

Report by the Committee on Open Space and Land Preservation to the Commission on the Environment and Sustainability

Per the charge from the commission, this report summarizes the results of our committee's deliberations over seven meetings on Open Space and Land Preservation. Specifically we (1) reviewed existing Howard County government plans and programs, (2) identified good examples from other governments, and (3) recommended actions to make Howard County a green model. We organized our discussions and recommendations into three categories: Land Acquisition, Land Planning, and Land Management. We also discussed other land issues that we wanted to make sure were dealt with by other committees or the full commission. A record of the detailed discussions on each of these topics will be posted on the Commission Forum site.

In general, the committee believes that the County staff are doing a good job within their respective departments addressing environmental issues given the current laws, governmental structure, and funding. The intent of the following recommendations is to help Howard County government do an even better job.

1. Land Acquisition

Goal: To acquire or preserve through easements (and to encourage private action to preserve) as many lands as necessary or possible to complete the green infrastructure that provides desired ecological services and human health benefits for the County

Conclusions: The County already has a green infrastructure map based on state-level geographic information system (GIS) data. The map follows the major stream and river corridors and therefore includes the floodplain (under revision) and steep slope areas. At present the County can identify areas within and outside the green infrastructure hubs and corridors that are forested, National Wetlands Inventory (NWI) and Maryland Department of Natural Resources (DNR) wetlands, and Sensitive Species Project Review Areas (SSPRAs). Forest quality, some wetlands, intermittent streams, and specific habitats cannot be identified. Acquiring the data for a fine-scale green infrastructure map of the County is probably not possible in the time frame available to acquire land before projected residential build out in the County (10-15 years). It might be possible, however, to obtain focused, high-priority data with County funds in the next few years to support land acquisition. A conservation plan using existing data could be completed by someone like the Conservation Fund for about \$25,000. An ongoing, longer term data acquisition program would support land management and redevelopment priorities.

At present, Howard County is close to the state goal of 30 acres per 1,000 residents. The County will fall below this goal as the population of the County increases to the projected 400,000 and opportunities to preserve open space diminish. Meeting this goal is necessary to provide citizens with the passive and active recreational needs for a healthy community.

The committee agrees that the driving force behind land preservation should be the acquisition of land or easements over the short term, prior to build out (10 to 15 years). In particular, it would be beneficial to improve our inventory of ecological values on the remaining uncommitted parcels, as there are still more opportunities than funds (i.e., assigning priorities to these opportunities is needed). Identifying uncommitted parcels with substantial forest cover would be the first step. Maryland DNR data on rare species and high-quality streams should also be used (e.g., one of the best streams in the state is privately owned within the Howard County part of the Patuxent greenway)

As an example, at the current rate of spending for land acquisition and preservation (\$3.5M per year), it would take about 40 years to acquire half of the remaining parcels. Assuming that the County wishes to acquire all ecologically or recreationally valuable parcels (and this constitutes about half of the remaining parcels), an annual expenditure of closer to \$10M per year would be needed to acquire the land during the 10 to 15 years it will be available, prior to build out.

1.1 Recommended Actions

- 1.1.1 Find the funds to acquire or preserve the desired approximately 5,000 more acres of open space lands while they are still available.
- 1.1.2 Partner with the Governor and Maryland DNR on a major initiative to preserve additional parcels along the Patapsco and Patuxent Greenways. Use State Side POS and Local Side POS funds as well as challenging foundations and the community to contribute to acquiring for the purpose of preservation both (1) infill parcels in existing greenways and (2) lands along the South Branch of the Patapsco River from Sykesville to Interstate 70.
- 1.1.3 Rank the remaining “uncommitted” parcels of land based on ecological value using existing information (recreational potential can also be added) on a spreadsheet of GIS information such as the amount of forested land and proximity to streams. Have ecologists conduct on-site assessments wherever permission can be obtained to develop more detailed information on relative ecological values. Include proximity to existing parks and study areas in the ranking, but keep ecological and recreational benefits separate.
- 1.1.4 Conduct a public outreach campaign to encourage land owners to consider a sale to the County. Owners of “uncommitted” parcels would be notified by a cordial letter from the Executive or Department of Recreation and Parks (DRP) indicating that their land has special value and their voluntary participation would be a benefit to the County (also include a request for permission to assess the site). Work with local land trusts to place easements on the ecologically important lands that landowners do not wish to sell. Stay in the negotiations to acquire or help preserve all of the grounds associated with Doughoregan.

- 1.1.5 Partner with Columbia Association (CA) to promote connectivity and value of combined open spaces and green infrastructure in Howard County. Connectivity is crucial to ecological integrity (movement of organisms and ecosystem processes) and to getting people connected to nature. Ensure greenway planning includes provisions for recreational and commuting trails (where ecologically compatible and where access has been granted) with the necessary overpasses or underpasses at major roads. Add substantial acreage to Symphony Woods to create a Central Park for Columbia on the Crescent Property with connections to draw people into the other greenways.
- 1.1.6 Increase the resources and staff expertise within County government to put this land acquisition and preservation on the “fast track.” Hire additional ecologists and real estate experts dedicated to this program. Institutionalize the interaction with DNR Heritage and the Maryland Biological Stream Survey to improve data exchange (e.g., consider stronghold watersheds for species of greatest conservation need). Explore opportunities to obtain non-County funds for additional surveys (e.g., from the Conservation Fund) and land acquisition (e.g., transportation funds such as TEA-21).
- 1.1.7 Use the bully pulpit of the County Executive to educate the citizens as to how important it is to preserve a green infrastructure

2. Land Planning

Goal: To implement effective regulations, procedures, and incentives for the conservation of lands that cannot be acquired (or protected by easement) by the County, including ecologically important lands and lands that provide the public with an ever present connection to nature.

Conclusions: As was concluded during the Land Acquisition discussions, the County has good GIS data on the boundaries of floodplains (under revision), steep slopes, streams, some wetlands, forests, and SSPRAs, but not specific habitat or resource quality information. While it is incumbent on the applicant to perform wetland delineations (reviewed by Soil Conservation Service) and forest inventories, it falls to County staff to review and confirm this information. Additional staff resources (and coordination with information sources) are needed to obtain additional information on ecological values for this review.

There are many options for strengthening the sensitive area protections during development, some of which would require the County Council to approve a bill amending the subdivision regulations. The development review process should be provided with additional staff and resources to ensure full interdepartmental involvement and use of all available data. Conflicts with the design manual and other requirements should be identified and resolved by providing flexibility in the process. At the same

time, the use of waivers should include an assessment of the benefits and impacts of each waiver with full documentation and transparency to the public.

The County should convene a Builders for the Bay Site Planning Roundtable comparable to the Baltimore County Roundtable (June 2006) to improve the overall development process (such roundtables review a jurisdiction's existing regulations and develop recommendations for improving them). Wherever possible, smart growth principles should be incorporated into regulations and considered for major zoning or planning changes.

2.1 Recommended Actions

- 2.1.1 Create staff responsibilities and resources to identify specific habitat features present on all parcels in development review.
- 2.1.2 Strengthen protection of sensitive resources by mandating 100 ft or wider buffers on all perennial and non-perennial streams (50 ft or wider on wetlands depending on wetland size and quality). Ensure that the sensitive resource protections are equal or better than protections offered by nearby counties.
- 2.1.3 Review the County Design Manual to identify provisions that conflict with sensitive resource protections and recommend changes to the manual.
- 2.1.4 Strengthen implementation of the Forest Conservation Act to retain 67% of all forest and provide a fee-in-lieu or mitigation banking structure that limits the use of this option and provides for 2:1 or greater replacement on ecologically valuable lands.
- 2.1.5 Amend the development review process to include written assessments of the impacts of all waivers for inclusion in the record and availability to the public.
- 2.1.6 Strengthen County procedures as necessary to ensure that all existing easements are enforced.
- 2.1.7 Work with other organizations to ensure continuity of land use, for example encourage passive use of county lands where they are adjacent to greenways or land trust holdings.
- 2.1.8 Convene a Builders for the Bay or comparable forum to build a culture change and political mandate for environmental design in the County.

- 2.1.9 Work regionally to incorporate smart growth principles in all new developments associated with BRAC and transportation initiatives

3. Land Management

Goal: Manage County-owned lands and encourage the management of other publicly and privately owned lands to support environmental goals as well as recreation and other missions.

Conclusions: Howard County faces strong pressure for athletic fields but the protection of ecological values is also a priority in their Integrated Natural Resource Management Plans (INRMPs) and for other open space. At the same time, the aging of the population in the County is creating a need for more passive recreation. Lack of funding and training for staff is the primary barrier to accomplishing the ecological goals in the INRMPs.

Deer control is important for the health of County parks and open space, and invasive plant species is fast becoming even a bigger problem. The fragmentation of habitats and creation of forest edge contribute to the spread of these invasives. Substantial staff and resources are needed to manage these lands effectively. Additional funding is also needed to monitor encroachment into open space by the public.

The best management practices of DRP as well as other industry standards should be documented and transmitted to other agencies, organizations, and the public. Implementation should be assured through more funding for agencies and incentives for the public.

While the majority of Howard County does not possess the large forested tracts needed for some species (e.g., forest interior dwelling birds), many places in the County do have valuable small-scale ecosystems (e.g., vernal pools, rocky outcrops, intact vegetative communities). Special management practices (e.g., wider disturbance exclusion zones around rare mud salamander habitat) should be mandated for these areas.

3.1 Recommended Actions

- 3.1.1 Develop a Howard County Green Infrastructure Plan to provide a comprehensive framework for managing (and acquiring) lands that support ecological values and services.
- 3.1.2 Conduct a review of the Robinson Nature Center and Blandair Park planning processes to ensure that the appropriate facilities are constructed in each.
- 3.1.3 Review of the existing Integrated Natural Resource Management Plans (INRMPs) and other Department of Recreation and Parks plans and compile them into a model document for disseminating best management practices for managing for ecological values to DPW, HCPSS, CA, HOAs, private landowners, and general public.

- 3.1.4 Develop a process for ensuring implementation of these best management practices through increased agency funding and incentives for the public. Use the bully pulpit of the County Executive to change our culture to one that takes good care of the land.
- 3.1.5 Identify funding priorities (e.g., Cooperative Extension Service), non-County sources (such as CBF and EPA), and the feasibility of including a line item for open space management, operations, and staff in County budget.
- 3.1.6 Establish a regular (annual) inspection program for all County easements, including additional staff or resources as needed.
- 3.1.7 Create an invasive species task force to develop priorities (including triage) for County open space and to develop a public outreach program to address invasives on private property (including best management practices for developers).
- 3.1.8 Consider using management guidelines (e.g., wildlife tunnels) from the Partners for Amphibian and Reptile Conservation document to target special management or restoration to preserve/create ecological gems within the County.
- 3.1.9 Pursue a concerted partnership with HCPSS to institute best management practices and selected demonstration projects (e.g., greenhouses) on school lands
- 3.1.10 Pursue concerted partnership with CA and other HOAs to institute best management practices and selected demonstration projects (e.g., a Columbia Central Park combining Symphony Woods with Crescent Property open space).

4. Land Issues for Other Committees

- 4.1 Connection to Nature – This issue relates to how parks and trails are managed, but may be more germane to the Education and Outreach Committee. We commend that committee to include these recommendations:
 - 4.1.1 Ensure that the Robinson Nature Center adjacent to the Middle Patuxent Environmental Area (MPEA) is a world class facility promoting the “connection to nature” through demonstrations of green site design that provides access to open space at work and play (to reach adults as well as children). The Center should be right-sized to fit into the natural setting of the site.

- 4.1.2 Ensure that parks and other County facilities take advantage of opportunities for demonstrating the connection to nature in our daily lives, including stormwater management.
 - 4.1.3 Consider revisions to the design manual (or other requirements or incentives) that would facilitate commercial properties adopting green sites design to provide a connection to nature through access to open space (with attendant increases in worker productivity and quality of life).
- 4.2 Watershed Planning and Restoration – We believe that the Air and Water Quality committee is dealing with this land development and stormwater control issue. We commend that committee to include these recommendations:
- 4.2.1 Research the most effective means of introducing LID and better site design practices into County and private lands, while minimizing the inspection and maintenance burden. Include education initiative for landowners on how to maintain LID.
 - 4.2.2 Study creation of a major restoration initiative involving all stakeholders around one of the CA or County lakes to jump start public and political will for restoration. It would be tied with specific benefits such as better local streams (not just the Bay) and less lake dredging in the future.
- 4.3 Smart Growth – Smart growth is another topic that crosses committees. We recommend that it get full treatment in the Green Building and Development committee or full commission.
- 4.3.1 Research the political and public will for downzoning or upzoning within the County where it would meet our environmental goals. In addition, consider streamlining regulatory review for developments that meet green standards.
 - 4.3.2 Participate in regional smart growth planning to help BRAC revitalize Baltimore City.
 - 4.3.3 Review the relevant strategic initiatives of the Columbia Association (CA) and influence the new CA Board to join in an integrated effort would meet our environmental goals (e.g., coordination of CA master plans for lakes and pathway system).