

Forest Conservation Advisory Committee

Minutes

January 15, 2013

Prepared by: David Myers

ATTENDEES

Members

Ginny Barnes
Bob Benson
Mark Buscaino
Andrew Der
Kim Knox
Dan Landry
Brett Linkletter (DPWT), ex officio
Caren Madsen
Laura Miller (DEP), ex officio
David Myers
Katherine Nelson, (M-NCPPC), ex officio
David Plummer (MSCD), ex officio
Jeff Schwartz
Jason Sheer
Doug Sievers (WSSC), ex officio
Linda Silversmith

Absent members

David Kuykendall (DPS), ex officio
Kevin Smith
Dan Snyder
Clark Wagner

Others attending

Councilmember Berliner
Councilmember Elrich
Rick Brush, DPS
Stan Edwards, DEP Staff
Mike Fadden, Council Staff
Josh Foust, Council Staff
Dale Tibbitts, Council Staff
Arlene Bruhn

MINUTES

1. The meeting was convened at 7:00 pm and a quorum of 12 members was present.
2. Recorder was selected; David Myers volunteered.
3. Presentation by Rick Brush about Permits and Trees covered under a Forest Conservation Plan and Roadside Tree Law.

For the applicable plans, FCPs are prepared as part of a site design process and reviewed by MNCPPC. DPS does not issue sedimentation permits until FCP determinations by MNCPPC. In the building permit process as a requirement of the Roadside Tree Law, for a street on public property ROW, an applicant applying for permit at DPS must sign an Affidavit saying they have obtained the DNR permit. A condition of the DNR permit is to notify the owner of the tree (who is often MOCO). It is the applicant of the permits responsibility to notify the owner of the tree.

4. Kim Knox gave the report on behalf of the Subcommittee on Roadside Tree Legislation.
5. Kim Knox gave the report on behalf of Subcommittee on Tree Canopy Legislation
6. Councilmember Roger Berliner, President County Council provided an overview of the bill 41-12.
http://www6.montgomerycountymd.gov/content/council/pdf/agenda/cm/2013/130128/20130128_TE1.pdf
7. Panel discussion: Dale Tibbetts, Josh Foust and Arlene Bruhn
 - Rural road issues discussed
 - Funds have diminished.
 - *Dedicated vs. Prescriptive* ROW discussed
 - o *Dedicated ROW* – ownership is by public jurisdiction
 - o *Prescriptive ROW*- adjacent property owner may own the property to the centerline of the road and the local government has right to do maintenance on road and shoulder
8. Katherine Nelson: The Tree Canopy Goals Subcommittee members Mark Buscaino, Katherine Nelson, and David Myers met 12/18/2012. Jessica Sanders from Casey Trees was also in attendance
 - The committee investigated ways that the county could be organized.
 - Ag Reserve
 - Urban Ring and Beltway Corridor
 - Corridor and Satellites
 - (the rest) Rural Wedges, etc.
 - The members plan on meeting again thus a full report is deferred
9. The meeting was adjourned at 8:55 pm.