



Howard County Council

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District 1

Summary of Council Bill 38: The Patapsco Lower North Branch Bill
Public Hearing Date: Monday, September 16th, 2019 at 7 pm (George Howard Building)
To send written testimony to the County Council: councilmail@howardcountymd.gov

In summary, Council Bill 38 will help protect and preserve what remains of our trees, forests and waterways, neighborhoods and historic towns, starting in this most fragile watershed: the Patapsco Lower North Branch. Responding to the mandates of last year's Watershed Safety Act (CB56-2018), CB38 will effect changes in law intended to help protect against future flooding risks—to the public health, safety and welfare, and investment.

Here's how:

- CB38 requires new development in the watershed to control no less than 2016 peak flood conditions. No runoff from such development may exceed the volume and characteristics of runoff from the undeveloped site under 2016 peak flood conditions.
- CB38 prohibits further building in the watershed within 100' of the floodplain, waterways and wetlands and 50' from steep slopes.
- CB38 eliminates Developer entitlements to waivers or "alternative compliances" in the watershed except when necessary to better stormwater management and flood controls for existing development and/or as new public infrastructure. Otherwise, state and local laws protecting forests, trees, waterways, wetlands, steep slopes and floodplains must finally be complied with.
- CB38 eliminates Developer entitlements to pay "fees in lieu" of complying with open space and forest conservation requirements in the watershed, and enhances requirements as to how much land mass must be dedicated to both.
- CB38 prohibits residential infill in any existing communities lacking the infrastructure necessary to manage stormwater under currently applicable requirements.
- CB38 requires site development plans to better depict the true environmental impact of the proposed work by marking critical root zones of "specimen" trees, the hubs and corridors of the County's "green infrastructure network" and the State of Maryland's "targeted ecological areas" on and adjoining the site.

The changes of law proposed by CB38 would take effect on any projects in the watershed not yet issued a County building permit, including the thirty or so stalled by the Watershed Safety Act, CB56-2018. This means we'll likely have to extend the effective period of that bill a second, lesser time so that consideration of this and any other legislation prompted by its mandates may take effect before that effective period lapses.

→ If you'd like to know more about CB38, or see a way to make it better, please call us or email!

→ If you like what you see, send the Council an email (councilmail@howardcountymd.gov)—the more reasons why you tell us, the better. Copy in your friends, neighbors and co-workers so they send us something, too.

And make your plans now to attend the public hearing for CB38, scheduled for Monday, September 16th at 7 pm.

To view the full text of the bill, please visit:

https://apps.howardcountymd.gov/olis/LegislationDetail.aspx?LegislationID=12318&fbclid=IwAR2QE0YSV6rVWooHi-CGgNVwGfdkRlgtA3CKOY3pMoSsmoz1G3mdSz_u6yc

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