


STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



June 22, 2020

Montgomery County Planning Board

Dear Chair Anderson and Planning Board Members:

We, the Stormwater Partners Network (SPN) of Montgomery County,¹ submit these comments to the Montgomery County Council in support of the changes to the Montgomery County Regulation Number COMCOR No, 22A.00.01, Forest Conservation – Trees, submitted by the Montgomery County Planning Board. The proposed changes offer a positive step forward for forest conservation -- yet will not reach the important goal of no net loss of forest cover in Montgomery County. Simply put, it is easier to conserve forest cover than to replace or restore it. 

The regulations contain administrative requirements related to the review and processing of Natural Resource Inventories, Forest Stand Delineations, Exemptions from Submitting a Forest Conservation Plan, and Forest Conservation Plans. The retention of Montgomery County's tree cover is one of the most cost-effective ways to reduce stormwater pollution: urban tree canopies capture rainfall in their crowns, reduce urban heat island effects, delay runoff to impervious surfaces, and increase the infiltration capacity of soils.

Broadly, SPN would like to see as many trees and forest patches retained as possible as the county continues to develop, avoiding the need for replacement, as well as rigorous maintenance of newly planted trees and robust inspection. In addition to avoiding costs for the county, maintaining existing forests provides the enhanced benefits of more mature forests for both water quality and climate mitigation.

In addition, SPN would like to see Montgomery County follow the lead of other Maryland counties such as Anne Arundel by adopting a policy of no net loss of forest cover.

Until no net loss becomes the overarching policy, SPN is pleased to offer general support for the proposed regulations, which offer several important benefits to forest conservation in Montgomery County:

- The period of time during which a developer is required to maintain newly planted trees is extended from two to five years, providing a significantly higher chance that the trees will survive.

¹ The Stormwater Partners Network is composed of organizations and individuals who support more effective stormwater policies and management in Montgomery County, MD, with the goal of clean and healthy streams throughout the county. We have worked collaboratively with county and state agencies and legislators to modify existing policies and practices so that they foster water infiltration rather than runoff. A full list of our current membership can be found on our website, www.stormwaterpartnersmoco.net.

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- The fee in lieu set for Montgomery County (\$1.25 per square foot) is higher than the state's minimum of \$0.30 per square foot, reflecting the higher cost of land in Montgomery County than across the state generally, and further incentivizing proper forest conservation on site.
- The planned closure of a loophole that would otherwise continue to allow a developer to continue to submit separate sediment control permits for adjacent sites, thereby appearing to be below the 40,000 square foot lot size requirement.

The new regulations will allow Montgomery County to make significant progress on forest conservation efforts. Stormwater Partners Network encourages the County Council to fully fund all necessary enforcement staff to ensure that the permit review and inspections processes referenced in the regulations are able to be carried out fully.

If you have questions or comments about our position or concerns, please contact Jeanne Braha (jbaha@rockcreekconservancy.org) or Eliza Cava (eliza.cava@anshome.org), co-chairs of Stormwater Partners Network.

Sincerely,

Organizational and individual members of Stormwater Partners Network:

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STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



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