



Date: 23 September 2019

Subject: **CB 38-2019 Support**

Both the Howard County Citizens Association and The People's Voice support this Bill and thank Council Member Walsh for her efforts to protect the environment, especially regarding deforestation.

We have heard that Dr. Ball has emphasized an ambitious reforestation goal. This goal should start with decreasing deforestation; after all, the benefits of mature trees cannot be compared to new plantings. When developers take down huge trees, often 30" trees even, and say they are planting two for everyone, they are talking several inch saplings, and that is no comparison.

It seems like every regulation that is in place for good reason, gets waivers and we get all kinds of support for allowing the most rampant project possible; we need funds from development, even though it doesn't actually pay for itself; we need more affordable housing, even though it isn't required; we need better storm water management, as if development actually improves that. It is required to do so on the site, but many have seen increased flooding off, but near the site, and there are fees-in-lieu of even that, which I am sure are not going to the people who are flooded.

The waivers that come for any possible supposed hardship in developments, taking down huge trees, and clear cutting forests is not supposed to be handed out so easily, as hardship is not supposed to be financial hardship, when decreasing density or changing a plan can occur to lessen clear cutting and deforestation. We constantly make the environment fit into or get cut out of the developers' plans instead of making their plans fit into a protected area, and if that means a smaller project, then so be it.

We need to curtail the ability to provide these waivers in vulnerable areas that are prone to flooding, and disallow waivers for forest conservation, protect steep slopes, wetlands and waterways.

Recently, opposition gearing up to kill this Bill, got some press on the ridiculous notion that BG&E cannot adequately provide services if they are disallowed the ability to trim trees properly. This is ridiculous. Of course, necessary disturbances include any maintenance of existing utilities. That is no reason to vote no on this Bill.

I know there are likely concerns about restricting flexibility and not being able to accommodate a project that is constricted for some reason physically, or has an egress need, or some other

difficulty. Again, we simply must shift the focus to amend plans instead of amending the environment. The opposite has gone on for far too long, and now we have recently seen that our local evidentiary requirement of proving a waiver in protected areas is warranted, is supposed to not be easier than the State law, of undue hardship. We need to be sure that DPZ is not going to allow anymore inappropriate waivers.

Any situation you can imagine that would deserve these waivers can be suggested as an amendment, and if you cannot even describe them right now, then they would be pretty rare.

To that end, I have witnessed over the years, many projects that request a change in the code to accommodate their projects. It happens often. It takes three years to go through the DPZ development process, so up front, a petitioner could ask you to amend this code in the future if an amendable exception presents itself and it could be done within months quite easily, far shorter than the map amendment process, and about the same as a regulation change request, which are pretty standard. Thus, that also is no reason to vote against this Bill, because some project somewhere somehow should not be limited.

For now, we need to shift the modus operandi, while we still have any forest left.

Thank you,

Lisa Markovitz,

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