



Montgomery Soil Conservation District

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March 5, 2013

The Honorable Roger Berliner
Chair, T&E Committee
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

RE: Expedited Bill 1-13, Erosion and Sediment Control

Dear Council Member Berliner:

The Montgomery Soil Conservation District (MSCD) Board of Supervisors respectfully requests that the Transportation and Environment Committee amend Expedited Bill 1-13, Erosion and Sediment Control to insure that logging, timber removal operations, and nursery operations continue to be considered as agricultural land management practices. As landowners in Montgomery County, MSCD Board members feel strongly that these critical components of our farming operations should be viewed as agricultural land management practices.

Agricultural land management practices provide valuable options for managing agricultural resources regardless of whether a farmer is growing corn, apples, Christmas trees, sod, nursery stock, or forest products. The production of food and fiber must continue to include all viable operations in order for farmers to meet the financial and environmental challenges of the future. We request that the T and E Committee consider substituting the language in the current State Law for the objectionable language in Bill 1-13 to define an "Agricultural land management practice". The following language from Bill 1-13, line 32 should be amended:

"Agricultural land management practice means a method or procedure used in the cultivation of land to further crop and livestock production and conservation of related soil and water resources. Agricultural land management practice does not include logging and timber removal operation or wholesale or retail nursery operation."

This section should be changed to remain consistent with the language found in the State Law:

"Agricultural land management practices" means those methods and procedures used in cultivation of land in order to further crop and livestock production and conservation of related soil and water resources. Logging and timber removal operations are not to be considered a part of this definition.

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While the differences between these two versions are slight, we believe the State Law recognizes that logging and timber removal operations are "agricultural land management practices", but are to be considered separately from the perspective of erosion and sediment control. Furthermore, the reference to "wholesale or retail nursery operations" should be dropped from Bill 1-13 altogether because it is inconsistent with State Law.

We appreciate your consideration of our concerns regarding Expedited Bill 1-13 and we look forward to working with the Council to insure this does not result in an erosion of farmers' rights to produce and harvest food and fiber.

Sincerely,



George Lechliden
Chairman, MSCD Board of Supervisors

Cc: Nancy Floreen, County Council
Hans Riemer, County Council
Craig Rice, County Council
Michael Faden, Council Staff
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