

Public Hearing Testimony to the Montgomery County Council
RE: Bill 25-22 Forest Conservation – Trees (Oct. 4, 2022 Public Hearing)
From: John Parrish

Dear Councilmember,

The Planning Board's draft bill will continue to allow forests and their ecosystems to be destroyed for land development. Why are we pretending to call this a Forest Conservation Law? We can and we must do better than this! The Forest Conservation Law (FCL) needs to protect all existing forests and allow new forests to grow to reverse the legacy of forest loss in our County and to combat climate extremes.

The Importance of Forest Soils

A mature forest has well developed organic rich soils at and near the surface of the ground. This organic layer or "topsoil" is where most soil life exists. This includes a complex mix of decayed plants and animals, insects, fungi, microorganisms and minerals with which plant roots interact with for nourishment. A rich organic layer takes many decades to develop. In fact an inch of topsoil may take 500 years to fully develop. Forest soils are the basis for most plant life and fauna native to our region. They also sequester huge amounts of carbon. Carbon capture is essential if we are to meet Montgomery's climate goals.

Planting Trees is not Forest Conservation

Preserving all of our existing forest cover is true forest conservation. Planting groups of trees on open ground to mitigate forest loss cannot replicate the loss of long-established forest soils, structure and biodiversity of forests destroyed by development. Not only do we need to preserve all forest cover, but we need to set aside land to allow natural forest regeneration to take place coupled with requirements that non-native plant species be controlled for at least five or ten years so that young trees are not suffocated by aggressive vines nor have to compete with non-native trees. It will take 100 years or more for a forest to develop soils and structure capable of sustaining a full complement of native plants and animals.

An Example of the Failure of our FCL to Conserve Forests

A housing development was approved this year in the sensitive Ten Mile Creek Watershed near Clarksburg for the Miles-Coppola Property. According to the Forest Conservation Plan (FCP), see page 36 at: <https://eplans.montgomeryplanning.org/UFS/32841/99201/30-PBRESandMailingList-120220010.pdf/30-PBRESandMailingList-120220010.pdf> 18.07 acres of forest loss was approved!! Incredibly, the FCL not only allows this loss, but did not require any forest planting to mitigate the loss! In the end, M-NCPPC staff worked out a deal to plant 4.12 acres. The net result is eighteen acres of forest loss and planting four acres of saplings. This does not equate to forest conservation! The FCL must be strengthened to prevent these failures. This result is especially insulting because the 2014 Ten Mile Creek Area Master Plan Amendment calls for increasing forest cover in the watershed from 46% to 65%. That assumes that over 500 acres will be reforested and there will be no further forest lost due to land development. Clearly, we are not headed in the right direction. How will a "no net loss" policy achieve the goals of the Ten Mile Creek Master Plan?

Conclusion

The "no net loss" policy is a failed policy as long as it allows for the loss of existing forests and the planting of trees as mitigation to enable the further loss of existing forests. We need a "net gain" policy to replenish our county's natural landscape. Existing forests must be fully protected and land set aside to allow forests to regenerate. Please strengthen the FCL to safeguard existing forests. Our climate, native biodiversity and water quality depends on it.