

## Forest Conservation Advisory Committee

### Minutes

November 16, 2010

Prepared by: Caren Madsen

#### ATTENDEES

##### Members

Paul Allen (WSSC), ex officio  
Ginny Barnes  
Rick Brush, (DPS) ex officio  
Mark Buscaino  
Andrew Der  
Ken Ferebee  
Don Galloway  
Dan Landry  
Brett Linkletter (DPWT), ex officio  
Caren Madsen  
Norman Mease  
Laura Miller (DEP), ex officio  
Mark Pfefferle (M-NCPPC), ex officio  
David Plummer (MSCD), ex officio

Linda Silversmith

Dan Snyder  
Bryan Straathof  
Jeff Schwartz  
Clark Wagner

##### Absent members

David Post  
Kevin Smith

##### Others attending

Don Outen, Baltimore Co DEPRM

#### MINUTES

**Meeting convened at 7:05 p.m.**

#### **Benchmarking Session: Baltimore County Forest Sustainability Strategy**

Don Outen, who is a natural resource manager and land use planner with the Baltimore County equivalent of DEP and a member of the Maryland Governor's Sustainable Forestry Council, was invited to brief our committee on the Baltimore County Forest Sustainability Strategy. The strategy is located at: [http://resources.baltimorecountymd.gov/Documents/Environment/Workgroup/Forest%20Sustainability/finalstrategy\\_110505.pdf](http://resources.baltimorecountymd.gov/Documents/Environment/Workgroup/Forest%20Sustainability/finalstrategy_110505.pdf)

Outen advised that the state in general is headed toward a "no net loss of forest" policy and that is the focal point of the work of the statewide Sustainable Forestry Council who will complete their report and release their recommendations in December 2011.

Outen said Baltimore County has gone from a state of benign neglect of forests to sustainable forest management. Their mantra is: "Better data – better dialogues – better decisions." Baltimore County uses the Urban Forest Effects Model (UFORE) and data from the Forest Health Assessments for County Health, the Baltimore County Master Plan 2020 and state and federal forest data. He noted that breaking forested areas up into smaller and smaller units gets harder to manage. Baltimore County has addressed their areas that are

considered to be “canopy deficient” and set urban tree canopy goals as part of the county’s commitment to the Chesapeake Bay Restoration Plan.

He said the Montreal Process Criteria and indicators used for the U.S. and 11 other nations as part of the Montreal Process were part of the process of developing the Baltimore County program. Their program does tree canopy mapping by each Baltimore County community. Their basic messages:

1. Forest is the BEST land cover
2. Not all tree species were created equal
3. Protection of forests from conversion to non-forest is just the beginning
4. The majority of forests are privately-owned

They will be working with state guidance issued after the Governor’s Sustainable Forestry Council further defines no net loss and makes recommendations on implementation. No net loss has already been proposed for Baltimore County.

Outen said another factor considered in their county strategy dealt with behavior change in the private sector and how to leverage private forest for the common good. Baltimore County partnered with BGE on the “Growing Home” campaign with about 50 retailers. It is a voluntary program to change public behavior. Other strategies Baltimore County uses are “resource conservation zoning” as part of their growth framework and considering forest parcelization, encouraging residents to consider that their property is part of a contiguous forest system.

Outen predicts that No Net Loss will become law in Maryland. He urged Montgomery County to use UFORE and to work public education into forestry planning for the county and to work with landowners to try and replant trees on private property whenever possible. His presentation was outstanding. The full set of slides is posted on the FCAC website at the request of committee members who wanted to be able to refer back to it. <http://www.montgomerycountymd.gov/dectmpl.asp?url=/Content/dep/climatechange/treefcac.asp>

### **Update on Council Bill 53-10**

Mark Pfefferle from MNCPPC provided an overview of Bill 53-10. He said the principle purpose of the bill to get the bill to comply with the State Bill 666 that was a result of recommendations from the 2009 No Net Loss of Forest Task Force. He said MNCPPC has been implementing this since Oct. 2009. Bill 53-10 makes it so that single lots can clear no more than 20,000 square feet of forest and still be exempt from submitting a forest conservation plan. It also allows for the in-lieu fee funds to be used for other purposes than creating forest.

### **FCAC slots open and reapplications for committee membership**

Laura Miller reported that there was one position (Bill Pastor’s former position) that needed to be filled on the committee. She said that Dan Landry, Clark Wagner, Caren Madsen, and Ginny Barnes should all re-apply for FCAC membership. Rick Brush is a committee assignment from DPS and his slot was up for renewal. She asked for a subcommittee to be formed to review the new applications and applications for reappointment on the committee and then make recommendations to the County Executive. Linda Silversmith, Mark Buscaino and Jeff Schwartz all volunteered to be on the subcommittee. Those applying for reappointment could not serve on the subcommittee.

### **Other business**

One member called attention to a business development committee she had seen written up in an online bulletin. She suggested that the FCAC write a letter and recommend additional representation. She offered a motion to draft a letter from the FCAC to request that there be environmental or public sector representation on the business development committee since the FCAC is made up of members of the business community as well as

the public and other stakeholder communities. Another member seconded the motion. A third member offered an amendment to the motion from the floor to do more research as to the source of this committee and whether it's an advisory committee that needs additional representation before the FCAC takes any further action. The committee agreed to do more research and email the FCAC.

This research was completed the following day. The committee composition is located in Bill 28-10E and is specific to including leaders in the business community and others specifically designated in the law as pasted in: [http://www.montgomerycountymd.gov/content/council/pdf/bill/2010/20100720\\_28-10A.pdf](http://www.montgomerycountymd.gov/content/council/pdf/bill/2010/20100720_28-10A.pdf)

Our committee decided via email that no further action was needed by the FCAC. Here is the full description of the business development committee from Council Member Floreen's e-newsletter:

***Tuesday, July 20, 2010***

**[Council Approves Creation of Business Development Corporation](#)**

We unanimously approved Bill 28-10 that establishes a Business Development Corporation (BDC) that could provide the County with strategic planning and advice, legislative and regulatory advocacy and evaluation of County government's economic development performance. The group also can join the County Executive and Department of Economic Development in attempting to persuade specific businesses to move to or stay in the County. I am proud to have sponsored this bill which evolved from my pledge to make economic development the top priority during my term as Council President.

The nation, and the Washington region, are currently in an economic era unprecedented in our lifetimes. Throughout this downturn, Montgomery County has remained one of the nation's economic engines, and we have to send out the word that we are open for business. It is one thing for government to send that message, but when we team with some of the nation's, and the world's, top companies to roll out the welcome mat, it becomes quite an inspiring invitation. That is what we are creating with the Business Development Corporation.

The redrafted bill authorizes the Council to designate a quasi-public, nonprofit corporation that is not an instrumentality of the County to act as the County's local management board.

The designated corporation's board of directors, which will not be appointed by the County, will be made up of 11 voting members, including a Chamber of Commerce representative, a small business owner, an owner or manager of a medium sized business and up to eight senior managers of major companies in the County. The board also will include, as non-voting ex-officio members, the director of the Department of Economic Development, the superintendent of Montgomery County Public Schools, the president of Montgomery College and either the Planning Board chair or the planning director.

Business leaders themselves will create a proposed BDC that follows the provisions of Bill 28-10. It is conceivable that more than one BDC will be organized. If that occurs, the County Council will select one BDC.

The redrafted bill also provided that members of the board will not be County officials or employees and will not be subject to the County's Ethics Law. The corporation's bylaws will regulate conflicts of interest by board members and staff. The board's meetings will be required to comply with the state Open Meetings Law. This approach is similar to that of the Bethesda Urban District Corporation.

Through the BDC, we are going to be paying attention to the business community on how to handle important issues. I am not going to tell this group what to do. I am going to listen to what it recommends.

The bill received strong support from business leaders who pledged to be involved in the Business Development Corporation to attract businesses of various interests and sizes to join them in Montgomery County.

"There are reasons of many kinds that Montgomery County is a premiere place for major corporations to locate," said Senior Vice President of Government Affairs Debbie Marriott Harrison of Marriott International, whose international headquarters is located in Bethesda. "We are all stronger when we have more businesses nearby. We are pledging our support of the BDC because the County government and the private businesses located in this County are in position to be a powerful team in developing business in Montgomery. Like the other major businesses committed to the goals of the BDC, we are here to help."

Discovery Communications, whose headquarters is in Silver Spring, also has pledged its support to the BDC.

"Discovery's impact as the cornerstone of Silver Spring's revitalization, along with the ongoing efforts of the nearly 2,000 employees working and living in the County to give back to the local community, are examples of the vital role that large employers can play in building vibrant and diverse communities and ensuring a healthy and growing economy for Montgomery County," said Joe LaSala, general counsel for Discovery Communications. "Discovery applauds the efforts of Montgomery County Council President Nancy Floreen in introducing this bill to develop a vision for the County's economic future and to ensure that we have a business-friendly environment that can attract industry leaders to Montgomery County."

I hope the corporation will be officially designated before the start of the next state legislative session that begins in December. The group is

expected to issue its first report within a year.  
Posted by Councilmember Nancy Floreen

### **News regarding the Council Transportation and Environment Committee**

Dale Tibbitts, Chief of Staff to Councilmember Marc Elrich, announced the new composition and chairmanship of the Council T&E Committee:

Councilmember Roger Berliner, Committee Chair  
Councilmember Hans Riemer  
Councilmember Nancy Floreen

**Meeting adjourned at 9:05 p.m.** with the announcement that no meeting was scheduled for December and Jan. 18<sup>th</sup>, 2011 is our first meeting for the New Year.