

Dear Members of the Committee,

My name is Jill McKay. I live in East Bethesda and I represent the Chesapeake Earth Holders Community of Engaged Buddhism in the tradition of Zen Master Thich Nhat Hanh. We support systemic change that protects and preserves the Earth and all who depend on her for life and well-being. I am writing to you in regard to the Forest Conservation Law.

Our society, and the world in general, is facing multiple threats to our collective well-being. As a community, we will be asked to make important decisions about how to safeguard our communities and our way of life. I am aware that Montgomery County has three laws that pertain to our trees. It is my deep wish that in time, you will take action to ensure that all three laws ensure that our forests and tree canopy play a key role in maintaining a healthful and life-sustaining environment not just for us but for future generations as well.

Regarding the Importance of Healthy Forests & Tree Canopy in General:

In the Montgomery County Planning Department, Working Draft of the 2016 Subdivision Staging Policy, dated 05-12-2016, the following statement appears:

• **Forest and Urban Tree Canopy**

“In both local design and networked green spaces, forest and tree canopy are essential elements of quality of place and livability. Trees increase energy efficiency, reduce heat island effect, improve air quality, extend pavement life, enhance pedestrian-vehicular safety, boost real estate values, make retail areas more attractive, absorb water pollution and carbon emissions, and slow stormwater runoff and erosion.” **See Forest and Urban Tree Canopy - Page 22**

Here are some additional facts about the importance of a healthy tree canopy:

Air Quality:

- Trees absorb pollutants and store carbon, reducing the amount of carbon dioxide in the atmosphere.
- Casey Trees, a Washington D.C. based non-profit organization has determined that the trees of D.C. alone filter 540 tons of harmful, health-threatening pollutants from the air each year.
- One hundred trees remove 53 tons of carbon dioxide and 430 pounds of other air pollutants per year. (New York State Dept. of Environment.)

Drainage and Stormwater Mitigation

- Trees help rain soak into the ground rather than run off the surface. Overflows lead to sewer backups and flooding including in basements. Mature canopy trees absorb a significant amount of rain that falls onto a property. (Casey Trees.)
- One hundred mature trees catch about 139,000 gallons of rainwater per year. (New York State Dept. of Environment.)

Health and Quality of Life

- A study found that loss of trees to the emerald ash borer increased mortality related to cardiovascular and lower-respiratory-tract illness. Across the 15 states in the study area, the borer was associated with an additional 6113 deaths related to illness of the lower respiratory system, and 15,080 cardiovascular-related deaths. This finding adds to the growing evidence that the natural environment provides major public health benefits. (American Journal of Preventative Medicine, and PubMed.gov)

- Tree-filled neighborhoods lower levels of domestic violence and are safer and more sociable. (New York State Dept. of Environment)
- Using data from Toronto, a team of researchers has found that having 10 more trees on your block has self-reported health benefits akin to a \$10,000 salary raise or moving to a neighborhood with a \$10,000 higher median income or being seven years younger. (Nature Open Access Journal “Scientific Reports”)

With regard to the **Montgomery County Forest Conservation Law (FCL)**, I respectfully endorse these recommendations:

Protect Existing Forest Ecosystems.

- All remaining pre-existing Forests in MoCo to be designated & treated as priority forest in FCL.
- All remaining forest cover may only be removed upon appropriate findings by the Planning Director or Planning Board.
- Certain types of forests may only be removed with a variance granted by the Planning Board or Planning Director. Types of forests and trees that would receive a stronger level of protection and require a variance to be removed include forested: Floodplains; Stream Buffers; Forested Stream Buffers along Ephemeral Streams; Steep Slopes; Critical Habitats; Contiguous Forests; Forest Connective Corridors; Rare, Threatened, & Endangered Species; Historic Site trees; Champion Trees and other exceptionally large trees; areas designated as “Priority Save Areas” in Master Plan or any Functional Plan.
- Forest removal subject to a variance must be replaced with forest ecosystem at a 2:1 ratio.

Strengthen replanting ratios to ensure no-net-loss.

- Re-planting requirement strengthened from 1/4 acre planted for every 1 acre removed to 1 acre forest ecosystem planted for every 1 acre removed, with no retention credit.

Strengthen Watershed Considerations.

- For meeting afforestation and reforestation requirements, areas obtained outside the County or outside the sub-watershed where forest was removed for development, the requirement shall be that existing forest retained through forest mitigation bank shall be at a 4:1 ratio, or replanting of forest ecosystem shall be done at a 2:1 ratio.

Strengthen Re-planting requirements to require the planting of entire Forest Ecosystem.

- Reforestation or afforestation of forest ecosystem includes consideration of, payment for, and maintenance to establish the following in the re-planting: healthy soil; drainage; healthy fungi in the soil; healthy micro- biotic communities in the soil; biomass; ground cover; shrub layer; tree understory layer; tree canopy layer; diversity of different types of trees and plants.

Eliminate certain CR exemptions.

- Exclude activities located within the Commercial Residential (CR) zone classification from qualifying for the (s)(1) and (s)(2) FCP exemptions to require forest mitigation for activities in this zone that are currently receiving the highest density but providing the least forest mitigation.

Tighten requirements around forest conservation easements so that they may not be so easily extinguished or relocated.

- For all existing forest cover subject to an existing forest conservation easement, the area of forest removed must be reforested at a ratio of 5 acres of forest ecosystem for every 1 acre removed. This deterrent allows forest banks time to become mature forest ecosystems, and also keeps forest banks in the sub-watershed where they were originally intended to be planted.

Allow landscaping to meet requirements in limited circumstances.

- Allowing landscaping, including planting trees in rights-of-way, to meet both reforestation or afforestation requirements in equity focus areas, to encourage tree planting wherever possible in areas of the county characterized by high concentrations of lower-income households, people of color, and individuals who are not fluent in English. Outside of equity focus areas, landscaping on site could be used to meet afforestation requirements and could include landscaping in the rights-of-way.

Increase resources for Forest Conservation Staff.

- The Planning Department's forest conservation staff needs to increase capacity for the department to support applicants and enable conservation of existing forest.

Respectfully submitted,
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