



August 8, 2022

To: QACC Commissioners

Subject: Text Amendment/County Ordinance #22-03 submitted by Barry Waterman

Dear Commissioners

CRC is very concerned about the future impact of Mr. Waterman's proposed Text Amendment on a key natural resource of the County and urges you not to approve it. It may appear that Mr. Waterman is seeking to rid the county of "confusing" and redundant regulations. But this is a wolf in sheep's clothing. The county's own Technical Staff review as contained in a memo of June 9, 2022 from the Principal Planner to the Planning Commission makes it clear that repealing the county's prescient Woodlands Protection Act will in fact leave significant categories of woodlands unprotected and subject to destruction.

We are all becoming increasingly aware of the importance of trees in helping to curtail growing threats to our quality of life posed by global warming and inadequate storm water controls. It has become well known that trees rank among the highest and most cost efficient means for maintaining air quality, reducing CO2, controlling stormwater and recharging our precious aquifers. They cool the air and provide key habitat for increasingly endangered creatures, especially birds which are declining dramatically and beneficial insects which are important to agriculture as well.. You know this since you recently approved an extensive and expensive update to the county's Comprehensive Plan that recognizes the value of, and commits to the stewardship of our precious natural resources, including supporting no net loss of forests.

Our Planning Commission was also party to that overarching document and the public vetting on which it was based. So it is all the more alarming that the current Planning Commission would decide to recommend this Text Amendment to you for approval and thereby weaken the County's protection for woodlands.

It would not make economic sense for you to take action that will reduce woodlands. It is our understanding that QAC will be spending millions to meet stormwater requirements under MS-4 permit regulations.. Reducing woodland protections would be a step back from that commitment. County Parks has planted trees on almost all of the public land on Kent Island that can be planted, (i.e. that is not being used for playing fields or other open spaces). This makes preserving woodlands where they currently exist all the more important, especially where they are interspersed with development. Moreover, what the county gets back from developers for replacement of trees is currently woefully insufficient to offset the actual cost of replanting, even where there are places to do so.

As to the issue of confusion with state Critical Area and Forestry regulations, staff has offered a reasonable solution. That is to review the woodlands provisions for clarity and eliminate redundancy within the context of the upcoming review of County Code. The relevant excerpt from their recommendation is provided below for your convenient referral.

Respectfully,

Frank DiGialleonardo  
President, Corsica River Conservancy

Cc: Todd Mohn, County Administrator

STAFF RECOMMENDATION (excerpt of Stephanie Jones Memo to Planning Commission  
6/9/22)

Based on the overall need for the update of the Resource Protection Standards and the fact that this proposed amendment would impact the rate of tree removal that is permitted throughout the County, staff suggests that, rather than favorably considering this text amendment in isolation, this review occur in the context of the update of the County Zoning Code.

Staff offers the following findings in accordance with §18:1-221 and § 4-204. • Land Use Article:

- o **Potentially more woodlands could be disturbed and removed with the removal of § 18:1-66.**
- o **All Resource Protection Standards are needed to be reviewed.**
- o **The Woodlands provisions offer more protection than the Forest Conservation Act.**
- o **The Woodlands provisions offer more protection for project approval within the Critical Area.**
- o **Allowing a greater threshold for woodlands removal, that is consistent with the Critical Area Law and the Forest Conservation Act could potentially allow for greater development in sensitive areas.**

