

Conservation Montgomery, Inc.

Working together to enhance our quality of life

TESTIMONY

Regarding Montgomery County Council Bill 53-10 to Amend the Forest Conservation Law

Delivered by
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Board of Directors, Conservation Montgomery
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My name is Arlene Bruhn, and I live in Bethesda. Thank you for the opportunity to testify on behalf of Conservation Montgomery.

My initial plan was to discuss variances. However, yesterday, I learned that the passages to which I objected have been withdrawn and that Draft No. 1 of Bill 53-10 is no longer under consideration. The bill you have before you should be Draft #2 has no passages that automatically grant variances. Is that correct, Madam President? Going forward -- I caution you never to assume, more accurately never to make a legal presumption that a request for forest or tree variance is completely accurate. Mistakes are often made regarding species, age, health, diameter – the list is long. Tree removal typically has a negative economic impact on neighbors. To continue to allow tree take-down to eliminate construction delays ignores the needs of the community and worse -- opens the door to the hen house and invites the fox in to feast.

I am here today to emphasize that Bill 53-10 should in no way be assumed as all that is needed to revise our Forest Conservation Law (FCL). The FCL is long overdue for revisions that address our current development patterns in the county. Overall county forest and tree cover now stands at less than 29% according to 2008 aerial photographs. In our urban areas, forest cover is 12% below what is considered a sustainable level.

What is needed are tree protections and prevention of further destruction of forest and tree canopy. Our county needs to make a fundamental shift in urban environmental planning to focus on mature tree preservation. Instead of demolishing healthy mature trees and forests to replace them with saplings, we need to find innovative ways to avoid forest fragmentation. The time to start is today, better yet, 20 years ago.

I have heard people in this room say, "But we have lots of trees." Or, "I thought you supported 'smart growth.'" They miss the point. Ignoring the environmental services delivered by large trees and forests is not smart. And crowding concrete and asphalt into our urban core without the benefit of green space to complement the development is not smart, nor does it keep our communities livable.

By neglecting to enact urban tree legislation and allowing more destruction of trees along our county streets – I add with no budget for street tree maintenance or replanting -- we have been wasting our environmental capital. It is time to stop exploiting local natural resources with a cavalier disregard for water quality and the Chesapeake Bay. Our county deserves a stronger forestry law and an urban forestry program with a countywide urban tree canopy goal. Bill 53-10 only brings us to minimum compliance with State law. Montgomery County deserves better than a minimum standard.