

## Minutes

Baltimore County Advisory Commission on Environmental Quality  
December 6, 2023 7 PM

CEQ meeting dates, membership information, and reports are available at  
[www.baltimorecountymd.gov/Agencies/ceq/index.html](http://www.baltimorecountymd.gov/Agencies/ceq/index.html)

Attendance: Carol Newill, Andy Miller, Mahnaz Mazaheri Assadi, Brian Fath, Brian Bernstein, Steve Malan, Brian Lindley, Valerie Androutsopoulos, Linda Davis, Carlton Sexton, David Berger, Ralph Brown, Elaine Kasmer, Marsha McLaughlin, John Alexander, Lisa Field, Roland Oehme, Larry Fogelstein

Excused absences: Lynda Eisenberg, Lois Jacob, Jennifer Langford, Chris Overcash, Karen Wynn

7 pm **Welcome** - Dr. Carol Newill, Chair

7:05 Brian Lindley, Natural Resource Manager, DEPS, spoke on **Expanding the Forest Management Section** within the Department of Environmental Protection and Sustainability: staffing changes, directives, tree programs, funding, and progress.

Started with discussion of recent reorganization of the division. Forest Stewardship – review of multiple activities including rural reforestation plantings, tree giveaway, pollinator habitat, Tree City USA, Deer herd mgmt. (USDA contract; expanded to Marshy Point from Cromwell Valley and Oregon RidgeParks), spongy (gypsy) moth suppression (MDA cost share), invasive species/noxious weed control (MDA Coop agreement) forest health assessments for large County parks (> 2600 acres), implementation of the policy & guidelines for community tree planting projects

Forest stewardship on-call: Rural on-call reforestation services – list of companies; forestry services on-call: Mar-Len Environmental; contractor: site preparation, planting & sheltering, monitoring and maintenance for 3 years; maintenance includes mowing and herbicide treatments; 90% survival guarantee each year of contract; mix of native trees

Forest stewardship – Chesapeake Bay TMDLs (Total Maximum Daily Load of pollutants, established by the U.S. EPA) are mitigated in part by trees.

Public property: parks, Baltimore County public schools, local open space; private property: turf-to-trees, backyard trees (areas of >0.1, < 1 acre); trees planted 15 foot on-center (193/acre) and equipped with deer protection; planted over 452 acres of trees since 2007 under MS4 permitting – doesn't include urban trees, forest conservation, or other county agency projects.

Urban reforestation – presents different opportunities and challenges. Deal with planting entire areas, use different equipment and methods. Typically front yards or grassy strips along sidewalk. Grassy strip generally has to be at least 4 feet wide.

Programs: coordination of the county’s tree canopy goals: Operation ReTree (Tree Equity, MS4 TMDLs, Tree Canopy Goals); Street tree replacement program (MS4 TMDLs, Tree Canopy Goals); Urban Tree Planting Requests (MS4 TMDLs, Tree Canopy Goals); Planted over 5,535 trees or 55.35 acres since 2020.

Urban reforestation on-call: reforestation services, urban, on-call: Wright Environmental, Level Land Inc

Street or front yard trees of “managed grounds”; trees are 1.5-2 inch dbh when planted; trees equipped with stakes, mower guards, bark protectors, watering bag, and mulch. For urban, 1 year of maintenance with 100% survival guarantee; 100% native trees

Want 50% coverage in rural, 40% coverage in urban areas.

Operation ReTree – Tree Equity

High density, low canopy, low income areas. Assigned an Equity Tree Priority score to 2020 Census block groups to determine planting locations. Equity Tree Priority score determined using tree canopy, population density and income

Funding: general funds 400K; ARPA grant funds 1.5 million; CBT (Chesapeake Bay Trust) grant funds 1.5 million

4500 trees by Fall 2025, already planted 2591 trees in 18 different neighborhoods -headed in right direction.

Operation ReTree Outreach Campaign – voluntary participation. We plant in peoples’ yards. Find community leaders, talk to them, send out letters cosigned with community leaders, go door to door and place a door hanger if someone is not home; send other paper work to people as a follow up if don’t catch them first time; do everything possible so community knows what is there and why we are doing this. Not everyone wants trees, others really do. A lot of people complained they didn’t necessarily want them but then liked what they saw on their neighbors’ property so there is a second-chance followup. People don’t always trust the government at first. We try to make sure all of these trees survive.

Street Tree Replacement Program – started last year

Over 4343 street trees removed since 2015 (500-600/year)

We replace 1000 of those annually

Responsible – future focused plantings

Five foot verges  
Root barriers  
Smart spacing  
Larger trees at planting

Planting locations for first year: Towson, Woodlawn, Pikesville, Dundalk, Owings Mills and Parkville

Street tree replacement is not voluntary. This is county-owned property and we put up a flag with a QR code, place door hangers, show people a map of where we are planting. Use different species. If community members don't want it they can tell us and we won't plant it, but people seem to like it. Different approaches; sometimes one species – 250 in local Woodlawn neighborhood, might have different species on different streets, look at what already exists, consult with the community and also give them smaller trees for the yards. Small trees not as good for verge areas because their branches extend into the road rather than above cars.

Street tree replacement in Towson Downtown District – sometimes old tree pits require soil amendment before planting. Any projects in this district – developers on the hook for tree removal in the past so this helps to fund plantings. Try to avoid trees tearing up the sidewalk.

Forest maintenance section – this is new, not same as established programs. This handles every tree out of contract – urban trees, ???; we want to try to be more consistent to ensure survival. Typical maintenance is 3 years but we go beyond because we know support is needed. Still have deer tubes and stakes to protect the tree out toward maybe 5 years.

WIP [Watershed Implementation Plan] (MS4 TMDLs) reforestation long-term maintenance; WIP (MS4 TMDLs) Landscape style trees long-term maintenance; oversee maintenance of all urban planting programs; FCA Easement inspection, plantings, maintenance and security releases.

We have seen enough to know what we are doing with big maintenance projects.

Long-term reforestation on-call: same contractors mentioned previously. Activities may include site or tree assessment; maintenance may include mowing, replacement plantings, vine and invasive removal or suppression, stake & shelter upkeep, removal, or replacement; can be a single maintenance event or multiple events in one contract; and continue to monitor sites and record inspections.

We have expanded staffing on this program from 4 to 10 people.

7:20 Q & A

Q: have read that average survival of urban tree is 5-7 years. Will you ever get to your urban goal with such low survival?

A: Most of our plantings have had established trees 30-40-50 years old and we do much better. Things do happen to trees eventually and you can't always control what happens but our protocols do give us better outcomes

Q: The tree planting manual is dated 2012; is it due for an update?

A: On our website we have already posted some addenda. We have a whole policy created with other county agencies about topics such as distance from power lines

Q: Are there any native species that are such poor performers you have had to eliminate them?

A: Not yet. Obviously we make choices that we know are successful in an area.

Q: It's great that you are doing all of these plantings in urban areas. There is a lot of concern on the other end about forest conservation plantings by developers who only maintain to the minimum time and survival is not as good. The MD General Assembly passed a bill last year requiring that maintenance standards should be stricter. Are they communicating with you and will that be helpful?

A: Yes it will be helpful. Stay tuned because each year there is a little more pushed through and the new session is coming up soon. Some counties have expanded to 5 years and we have talked about that. We are waiting for the State to do their end before we take the next step, but if they don't we may do it ourselves next year. Developers don't necessarily have three years and then done; they have to have a minimum of 75% success rate, if they don't, we don't give them back all of their security and if not successful in any given year the clock does not advance and the developer might be on the hook for additional years and we may eventually take their money and use it.

Q: Are any NGOs cooperating with you and following your guidelines?

A: We work with all kinds of groups – an example would be Blue Water Baltimore. They have done the door-knocking campaign with us. Others have participated from the NGO community. We also do plantings on school properties and involve students in the plantings and gave a little talk at the beginning in the classroom to explain; we also have them help with inspections and fill out pamphlets to report on what they see. A lot of engagement activity.

Q: You said the rural goal was 50% coverage. I assume you are also monitoring losses. Do you use that information to assess how much additional needs to be replaced?

A: We do maintain GIS data to keep track of this. We go by the state's data as far as their calculations although we sometimes let them know when they are missing something. It's not a perfect science. We are getting a bit more precise over time. We try to get all of the data from the state and federal government to supplement our county data. We are doing better than a lot of counties.

Q: Do you know how many acres you might plant in 2024?

A: Some programs are voluntary, some aren't. For spring we're thinking around 37 acres if we add all the locations together. Some of our bigger plantings are on private property and the person pulls out at the last minute. But we are generally a bit more conservative on plans than we hope to do.

Q: Ralph Brown, president of Oregon Ridge Nature Center Council. The forest there as we all know is in poor health. Would love to set up a time to meet with you.

A: We know there is a lot of confusion about who does what because of differing ownership and sometimes we have to go to agencies who do know.

Q: Are you in charge of caring for the forests at Oregon Ridge?

A: There are three different groups – us, Dept. of Rec & Parks, and Property Management? We do deer management as well, but there is still the park master plan and we are not in charge of that.

DEPS is not directly in charge of caring for the forests at Oregon Ridge. The Dept. of Rec & Parks owns the land and was in charge of the Master Plan. DEPS has a say if Rec & Parks wants to do something that directly impacts the trees.

Q: One of the major recommendations of the Master Plan is restoration of the forest with recommendation to start right away. It's been hard to figure out exactly who is responsible for the protection and restoration of the forest.

A: We can set up a time to talk and we can explain where we're coming from and how this fits into our overall planning.

Q: If a school has a spot for some trees, do they contact you directly?

A: They can, but often we contact them first. It's usually up to the principal at the particular school. We also work with Property Management and Rec & Parks, so several different groups are often involved.

Q: Tree planting is great. Maintenance of existing trees is tough. Have you had any luck with DPW on the maintenance of existing trees and especially on invasive vines?

A: Yes, we are having conversations and in one place where the trees are buried in vines we are going to take over responsibility.

Q it's totally impressive how extensive your department plans now are and it sounds like you're being flexible, trying to respond to different communities' needs. I think we have a possibility of a volunteer army of people who do "weed warrior" work to take down the invasive vines. The number may approach 1000. There's a lot of potential labor there and good will if there were a point person (at the County).

A: We have heard it discussed. We would like to know the contact/point person as well.

Q: Do you go around to communities with townhomes and apartments/condos as well as single-family homes?

A: Yes, we do all of those.

Thanks to Brian. We will wrap up now.

Next speaker is not well and not able to come tonight.

7:30 Ayal Alkhateeb, a graduate student in the MS program in Environmental Science, Towson University, will speak on the **Nitrogen footprint of Baltimore City**. For quick background reading on reactive Nitrogen, look at: <https://ui.adsabs.harvard.edu/abs/2018AGUFM.B41B..05G/abstract> 7:45 Q & A

#### 7:55 **CEQ Business**

- Minutes of 10/25/2023 - Correct and Approve.
- Continue meeting in person unless epidemic levels are high?

We agreed to keep meeting in person with occasional online meetings as is appropriate

- Proposal for new arrangements for monitoring and opening the door.

Brian will come at 6:45 to open the door and we need someone else to be at the door to let people in. Brian was hoping Steve would appoint someone else. It's not clear whether we should stay here if access to the door is problematic, although there are advantages to controlling the site. Steve wants to know what we want a Planning person to do. Maybe Radu can also help out on occasion? He might not have clearance for this building but he can get it so maybe he can be backup for Brian. With regard to Steve's question, maybe ask Kui or figure out what we want in terms of 2-way communication. Linda: the County Code indicates there should be a liaison from DPS and Planning and DPWT – they are supposed to be here because the topics we address overlap those departments. John Alexander: There is a lot in the master plan and in zoning and development management, planned unit developments and protection of open space that creates issues that often are not addressed after the master plan. Planning was involved in the solar farms issue and we developed a report

and Planning people were very interested in what we had to say about it. The Planning department lists land preservation and development and land use planning as one of the most popular services they provide. If we are going to grow denser inside the URDL in order to protect the URDL, that makes greater difficulties. Growth management is hard all through central management. Green building standards etc are getting tighter. Years ago CEQ started talking about green-building tax credits and Planning was very interested. Many things CEQ develops should go Planning for discussion. We need to expand who we are hearing from and what they are thinking.

Membership: David Marks still has to appoint a representative from his new district and Lynda Eisenberg has a regular conflict that might force her to step down.

- Progress on updating CEQ Road Salt report of 2009, in light of climate change-associated extreme storms and flooding - Linda Davis

Linda was asked to step down in 2021 and asked back in July but did not hear about it until recently. Just before she left Anthony Russell came to us to give an update on road salt. Our original 2009 report is good but is dated and since then some good strides have been made. There is supposed to be a chloride TMDL for four different rivers. Linda stepped up with Mahnaz to update the previous report. They started by contacting Wade Kach's office as he had suggested an update. They finally heard back from him last week and he is interested in the update. Anthony Russell will present an update at the CEQ meeting Jan. 24. Like all CEQ reports, this one needs a real audience and a real purpose. Now that we have feedback from Anthony Russell in DPW and from Wade Kach, it's worth spending the time. When Anthony comes to our Jan. 24 meeting. Linda will request that he address road salt effect on climate change resiliency and climate effects on the effects of road salt and deicing.

Would also like an update on the TMDL (Back River, Gwynns Falls and Little Patuxent were supposed to have a TMDL by 2023). Much of the previous report components about chemistry and background and basic science can educate council members and staff and we can follow format of original report and component parts but with extensive updating on links to research, current and best practices, county and state policy, and an extended list of online resources. Data about chloride could be added. Talk to Joel Moore and Matt Baker.

What about small streams?

There was a program until 2019 to reimburse homeowners for saltwater intrusion into wells from road salt application. This was done after extensive water testing.

Heard SHA presentation and we may have had one a couple of years ago.

The other piece is that the last time we did this there were 8 working on it and now there are two. Would like to invite anyone who is willing and able to take a small piece and help to update it. Andy can consult with colleagues who have done work on ecosystem impacts and on data collection from water samples. Northern Virginia Regional Commission coordinated an excellent document – city government,

counties, states, watershed groups, there were 22 government representatives, agriculture, everyone affected by salt was at the table. The document is excellent, the summary is about 30 pages long.

Would like to extend the invitation to others including those not at the table right now. Among other things we need to update the water filtration plant data. There are tables on macroinvertebrates and ecosystem impacts. There is also concern about drinking water health impacts especially for people with kidney problems and people on dialysis. One recommendation will probably be an integrated cross-government approach. It's not clear that the county currently has staff working on this issue. There is a one-page summary on the county's web site.

We need to focus on the solution, but if money is the limiting factor then there needs to be a reason to dedicate money to a project. Link to public health and other environmental impacts. We need to also report on who is doing big integrated planning on this issue (northern VA toolkit is a model; maybe we should be a little further along before inviting them and maybe they can meet with the County Council). Linda can organize and write and collate. We need a list of who else on the commission can participate. Steve Malan wrote a note and said he will review the effects on plants, animals and soil. Brian Bernstein will look at trout habitat issues.

People throughout the county on well water have noticed this and the effect on drinking water gets a lot of attention. Last time we were addressing the reservoirs but not individual homeowner wells. The oversight commission for the three reservoirs was also concerned. Brian Bernstein will reach out to Bill Felter who knows a lot of people and he is one of the people who is now involved in managing Prettyboy Reservoir. (Drought is so bad that to keep Loch Raven supplied they have to reduce flow in the Gunpowder to 15 cfs and Prettyboy water levels are way down).

One piece that would be added is climate change and that is worth discussing.

Defer additional items on list until next time.

- Progress on CEQ Weed Ordinance Report of 11/2023, roles of CEQ and of environmental advocacy community - Carol Newill

People doing low-impact landscaping were almost ready to march on the county council to make sure the position we supported gets turned into policy.

- No known progress at County level re CEQ Forest Conservation Symposium and Report recommendations of 5/2022

- Update on forest restoration, deer culling at Oregon Ridge Park



- New topics for 2024 - Climate change resilience, sewer capacity deficits and development projects, other? Commissioners please speak with Council members and County Administration.

8:40 **Adjourn**

Meetings in 2024: 1/24, 2/28, 3/27, 4/24, 5/22, 9/25, 10/23, 12/4

Finished at 8:45 pm.