



## Howard County Citizens Association

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*The Voice Of The People of Howard County*

CB14. Opposed without Amendments. Amended Written Testimony on CB14.

My name is Alan Schneider. I live in Clarksville, Md. I speak for Howard County Citizens Association (HCCA). HCCA strongly supports tree protection. I am also speaking for John and Susan Garber who are unable to speak tonight. John is in the hospital. He was annoyed that CB14 does nothing. I am attaching to this testimony the previous testimony of Susan Garber in support of CB62. She “speaks for the trees”.

**CB 14, as proposed, is not enough. At the very least the proposal must be amended to protect 24” trees. Other amendments are important, as well as additional measures to effectively protect trees. The new bill is worse than the last one, which was weakened by compromises in order to get passage of some improved forest conservation.**

Trees are vital for human life. Trees store carbon & act as carbon sink, produce oxygen which is vital for existence of life on the earth, they help in regulating hydrological cycle, planetary climate, purify water, provide wild life habitat, reduce global warming, absorb toxic gases & noise, reduce pollution, conserve soil, and mitigate natural hazards.

The County Executive’s veto of last year’s forest conservation bill was a veto of a climate protection measure. Why? Because it was too burdensome on DPZ? Really? DPZ needs more resources, however a veto does not solve the problem. One solution to DPZ’s overworked staff is to enable citizens and environmental experts access to proposed development properties for measurements and evaluation of damage to life sustaining natural resources. I, and professional experts, have been threatened with trespass actions and damage to professional credentials for reporting violations and hidden environmental damage. Damage and noncompliance by developers must stop!

**Sidestepping environmental protection is intolerable.** Last year’s bill was a step in the right direction. Its veto was flawed. The reintroduction in CB 14 exacerbates deficiencies and must be amended plus additional legislative action supporting local climate change actions.

### **FIX HOWARD COUNTY’S LACK OF RESOURCES FOR COMPLIANCE, AND ENFORCEMENT. ENACT CLEAR STANDARDS.**

1. It is easy to measure the diameter of a tree. It is easy to comprehend that a 24 inch tree is a mature tree. It is burdensome to add a 75% comparison to other trees.
2. Qualified experts cannot assist DPZ because experts have been threatened with trespass violations, jeopardizing their credentials, by stepping one foot on any site. Amend trespass laws.
3. If there are no penalties, there is no motive for compliance; compliance is disregarded.
4. Enforcement must be strengthened by enabling others. **STANDING** must be granted to environmental groups to bring action against violators, as is permitted under federal laws.
5. Reward Whistleblowers. Reward anyone who reports violations.
6. Prioritize protection of natural resources.

**CB 14 is effectively and virtually useless. In brief, HCCA requests resolution of:**

1. Lack of resources and staffing to adequately protect Howard County’s trees.

2. Lack of standing for citizens to take immediate protective action.
3. Noncompliance.
4. Lack of enforcement.
5. Impending perils of climate change.
6. It is far less costly to protect against damage, rather than to repair the damage later.
7. Statements by DPZ officials that “if a project meets minimum existing code requirements then DPZ must approve the proposal”.

HCCA would greatly appreciate your response to its request to enact stronger tree protection. More comprehensive inclusion of the many suggestions made by the majority of concerned Howard County voters for its leaders to protect mature trees. Maryland’s announced strategy to reduce Maryland’s vulnerability to Climate Change was expressed more than 10 years ago. Local action is the key.

You are the key. Enact better tree protection, and legislation protecting natural resources.

Howard County’s officials are responsible for following up ten years after **Maryland’s 2011 Comprehensive Strategy for Reducing Maryland’s Vulnerability to Climate Change; Phase II: Building societal, economic, and ecological resilience.**

Underscoring the overdue need to engage local leaders to effectively take action is the **April 2016 Maryland Climate and Health Profile Report.**

Saving trees saves children and grandchildren, i.e. the future of Howard County. It is critically necessary to **enact a bill that *effectively* saves our trees.** Fundamentally, Plan Howard requires adherence to protecting health, safety and enhancing the quality of life in Howard County. Prioritizing the protection of existing mature trees is vital.

**Protect the HEROs of our environment. One mature 100’ tree produces the oxygen of 1000 little trees.** (Nowak, David J.; Hoehn, Robert; Crane, Daniel E. Oxygen Production by Urban Trees in the United States. *Arboriculture & Urban Forestry* 2007.33(3):220–226.) It takes 1000 trees a lifetime to replace the benefits of 1 mature tree. Protect nature’s protectors.

**Protect against flooding.** The amount of rainfall intercepted by a 40 year old tree vs. a 5 year old one can be forty times as great. (McPherson, et al. 2006. More about tree size and interception.)

**Protect real estate values.** Preservation of mature trees on residential lots adds a premium price to individual lots. Realty sign: “Other than you, this tree is the most valuable thing on this lot.”

HCCA greatly appreciates your commitment to tree protection. Listen to and adopt comprehensive inclusion of the many suggestions made by the majority of concerned Howard County voters. .

Sincerely,  
Alan Schneider  
HCCA

Attached: Previous testimony of Susan Garber.



Good evening Council Members,

I'm Susan Garber testifying **in support** of CB-62 on behalf of the Howard County Citizen Association, HCCA, where I frequently 'speak for the trees'

This legislation needs to be supported because trees are our best single tool to fight climate change.

Trees serve many positive functions, including:

- sequestering carbon dioxide and producing oxygen needed to breathe.
- intercepting rainfall, slowing and allowing for absorption that prevents run-off and flooding.
- stabilizing the soil on steep slopes with their root structure.
- providing serene beauty
- creating a measurable positive effect on our physical and mental health
- providing habitat for the woodland animals and all manner of rare, threatened and endangered species.

Clearly we need to save the trees in order to save our planet.

And bottom line, most importantly,

**We need to save our trees to save our children.** Failure to pass this bill jeopardizes their future in measurable ways.

Unlike the development community, we at HCCA think trees are NOT just an inconvenient and expensive nuisance, something to be removed in order to provide a blank slate on which a computer can generate an uninspiring site plan that looks pretty much like every other.

The time has long past for HC to comply with the State's Forest Conservation regulations—two decades in fact. That lack of compliance coupled with foolishly valuing unlimited development over our future wellbeing has resulted in the steady decimation of our forested lands. It has resulted in flooding, in a decline on our quality of life, and the need, for example, to construct ridiculously expensive 'shade shelters' in our school playgrounds and parks to protect our children from skin cancer.

We urge the Council to emphasize prioritizing conservation of existing mature trees because **all trees are not created equal** in terms of the benefits they deliver. While reforestation efforts are worthwhile, they can't compare with the retention of mature trees.

Nowhere is this more critical than in our densely populated east.

The statistics are astounding. One mature 100' tree produces the oxygen of 1000 little trees. (Nowak, David J.; Hoehn, Robert; Crane, Daniel E. Oxygen Production by Urban Trees in the United States. *Arboriculture & Urban Forestry* 2007.33(3):220–226.) Yet

two 3" caliper trees are all developers have been required to plant to replace specimen trees 30 inches or more in diameter. [The 44,000 native trees replanted through the County Executive's laudable program this year will eventually produce benefits down the road and we sincerely applaud the effort. But it is none the less frightening to think that **these 44,000 trees, should every one survive, would replace only 44 specimen trees which DPZ allowed to be removed –rather than requiring an adjustment in a site plan.**

Mature trees "intercept," or prevent from hitting the ground, far more rainwater per year than young ones. This allows more time for absorption. It reduces the amount of storm water that flows into sewers and rivers, which frequently causes flooding and carries pollutants. The amount of rainfall intercepted by a 40 year old tree vs. a 5 year old one can be forty times as great. (McPherson, et al. 2006. More about tree size and interception.)

Another little mentioned issue is TREE EQUITY Neither is there equity in the presence of trees in all parts of the County. This county should not worsen the tree equity situation by considering, as AA County did, **reducing** conservation standards in densely populated areas like Laurel. Those living in the eastern part of the county should demand tree equity.

There was a time when developers like Jim Rouse sought to preserve as many trees as possible ON a residential lot. He recognized that mature tree(s) would qualify an individual lot to command a premium price. I'm told that in Columbia's early days, signs were erected which said, "Other than you, this tree is the most valuable thing on this lot."

Much of what has contributes to soulless treeless development today is the declaration by developers— embraced by the DPZ and DPW-- that "**this** is how we build today." "This" means we strip and regrade and go for maximum density over good design or even good marketing sense. (Real example: a proposed site plan for a parcel surrounded with forest on 3 sides and a river on two—with NO units facing either feature!)

Real estate and building representatives will say the proposed Forest Conservation Act could cause a housing shortage and sprawl with more people just working, but not living, in Howard County. They ridiculously assert there will be a decline in air quality from longer commutes, when retaining and replanting trees is needed to clean the air for our very existence..

But the true priority issue to the development community is that forest conservation cuts down on the buildable space on a property. That correlates to fewer units in a residential development or less square feet to rent in a commercial one; thereby less

profit margin. But just as developers were subsidized with ridiculously inadequate school impact fees for decades, so too has the county subsidized their profits by not having forest conservation regulations compliant with state law. Worse yet, former administrations failed to enforce the lesser ones we have.

it is our opinion that the development community already **owes** residents of HoCo and their children in overcrowded schools **a great debt. Now is not the time to subsidize them further at the sacrifice of our health and well being by watering down this legislation.** Previous administrations and department heads permitted—even encouraged-- the destruction of our forests with over use of waivers, administrative adjustments, etc. for the mythical income from property taxes.