

# Conservation Montgomery, Inc.

*Working together to enhance our quality of life*

## STATEMENT REGARDING VARIANCE REQUEST AND DEMOLITION OF SPECIMEN TREES

### ON THE FALKLAND NORTH PROJECT

By Caren Madsen  
Chair, Conservation Montgomery  
Before the Montgomery County Planning Board  
November 18, 2010

I'm Caren Madsen and I chair the nonprofit Conservation Montgomery, which is a coalition focused on making the connection between community quality of life and natural resource protection. For a number of reasons, our board declines to oppose or support this particular project. We submit that part of what you are hearing today underscores a challenge we face in our current county forestry law. This particular project will result in additional loss of urban tree canopy in the Down County and this is related to a bigger problem.

Our forestry law was written in the early 1990s with a focus on reforesting or protecting larger tracts of forest in rural sections of the county. While the law has shown progress in rural areas of the county, our urban sections are now depleted of tree cover, with forest cover in our urban sections at 12% below what is considered by the nonprofit American Forests to be a healthy level of forest canopy. For six years, the C&O Canal Task Force and other groups have asked for stronger reforms for the Forest Conservation Law, and for an effective urban tree ordinance to be enacted. There have been a few fruitless attempts to revise the law. In the meantime, we've witnessed continued loss of green space in our urban communities. We are convinced that for future planning purposes, our county Forest Conservation Law (FCL) is overdue for revisions. The FCL needs an update that will not only bring the law into compliance with State Bill 666 but will revise the law to address changes in county development patterns and building trends over the years. Times have changed but this legislation has not kept pace with growth and development in Montgomery County. We need to address urban

green space as we continue the trend of dense development around Metro stations.

Montgomery County has fallen behind the rest of our adjacent jurisdictions in responding to recommendations delivered in 2009 by the Maryland *No Net Loss of Forest Task Force*. Among other recommendations, the task force urged local governments to develop comprehensive plans and address increasing urban canopy elements that will incorporate urban tree canopy measures that will be consistent with Chesapeake Bay Program criteria. There are now almost 40 communities throughout this state that have set urban tree canopy goals – Montgomery is not one of those communities. Our state is heading toward a no net loss of forest policy. The sooner our county adopts an urban forestry program with a countywide urban tree canopy goal and an urban tree ordinance, the better.

It is possible to include green space in dense urban design. It is done in other parts of the country and in other countries around the world. Our neighbors to the north in Canada are showing us how well it can be done. Density and creating urban villages does not have to result in scraping a parcel of land down to a moonscape and replanting with saplings. We look forward to a day when Montgomery County will make a quantum leap in planning policy, making a philosophical shift toward tree preservation and conservation instead of demolition and replacement. Urban spaces that incorporate green infrastructure with mature trees in place are more desirable places to live and work. The residents, businesses, and taxpayers of Montgomery deserve a much better policy than we have at this time for tree and forest management.

I will close with a novel idea to present to the developers that could work in tandem with the stormwater measures they have proposed. It *is* possible to move and transplant large mature trees. Trees with a larger diameter than the specimen trees on this project plan have been transplanted with a high survival rate. If it is done properly, some of the healthier trees on this parcel of land could be moved to a location nearby and within the same watershed. Moving a few of these large trees would go a long way in terms of goodwill with our community and would provide greater environmental benefits than newly planted trees. Please

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consider this as an alternative to outright demolition and replacement. I would be happy to share some case studies with the developers.

Thank you.