

Forest Conservation Advisory Committee

Minutes

April 27, 2010

Prepared by: Bryan Straathof

ATTENDEES

Members

Paul Allen (WSSC), ex officio
Ginny Barnes
Rick Brush, (DPS) ex officio
Mark Buscaino
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

David Post
Jeff Schwartz
Kevin Smith
Bryan Straathof

Absent members

Andrew Der
Bill Pastor
Linda Silversmith
Clark Wagner

Others attending

Stan Edwards, DEP Staff

MINUTES

Bob Hoyt, Director of the County's Dept of Environmental Protection, provided the perspective of the County Executive's office with respect to the FCL and forest conservation policy.

The main areas for improvement to be addressed when considering improvements to the current FCL include: the current FCL is complicated, difficult to administer, phases of mitigation were not always successful, and is not protective enough.

Improvement to the FCL for consideration include:

- a) including the forest canopy overlay and the tree canopy overlay;
- b) simplify the fee structure; canopy loss x fee, factoring in square footage, and mitigation;
- c) payment goes towards mitigation;
- d) similarities to wetlands mitigation bank model.

The Committee went through a line by line discuss of the table illustrates the similarities and differences between the current regulatory approach to forest and tree regulation and DEP's proposed approach.

The line items discussed include:

1. Resources regulated

2. Trigger for application of regulations
3. Trigger for mitigation for loss of forest
4. Trigger for mitigation for loss of trees
5. Responsibility for review of development plans
6. Method of identifying resources on site
7. Plan review process - Forests
8. Plan review process - Trees
9. Calculation of amount of mitigation – Forests
10. Calculation of amount of mitigation – Trees
11. Mitigation rates for both forests and trees
12. Form of mitigation
13. Easements
14. Afforestation requirements
15. Responsibility for planting
16. Maintenance period following planting
17. Financial security for mitigation requirements (bonds)
18. Timing of or deadlines for mitigation
19. Land use categories
20. Forest Conservation Threshold
21. Reforestation Ratios
22. Champion Trees

The purpose was not to achieve consensus on each point, but to voice what was working and not, to raise potential red flags or concerns, identify missing elements to strengthen the FCL. The committee members were encouraged to provide its different perspectives on each point.

County Executive's office may decide to draft two bills related to forest and trees, with the proposals to move through the process together as an umbrella bill, for better coordination

The Committee reviewed and approved the letter to the Council with respect to the County street tree planting and maintenance budget, subject to the changes noted in the discussion. The motion was made by Ginny Barnes and approved by Mark Pfefferle.

The Committee was updated on new membership expected to be finalized in the coming months.

Meeting adjourned.