUM

This brings me to my next topic which is to implore you to stop the out-of-control growth in the county. I am deeply saddened by the behavior of our county officials in the treatment of citizens trying to protect the home we love. I stand beside the citizens of Howard County, who are fighting for our *right* to petition our government without harassment, intimidation and arrest. We are fighting for the *right* to place a Slow Growth Referendum on the 2014 Ballot.

RESTRICTING CERTAIN FOODS OR BEVERAGES AT COUNTY EVENTS

Finally, in Reference to Council Bill 37-2014, I do not agree with restricting the kinds of foods or beverages sold or distributed on County-owned property or during County-sponsored events, meetings, and programs. It is unfair to take away a person's freedom of choice and I can ensure you that the obesity epidemic isn't from purchasing a hot dog and soda at a boys and girls club baseball game. Instead, provide education about making healthy choices.

Thank you for your time.



**Patapsco Heritage Greenway
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July 21, 2014

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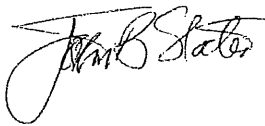
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Thank you.

Sincerely,



John B. Slater, President
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c/o Slater Associates, Inc.
5560 Sterrett Place, Suite 302
Columbia, MD 21044
410-992-0001

Susan Garber
9100 Gorman Rd.
Laurel 20723

In Opposition to CR94-2014: Adopting the Open/Closed Charts

I'd like to urge the Council to not adopt the Open/Closed chart at this time for two reasons.

1. Schools are declared closed when their population reaches 115% of capacity. However, pre-school students are not included in this count.
 - a. The justification given is that they do not attend full day. However there are generally morning and afternoon sessions, so at a minimum, shouldn't one half of their number be added to the count?
 - b. All "bodies" , even short ones, should be counted as they do "occupy" common space within the physical plant—media center, hallways, play space.
 - c. If there were a fire and the fire department asked how many students do we need to save?:
 - i. Would you only report the number of full day students?
 - ii. Would you leave the preschool children to perish?
 - d. Given the push for universal pre-K, where will we put those children?
 - i. If they are not counted as students for the purpose of the Open/ Closed chart does that mean we can accommodate an infinite number in existing buildings?
 - ii. Or will we need to bear the expense of new Pre-K buildings?
2. The "small print" in APFO appears to give a back door to developers, making the charts meaningless
 - a. Often schools are NOT built within the time frame in which the hold on development is in place, inevitably increasing enrollment to numbers which severely impact instruction
 - b. Ex: Despite a new addition completed during the beginning of the last school year, the Open/Close chart shows Bollman Bridge Elementary in Savage/Jessup (as well as the next closest school, Forest Ridge in North Laurel) closed through the 2026-27 school year. That's 12 years by my count. Under the existing APFO children will just keep on being added and the delays will be significantly less than the fabled "four tests" would indicate.

Please delay approval of this chart unless and until it is actually made meaningful.

Susan Garber
9100 Gorman Rd.
Laurel 20723

In Opposition to CR94-2014: Adopting the Open/Closed Charts

I'd like to urge the Council to not adopt the Open/Closed chart at this time for two reasons.

1. Schools are declared closed when their population reaches 115% of capacity. However, pre-school students are not included in this count.
 - a. The justification given is that they do not attend full day. However there are generally morning and afternoon sessions, so at a minimum, shouldn't one half of their number be added to the count?
 - b. All "bodies", even short ones, should be counted as they do "occupy" common space within the physical plant—media center, hallways, play space.
 - c. If there were a fire and the fire department asked how many students do we need to save?:
 - i. Would you only report the number of full day students?
 - ii. Would you leave the preschool children to perish?
 - d. Given the push for universal pre-K, where will we put those children?
 - i. If they are not counted as students for the purpose of the Open/ Closed chart does that mean we can accommodate an infinite number in existing buildings?
 - ii. Or will we need to bear the expense of new Pre-K buildings?
2. The "small print" in APFO appears to give a back door to developers, making the charts meaningless
 - a. Often schools are NOT built within the time frame in which the hold on development is in place, inevitably increasing enrollment to numbers which severely impact instruction
 - b. Ex: Despite a new addition completed during the beginning of the last school year, the Open/Close chart shows Bollman Bridge Elementary in Savage/Jessup (as well as the next closest school, Forest Ridge in North Laurel) closed through the 2026-27 school year. That's 12 years by my count. Under the existing APFO children will just keep on being added and the delays will be significantly less than the fabled "four tests" would indicate.

Please delay approval of this chart unless and until it is actually made meaningful.



Making Community Investment Tax Credits Work



What are Community Tax Credits?

Community Investment Tax Credits are a way for non-profits like Big Brothers Big Sisters of the Greater Chesapeake to raise money and give something back to their donors. Non-profits apply for and receive allotments of Tax Credits from the Maryland Department of Housing and Community Development, and then use the credits to leverage funding.

• • •

How Do they Work?

Businesses and individuals donate \$500 or more to Big Brothers Big Sisters, fill out a simple two-page form, and **receive Tax Credits valued at 50% of their contribution.** You may receive a maximum of \$250,000 in Tax Credits per year, representing \$500,000 in charitable contributions. ***Tax Credits are subject to availability.***

Tax Credits, unlike deductions which reduce the income being taxed, are applied directly to your tax liability. And the best part is— Tax Credits are in addition to the deductions on both Federal and State taxes resulting from charitable contributions. Credits can be used toward: income tax, financial institution franchise tax, public service company franchise tax, or insurance premium tax.

Benefits to Donor

Initial cash gift by donor	\$10,000
Maryland tax savings *	(750)
Federal tax savings *	(3,900)
Tax credit (50% of Contribution)	(5,000)

Net cost of contribution \$ 350

*Tax rates will vary based on each business's income and legal structure

Tax Savings to Donor

Contribution	MD	Fed	Total Savings
Cash	\$10,000	\$10,000	
Tax Rate *	7.5%	39%	
Taxes Saved on Donation	\$750	\$3,900	\$4,650

*Tax rates will vary based on each business's income and legal structure

Sign Me Up!

Businesses and individuals who would like to make a donation in return for Community Investment Tax Credits are required to complete a simple 2-page form to be returned to Big Brothers Big Sisters of the Greater Chesapeake. ***Tax Credits are subject to availability.*** To obtain a copy of this form or if you have any questions, please contact Wendy Bohdel at wbohdel@biglittle.org or 410-856-1503.

In opposition to CR87-2014, approving and adopting the 2015 PAX River
Policy Plan

Susan Garber

I live at 9100 Gorman Road, Laurel-- along the Little Patuxent River

According the MD DNR the Little Patuxent River is "Impaired," noting unsafe levels of PCB, e coli, mercury, cadmium, and phosphorous. The Biostressor analysis indicated that sediment is a major stressor affecting biological integrity in the watershed.

I could not vote for the 2015 PAX River Policy Plan as it is considerably weaker than the full scope of what the Commission is actually charged to do. The statute that created the Commission empowered it to monitor the health of the river and advise the State on how best to protect the river. This new plan substantially limits the processes or the very toolbox the Commission is likely to utilize in order to fulfill its role.

The plan as currently framed instead charges the Commission with creating "excitement" about the river and even to encourage "economic development".

I assure there is already far too much eXcitement and economic development along the Little Patuxent in Savage. There is the eXcitement of blood curdling screams from patrons of Terrapins Adventures. There is the eXcitement of unauthorized swimmers needing rescue and kayakers misjudging the amount of water actually necessary for their sport. The biggest and most consistent eXcitement of late is the discovery that the manhole covers for the new sewer line which decimated the landscape have been alternately blown off and destroyed by debris in the river. Savage residents walking on the river trail have discovered evidence of raw sewage escaping into the river during spring storms. Folks from throughout town have discovered the ODOR. We are all pretty excited and frankly infuriated that no notices were posted to warn fisherman not to eat what they catch, nor was lime spread on the trail according to state procedure. I've brought some photos to eXcite you, but have omitted the worst shots of toilet paper and tampon applicators strewn along the banks and trail.

Knowing this plan will pass, I urge the County to pay special attention to 2 of the strategies which are included in this plan:

Preservation 4: Restore the health of the river by actions such as encouraging acquisition of properties or easements in sensitive resource areas—just as Savage residents testified before you during Comp Zoning to protect the river from high density development.

eXcitement 5: Protect valuable cultural resources and historical properties within the watershed—please ask DPW to reevaluate the damaging effect of huge log jams up against the historic Mill powerhouse. See photos.

Ultimately it is not “plans” that will protect the river. This latest plan is the newest in a long string of broken government promises to act. Diligence from both citizens and the regulators is a far better solution than just approving plans on paper that few people will ever bother to read. It is a fact the County has failed in its diligence toward the river—by permitting too much development in the watershed and failing to reach goals for reducing pollutants and siltation as required by MDE. Consequently it risks the loss of resources that bring considerable value to the economy, to communities and to interconnected ecosystems. The County needs to act and make substantive strides to reverse the steady decline in area waters.

Regrettably, it appears folks have bought into the collaborative model the plan exemplifies, where we “partner” with business and industry in order to bring about improvements to the river. It is the same approach that has failed to produce improvements in the Chesapeake Bay for the past 40 years. This plan should not be approved until all the facts are fully levied and we can ensure our precious river will not suffer.

I’ve just followed strategy Advocacy 3.: *Keep elected and appointed officials aware of the issues and opportunities facing the river and seek their support where appropriate.* I’ve done my part, now please do yours.

In opposition to CR87-2014, approving and adopting the
2015 PAX River Policy Plan

Susan Garber

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July 21 2014

Re: CR87-2014 The 2015 Patuxent River Policy Plan

Mr. Chairperson and Members of the Planning Board:

The League of Women Voters of Howard County would like to voice their support for CR87-2014 The 2015 Patuxent River Policy Plan.

Our support for this legislation is based on the importance of oversight of this valuable environmental resource. Built on the 1984 recommendations, the legislation gives the counties themselves more responsibility for improvement through continued efforts for this watershed.

The League's support of these recommendations is based on our local position concerning Land Use, Planning, and Zoning and particularly on an environmental and sustainable balance concerning the protection of habitat and natural resources through a professional staff.

The League requests your support of CR87-2014.

Sincerely,

Alison Beall

Director, League of Women Voters of Howard County

CC: Alice Giles- Co-President

Lillie Gallant- Co-President

July 21, 2014

Howard County Council
Testimony for CR90-2014- Nixon's Farm

Chairperson Ball and Members of the County Council,

The League of Women Voters of Howard County is here today to testify on CR90-2014, a resolution approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between Howard County, Maryland and 2800 Nixon's Farm Lane, LLC regarding the construction and operation of a solar array located on the property known as Nixon's Farm.

The League's position concerning this resolution is based on their local position of support for economic development activity in Howard County by providing incentives for businesses in order to provide a net benefit to the county. The agreement, as reviewed, outlines long-range goals for that property known as Nixon's Farm. The League's support is conditional on the basis that use of tax credits should be limited to a poor economic climate and that our support is not general, but on a case by case basis.

We thank you for your time in considering this legislation and ask for your support for CR90-2014.

Alison Beall

Action Director- LWV of HC

Cc: Alice Giles- Co-President

Lillie Gallant- Co-President

July 21, 2014

Howard County Council
Testimony for CR90-2014- Nixon's Farm

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We thank you for your time in considering this legislation and ask for your support for CR90-2014.

Alison Beall

Action Director- LWV of HC

Cc: Alice Giles- Co-President

Lillie Gallant- Co-President

I. John F. Schulze

7070 Oakland Mills Road, Columbia, MD 21046

President of S&W Management, Inc. – owner of Clarksville Retail Center where Pizza Hut is located @ 12272 Clarksville Pike, Clarksville, MD 21029

II. Here to support the passage of Bill #38 as introduced by Mr. Fox

III. The heart of Mr. Fox's bill is on page 1, lines 20-22 (Read)

IV. Take council back to 2010-2012 and refer to Gateway School issue:

- a. February 2010 Developer showed me plans to take the back portion of the Pizza Hut property for use as a connector road to Auto Drive;
- b. Purpose was to connect Gateway property through Kendall Hardware and Pizza Hut to Auto Drive;
- c. Gateway School property had been re-zoned at the direction of the county executive to limit its use;
- d. The developer was working with the county at that point to get the property developed by private parties;
- e. I was advised that I would receive nothing but the connecting entrance easements to build the road and I would get to build the road at my expense. This would cut about $\frac{1}{4}$ of my property off from the rest of the property.

- f. Eminent domain was not used as a term by either the developer or several county employees I met with over the ensuing 2 years – but that was clearly the intent (if it walks like a duck, quacks like a duck, then it's a duck)
- V. I trust the above is a clear reason for Mr. Fox's bill to be passed to ensure protection from this type of overreach in the future.

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 8

Bill No. 38 -2014

Introduced by Greg Fox

AN ACT prohibiting the County from exercising condemnation for economic development purposes or to transfer property to a private entity for its benefit; and generally relating to the acquisition by the County of private property by condemnation.

Introduced and read first time _____, 2014. Ordered posted and hearing scheduled.

By order _____
Sheila Tolliver, 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 _____, 2014.

By order _____
Sheila Tolliver, Administrator

This Bill was read the third time on _____, 2014 and Passed __, Passed with amendments __, Failed ____.

By order _____
Sheila Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this __ day of _____, 2014 at __ a.m./p.m.

By order _____
Sheila Tolliver, Administrator

Approved by the County Executive _____, 2014

Ken Ulman, County Executive

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

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

3 *By amending: Title 4. Contracts, Purchasing and Property.*

4 *Subtitle 2. Real Property.*

5 *Section 4.200. Acquisition of real property.*

7 **Title 4. Contracts, Purchasing and Property.**

8 **Subtitle 2. Real Property.**

10 **Sec. 4.200. Acquisition of real property.**

11 The County Executive is authorized to acquire, by purchase, gift or lease for public
12 purposes, as such purposes are set forth in any capital improvement expenditure
13 appropriation ordinance, the fee simple or leasehold or such other interest as the County
14 Executive ~~[[may deem to be]]~~ DEEMS necessary or desirable in any real property located
15 within the County, including any or all property rights, interest, easements or franchises in
16 the same. If the County Executive is unable to agree with the owner or owners on the
17 purchase price of such property or interest therein, he shall ~~[[thereupon]]~~ request the County
18 Council to authorize and direct the ~~[[office of law]]~~ OFFICE OF LAW to institute, in the name
19 of the County, the necessary legal action to acquire by condemnation the real property or
20 any interest therein. CONDEMNATION MAY NOT BE USED FOR THE PURPOSE OF ACQUIRING
21 PROPERTY FOR ECONOMIC DEVELOPMENT OR FOR THE TRANSFER OF PRIVATE PROPERTY TO A
22 PRIVATE ENTITY FOR THE BENEFIT OF THAT PRIVATE ENTITY. No resolution authorizing and
23 directing the condemnation of any interest in real property ~~[[shall]]~~ MAY be adopted by the
24 Council ~~[[until after]]~~ BEFORE the owner or owners of the subject real property ~~[[shall]]~~ have
25 had an opportunity to be heard by the Council in open hearing after due notice. PURSUANT
26 TO THIS SECTION, THE COUNCIL SHALL HOLD A PUBLIC HEARING LIMITED TO THE QUESTIONS
27 OF NECESSITY OF THE TAKING, AND WHETHER THE TAKING IS FOR ECONOMIC DEVELOPMENT
28 OR FOR TRANSFER TO A PRIVATE ENTITY FOR ITS BENEFIT. ~~[[A public hearing held pursuant to~~
29 ~~this section shall be limited to the question of necessity for the taking and no]]~~ NO issue of
30 THE value of the land which is the subject of the condemnation proceeding, ~~[[can]]~~ MAY be
31 raised DURING THE COUNCIL'S PUBLIC HEARING. No real property or interest therein ~~[[shall]]~~

1 MAY be purchased, by condemnation or otherwise, unless funds for the same [[shall]] have
2 been included in the capital budget, the award of a condemnation jury notwithstanding. All
3 such purchases herein provided for shall be accomplished in accordance with budgetary
4 procedures as described in the Howard County Charter. All necessary legal proceedings
5 shall be accomplished in accordance with [[article 21 of the Code of Public General Laws
6 of Maryland]] TITLE 12 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF
7 MARYLAND, and PURSUANT TO the rules of court [[adopted pursuant thereto]].

8
9
10 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
11 ***this Act shall become effective 61 days after its enactment.***

July 20, 2014

Howard County Council
Testimony for CB47 and 48-2014- Agricultural Preservation

Chairperson Ball and Members of the County Council,

The League of Women Voters of Howard County is here today to testify on CB47 and 48-2014, bills call for the approval and provision of multi-year Installment Purchase Agreement by Howard County to acquire development rights of a combined total of approximately 139 acres of agricultural land.

The League's testimony is based on the their local position supporting agricultural preservation and to maintain property as open land in the rural areas of the County, Payment for these properties shall be made with funds collected through taxes.

We thank you for your time in considering this legislation and ask for your support for CB47 and 48-2014.

Alison Beall

Action Director- LWV of HC

Cc: Alice Giles- Co-President

Lillie Gallant- Co-President

TRUE COPY TEST:

Wayne A Robey

Acting Clerk

CR 80-2014
from Bill ERS King
EI
Jee

IN THE CIRCUIT COURT FOR HOWARD COUNTY

SHAFQET ASHAI, et al.

Petitioners

v.

HOWARD COUNTY
BOARD OF ELECTIONS, et al.

Respondents

CONSOLIDATED
CIVIL ACTION NO.: 13-C-13-096866
(13-C-13- 097230)

* * * * *

ORDER

Upon consideration of the Jane Gray, et al.'s Motion to Quash Subpoenas and for Protective Order and the Normandy, et al.'s Response to Jane Gray, et al.'s Motion to Quash Subpoenas and for Protective Order and Request for Hearing, it is this 17th day of

June, 2014,

ORDERED, that Jane Gray, et al.'s Motion to Quash Subpoenas and for Protective Order is hereby **DENIED**.

John D. Fisher
JUDGE

Circuit Court for Howard County, Maryland

ENTERED

JUN 18 2014

CLERK, CIRCUIT COURT
HOWARD COUNTY

92000

TRUE COPY TEST:

Wayne A Robey

Acting Clerk

IN THE CIRCUIT COURT FOR HOWARD COUNTY

SHAFQET ASHAI, et al.

Petitioners

Y.

HOWARD COUNTY
BOARD OF ELECTIONS, et al.

Respondents

CONSOLIDATED
CIVIL ACTION NO.: 13-C-13-096866
(13-C-13- 097230)

ORDER

Upon consideration of the Normandy, et al.'s Motion to Compel Discovery and Request for Hearing and any response filed it is this 17th day of June, 2014,

ORDERED, that Normandy, et al.'s Motion to Compel Discovery and Request for Hearing is hereby **GRANTED**, and it is further

ORDERED, that Plaintiffs/Counter-Defendants shall provide responsive documents that are within their possession, custody or control, and it is further

ORDERED, that Plaintiffs/Counter-Defendants and non-party petition circulators, Marie Kendall and Ellen Long attend and participate in duly noted depositions, and it is further

ORDERED, that Normandy, et al.'s video depositions duces tecum are permitted with ten (10) days notice.

ENTERED

JUN 18 2014

CLERK, CIRCUIT COURT
HOWARD COUNTY

JUDGE

JUDGE
Circuit Court for Howard County, Maryland

104000

HOWARD



As deadline approaches, Howard referendum case embroiled in new controversy

Email Facebook 0 Twitter 1  0

By Amanda Yeager, ayeager@tribune.com
Updated 20 minutes ago

Amid the latest fray in a case to bring about a dozen Howard County zoning changes to referendum this fall, there is a final deadline in sight.

August 18 – less than a month away – is the drop-dead date for a referendum question to be submitted to the Board of Elections in time to make it onto the ballot in November.

Before that can happen, three cases related to the referendum have to be decided at the Court of Special Appeals in Annapolis. A final piece in the referendum case is still tied up at the local Circuit Court level.

This last case is at the center of the latest controversy in the nearly year-old referendum saga.

Bill Erskine, who represents several developers whose projects have been put on hold by the referendum effort, has angered members of the referendum group, Citizens Working to Fix Howard County, by filing subpoenas to bring in more than three dozen petitioners for a videotaped interview about the signature collection process.

Erskine says the interviews are part of his clients' due-process right to ensure that petitioners followed the rules when collecting signatures.

The petitioners, on the other hand, say the subpoena is a violation of their First Amendment rights and an attempt at intimidation. They plan to protest before a County Council hearing scheduled for Monday night.

"This is a calculated intimidation designed to make sure a referendum never happens in this county again," said Susan Gray, an attorney for the citizens' group.

Barbara Wasserman, a petitioner who became involved in the referendum effort after learning about a change in zoning language that some believe could allow "treated human waste" to be used on county farms, was one of those called in for questioning.

Wasserman, a physician, said she had just returned from a horseback riding excursion late last month when she received the subpoena. She didn't know, at first, why a stranger was handing her an envelope: "I was a little bit shaken by it, needless to say."

Wasserman got in touch with Gray, who advised her not to attend the deposition.

When Wasserman and the other petitioners didn't show up, they received a second notice informing them that a sheriff could bring them into court for contempt.

This time, Wasserman said, "I felt we were going back hundreds of years and I was not living in the United States of America – it was like being in the Star Chamber of England."

Gray and others have echoed Wasserman's concerns, saying that the subpoenas violate their First Amendment right to petition the government.

In an email to Erskine on June 30 - the same day she and co-attorney Allen Dyer appealed the subpoena to a higher court - Gray wrote that this is "an election matter where the parties are exercising their most fundamental rights of political speech. There has to be a right of interlocutory appeal [an appeal to a higher court] when these First Amendment rights are being abused, as here. Otherwise, there is no right. After the fact review offers no remedy."

Erskine offered a very different perspective. He noted that Judge John Tisdale denied the petitioners' appeal of the subpoenas at the Circuit Court level.

"They have stalled, they have delayed, they have protested the lawsuit," he said. "They seem to feel that [the subpoena] violates their First Amendment rights. What I don't understand is, in what way?"

"Other parties have due process rights," he added. "Before the value of their property is taken away from them, they have a right to make sure the law was followed. ... It just seems that some people are very interested in forcing what they see as their own rights, but they don't care about the property owners' rights."

University of Maryland School of Law professor Mark Graber said Erskine was within the law in calling for subpoenas of the petitioners.

According to Graber, if "part of the issue is whether some of the signatures are fraudulent... of course you can ask questions about the way they got the petitions. That's not a violation of anybody's First Amendment rights, anymore than if you're accused of cashing a fraudulent check" and are asked to testify, he said.

But, Graber, added, that doesn't exclude the possibility that the action was intended to have a chilling effect on future referendum efforts.

"A court would have to look carefully to make sure: is this a legitimate effort at getting info, or is this simply an effort to intimidate people?" he said.

Motives aside, the consequences of ignoring a subpoena are laid out in Maryland Rule 2-510(j), which allows for "attachment" - in other words, a sheriff can be called upon to accompany a subpoenaed person to court.

None of the petitioners so far have been escorted against their will.

Whatever happens next, time is running short.

In Erskine's opinion, the subpoena debate has "almost guaranteed that there's no way that a final, non-appealable decision can be made by the courts in time for this go on the November ballot."

Gray feels the crunch of time, but isn't so sure the petitioners' fight is over yet.

"I'm pretty confident we will get [the referendum] on the ballot, because this is a squeaky clean referendum and the abuse that the citizens have been through is just horrific, unconscionable and it's going to get out," she said.

Oral arguments for the cases currently before the Court of Special Appeals will be held Aug. 4.

Related Content

Circuit Court denies Howard referendum petition

Board of Elections declines to certify comprehensive zoning referendum

Howard group appeals Board of Elections decision to deny petition

Howard zoning petition drive nears finish line

Comprehensive Zoning Referendum Petition [Pictures]

Susan Garber
9100 Gorman Rd.
Laurel 20723

In Opposition to CR80-2014

I spent a great deal of time with you all during the Comp Zoning process last year and respect the time that was devoted although it was clearly still not enough for the number and complexity of issues addressed. But as a new observer of this drama, certain things became increasingly clear over time:

1. The most hotly fought and contentious cases were all represented by the same several land use attorneys.
2. Citizen concerns for environmental, safety, and adequate facility issues were consistently trumped by these attorneys representing developers seeking ever more dense development

WHY?

I did observe the shrugging of shoulders and turning of palms upward that seemed to communicate to citizens, "What can I do?"

I respectfully remind the Council that you are the legislative, branch of our County government and are not here to go along to get along. I'm here today to ask you to not go along with the reappointment of William Erskine to the Board of the Economic Development Authority.

By researching the Economic Development Authority and it's Board Members I think I discovered the answer to my WHY?

To my shock the 12 member board of the Economic Development Authority doesn't include a single economist!

What it does seem to have a surplus of is land use attorneys and commercial real estate agents. (Five.) Is it a coincidence that the most contentious zoning and land use cases in the county are largely generated by those current EDA Board members?

There is a common perception that great favors fall upon those who have the inside scoop from the EDA and that they act as the tool of the Executive. Clearly the unreal intimidation and mistreatment of my neighbors involved in the referendum petition drive by Mr. Erskine and Mr. Oh demonstrate that point. By blocking the reappointment of Mr. Erskine to the Economic Development Authority at this time, you will give the next Executive the opportunity to change that perception-- and that reality. You can facilitate a change in "business as usual" that could/would regain the public trust.

Yes, there is an obligation to shepherd the economic growth of the County, but at what cost? Stop the madness. Stop Mr. Erskine and other land use attorneys from profiting from the public's loss.

Susan Garber
9100 Gorman Rd.
Laurel 20723

In Opposition to CR80-2014

I spent a great deal of time with you all during the Comp Zoning process last year and respect the time that was devoted although it was clearly still not enough for the number and complexity of issues addressed. But as a new observer of this drama, certain things became increasingly clear over time:

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2. Citizen concerns for environmental, safety, and adequate facility issues were consistently trumped by these attorneys representing developers seeking ever more dense development

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Yes, there is an obligation to shepherd the economic growth of the County, but at what cost? Stop the madness. Stop Mr. Erskine and other land use attorneys from profiting from the public's loss.

RCW 29A.84.250

Violations — Corrupt practices — Initiative, referendum petitions.

Every person is guilty of a gross misdemeanor who:

(4) **Interferes with or attempts to interfere with the right of any voter to sign or not to sign an initiative or referendum petition or with the right to vote for or against an initiative or referendum measure by threats, intimidation, or any other corrupt means or practice;**
[emphasis added]

A gross misdemeanor under this section is punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

Howard County Council

Courtney Watson sponsored legislation to combat the effects of bullying which resulted in **Stand Up HoCo**, a partnership of many county agencies and the school system to raise awareness and address bullying.

Date 21 July 2014

To: Council Members

Subject: Denial of CR80-2014

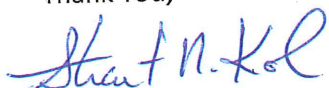
The Howard County Citizens Association Board of Directors recommends you deny this reappointment of Mr. William E. Erskine who is the Chair of the Board of Directors of the Howard County Economic Development Authority (HCEDA). The rationale is that no land-use attorney having business in and whose clients are developers in Howard County should be members of the Board as it is perceived to be a conflict of interest.

We have no idea as to any transactions on the part of Mr. Erskine during his tenure as a Board member with the HCEDA as there are no minutes posted. We don't know if he lobbied and made endorsements and/or approvals to the EDA and did he recuse himself if any of his clients were being considered regarding business ventures in the County? On a side note there are no Bio's provided on the HCEDA website regarding the Board of Directors however, bios exist for their staff members.

Hopefully Council Bill 13 will help in the future. It requires County Boards and Commissions and the Howard County Housing Commission to publicly post minutes and agendas of all open meetings, Boards and Commissions. This was introduced by Councilperson Watson who we want to publicly thank and extend our appreciation for her effort as well as the Council who saw fit to pass this Bill. We hope this Bill will be fully enforced to enable the public the transparency it deserves as it was effective on July 8.

In closing, this reappointment should simply be denied. HCCA suggests that the Council introduces and passes a Bill to prohibit any land-use attorney doing business in Howard County from being a member of any Howard County Board or Commission whereby there is any potential conflict of interest. In addition require that the HCEDA Board of Directors be composed of two independent Howard County citizens who are not affiliated with any business.

Thank You,



Stuart M. Kohn
HCCA, President

July 21, 2014

Howard County Council
Testimony for CR95-2014

Chairperson Ball and Members of the County Council,

The League of Women Voters of Howard County is here today to testify on CR95-2014, a resolution approving an application to the State of Maryland for the Main Street Maryland designation by the State Department of Housing and Community Development which is indicative of support for the Main Street Maryland Program in Ellicott City.

The League's position concerning this resolution is based on their local position of support for economic development activity in Howard County in order to promote jobs for residents and ensure a business property tax base to retain and enhance the quality of life. The LWVHC also supports the preservation of historic sites through incentives for property owners to maintain and restore the historic resource by utilizing tools provided by the state and local government.

We thank you for your time in considering this legislation and ask for your support for CR95-2014.

Alison Beall

Action Director- LWV of HC

Cc: Alice Giles- Co-President

Lillie Gallant- Co-President



July 18, 2014

The Honorable Dr. Calvin Ball, Chairman
Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Dear Dr. Ball,

Chase Brexton Health Care, a comprehensive primary care provider in Howard County, is proud to support the efforts of Horizon Foundation to improve the health of our community.

As primary care providers, we see every day the health issues of obesity and its related diseases. Children who have limited access to healthy options deal with a multitude of health issues early in life and continue to struggle with the consequences as they age. Research shows that children who maintain a healthy weight are much more likely to do so throughout their lives, so it is critical that we create healthy habits at a young age. Chase Brexton Health Care recognizes the importance of healthy options and the value of adding nutritional guidelines to maintain healthy lifestyles.

As health care providers, we believe in and support the work that Horizon Foundation is doing to help our citizens live healthier, longer lives.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Becky Frank". The signature is fluid and cursive, with the first name "Becky" and last name "Frank" clearly distinguishable.

Becky Frank
Director of Development & Marketing
Chase Brexton Health Care

Testimony to Howard County Council on Council Bill 37-2014

July 21, 2014

Good evening Councilmembers. I am Nikki Highsmith Vernick, President and CEO of the Horizon Foundation, a non-profit philanthropy dedicated to promoting the health and wellbeing of people who live or work in Howard County. On behalf of the 21 members of the Board of Trustees of the Horizon Foundation, I thank you for the opportunity to speak tonight.

Tonight I would like to speak from the perspective of a public health champion, a community leader, and a parent.

As parents, we all want what is best for our kids. At a basic level, we want our children to be safe, to have access to a high-quality education, and to be healthy – physically healthy, emotionally healthy, and mentally healthy. Why do we want our kids to be healthy? For one, we'd like them to be around a long, long time. But also, because as adults, we know life can be challenging. We strive to give our kids every advantage, every leg-up in life, that we can. A life free of disease, free of the complications of managing disease, is easier. And a healthy child can turn his or her energy into learning and thriving. So, as parents, we value healthy children.

And as adults, we look for communities that support our desires as parents. We've hit the jackpot if we're able to both live and work in such a community. But we all know parents that drive a long way to work, just to live in a community that supports their values. We look for communities, like Howard County, that make investments in public safety, in public education, and yes, in children's health. Some of these worthwhile investments, like parks and recreational facilities, may be a little easier to accomplish. Others, such as nutrition standards, may be a little harder to accomplish but are equally important. We are trying to create a county environment where the healthy choice is the easy choice and where being healthy and staying healthy are esteemed community values.

We have some ways to go, but we should know that our investments are paying off. Howard County was recently listed as the 13th healthiest place for kids in America. But, I think we'd rather be #1 – leading the nation.

Howard County has a long history of leading the nation in promoting health by using evidence-based policies and programs to make it easier for residents to make healthy choices -- from eliminating smoking in public places, to restricting youth access to harmful tanning beds, and to implementing nutritional standards for food and beverages that our government provides. These standards are based on sound science and are recommended by the Centers for Disease Control. Indeed over 50 communities across the county have implemented such standards -- in response, not only to the biggest public health threats that we face today, including obesity, diabetes, and heart disease – but also in response to the values that their communities hold.

With the County Executive's announcement today, these county-wide nutritional standards only impact what is sold or distributed on county property. The standards do not restrict individual choice or usurp parental responsibility. The standards do not apply to what individuals chose to bring with them. They apply only to what the county sources. Our goal is simple - to make it easier to be a parent and to create a community where the value of health and the ability to live long lives free of disease is as important as education and public safety. We look after our children here in Howard County. We are proud of that. And, we are proud of the County's nutritional standards.

Obesity affects one in four children in Howard County. Nearly a quarter of all teens have diabetes or pre-diabetes. As we know, diabetes comes with a long list of complications including blindness, kidney disease, cardiovascular disease, amputations and premature death. Such pain and suffering can be prevented.

Simple changes, like providing healthy beverage options can go a long way. Sugar-sweetened beverages represent the largest single source of added sugar for children and the largest single contributor to our obesity epidemic. Sugar-sweetened beverages have no nutritional value and there are hundreds of other, healthier options available that can be supplied by the county.

So, I stand here today representing a community that cares about health. We're not just asking you to vote "no" on this bill, but we're also asking you to support a vision of health and wellness that allows our children to live long, healthy lives. Let Howard County become the nation's leader in raising a generation of healthy children!



July 21, 2014

TO: Members, Howard County Council

FROM: Sherry McCammon, Grassroots Manager

SUBJECT: Oppose Council Bill 37-2014

Position:

The American Cancer Society Cancer Action Network (ACS CAN) works to reduce cancer incidence and deaths caused by overweight and obesity, poor nutrition, and inadequate physical activity through the implementation of policy and legislative changes at all levels of government. We urge you to oppose Council Bill 37-2014, which would negate Howard County Government's nutrition guidelines and prohibit the County Executive from establishing any guidelines in the future.

Background:

Obesity, physical inactivity, and poor nutrition are major risk factors for cancer, second only to tobacco use. One third of the more than 500,000 cancer deaths in the US this year can be attributed to poor diet, physical inactivity, and overweight and obesity. Currently, approximately two in three adults and one in three youth are overweight or obese.

Overweight and obesity are associated with increased risk for several common cancers, including colon, esophageal, kidney, pancreatic, endometrial, and postmenopausal breast cancer. The biological link between overweight/ obesity and cancer is believed to be related to multiple effects on fat and sugar metabolism, immune function, hormone levels and proteins that affect hormone levels, and other factors related to cell proliferation and growth. Poor nutrition and the consumption of high-calorie foods and beverages are major contributors to overweight and obesity and increase the risk of cancer. Maintaining a healthy body weight throughout life is key to reducing cancer risk.

Public, private, and community organizations should work collaboratively at the national, state, and local levels to implement policy and environmental changes that focus mainly on making healthy choices easier with respect to diet and physical activity. These policy changes include increasing access to affordable, healthy foods in communities, worksites, and schools; and decreasing access to marketing of foods and beverages of low nutritional value, particularly to youth.

ACS CAN supports implementing nutrition standards for the purchase and sale of foods and beverages in government buildings and other public service venues, or increased availability of healthy foods and decreased availability of unhealthy foods in these facilities.