



**Position: SUPPORT**

**Date: November 28, 2023**

**Contact: Anna Mudd, Potomac Conservancy**

Earlier this year, the Montgomery County Council unanimously voted to strengthen its Forest Conservation Law ([Bill 25-22](#)), which will guarantee that more forests are protected in Montgomery County. That historic legislation helped to not only further protect our forests, but in doing so, also supports clean air, wildlife habitat, responsible climate preparedness, and safe streams and drinking water for the citizens of Montgomery County. Now the County Council has a chance to reaffirm its commitment to protecting the County’s tree canopy by supporting Council [Bill 40-23](#), which will revise the required fees associated with the replanting of trees under the Roadside Tree Protection Law and the Tree Canopy Law.

Under the County’s current Roadside Tree Protection Law, a permittee who removes a tree in the County’s right of way generally must replant and/or pay a fee into the Street Tree Planting Fund. Similarly, under the County’s Tree Canopy Law, an applicant for a sediment control permit must plant shade trees and/or pay a fee into the Tree Canopy Conservation Account. The fees associated with these laws were last set approximately ten years ago and have not been updated since that time. The current structure for each of the fees is woefully inadequate and does not reflect the actual costs of tree purchasing, planting, and maintenance. The structure also does not currently adjust for the cost of inflation. The purpose of the bill is to provide for a fee structure that is equal to the cost of purchasing, planting, and maintaining new trees and to provide for biannual cost updates based on inflation.

A recent study published by the Harry R. Hughes Center for Agro-Ecology found that [Maryland experienced a net statewide forest loss of more than 19,000 acres from 2013 through 2018](#). Tree canopy loss to development and forest fragmentation - particularly in growing suburban counties, including Montgomery County - remain significant. But while there is still much work to be done, increasing fees to cover the actual costs of replanting and maintaining trees is a timely, meaningful action the County Council can take that is rooted in common sense.

The Montgomery County Forest Coalition is comprised of many organizations who have partnered together with a goal of supporting the County’s Forest ecosystems and tree canopy. We applaud Council Vice President Friedson and Council President Glass for introducing this bill and the members of the County Council for unanimously co-sponsoring this bill. As stated so well in the bill press release, “Trees are one of the most important natural resources and one of the few truly renewable resources. Tree canopies play a pivotal role in enhancing quality of life and contributing to the well being of residents. A thriving tree canopy reduces air, water and noise pollution, alleviates heat stress and reduces heat islands, and positively impacts physical

and mental health outcomes, among other benefits. Protecting the tree canopy will help mitigate climate effects and help Montgomery County reach its ambitious climate goals.”

For these reasons, **we respectfully request the Montgomery County Council vote YES for Bill 40-23.**

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**\*The MoCo Forest Coalition is made up of the following member organizations:**

**[Nature Forward](#), [Potomac Conservancy](#), [Chesapeake Bay Foundation](#), [Friends of Sligo Creek](#), [Conservation Montgomery](#), [Sierra Club Montgomery County](#), [Defensores de la Cuenca](#), [Friends of Ten Mile Creek & Little Seneca Reservoir](#), [Montgomery Countryside Alliance](#), [Rock Creek Conservancy](#), and [MoCo Stormwater Partners Network](#)**