

adopted by Civic Federation delegates at 6/10/13 meeting

MCCF Resolution **Supporting Bill 41-12**, Roadside Tree Protection legislation sponsored by Councilmembers Berliner and Elrich and introduced December 11, 2012

Whereas, current State regulations implementing the Maryland Roadside Tree law do not adequately address the protection and conservation of roadside trees and State enforcement of the Maryland Roadside Tree Law has been dilatory and inadequate; and

Whereas, State Department of Natural Resources has consistently refused to cede rights of enforcement to Montgomery County Department of Transportation and/or the Department of Permitting Services; and

Whereas, additional and more stringent regulations for the protection of roadside trees are needed, particularly with regard to protections for the trees' critical root zones; and

Whereas, Montgomery County is authorized by revisions to the Maryland State Roadside Tree Law (2009) to pass roadside tree legislation that is more stringent than that of the State; and

Whereas, failure to implement street tree regulations constitutes passive approval of the State's laissez-faire policy with regard to removal or damage of street trees and thus contributes to the decline and eventual death of street trees with subsequent increases in air, noise, and water pollution, especially in urbanizing areas; and

Whereas, Montgomery County can serve as a model to the entire State of Maryland for designing, re-planting, and maintaining tree-lined streets, i.e., a sustainable roadside tree canopy, supported by environmentally responsible regulations that are fair to business and home owners alike, but only if the County insists that builders and property owners abide by roadside tree law and regulations that protect the canopy.

Therefore, be it resolved that the Montgomery County Civic Federation urges the Transportation and Environment Committee to vote Bill 41-12 out of committee on June 24; that shortly thereafter the County Council pass Bill 41-12; and that the Executive branch then develop regulations to implement more stringent tree protections and flexible options for tree replacement, while concurrently establishing a roadside tree fund for purposes of planting roadside trees with a goal of replenishing and sustaining our county's tree canopy.