



Sustainable Forestry Council

580 Taylor Avenue – E-1 • Annapolis, Maryland 21401 • 410-260-8531

SUSTAINABLE FORESTRY COUNCIL

Sep. 23, 2014

Minutes

Eric Sprague, Chair
Alliance for the
Chesapeake Bay
Annapolis, MD 21403

Donald Outen
Natural Resource
Manager
Baltimore County
DEPRM
Towson, Maryland 21204

Gary Allen
Center for Chesapeake
Communities
Annapolis, MD 21401

Kirk Rodgers
Private landowner
Woolford, MD 21677

Kim Finch
MNCPPC,
Prince George's Co.
Planning Dept.
Upper Marlboro, MD
20772

Kenneth Roberts
NewPage Corporation
Westernport, MD 21562

Attendees:

Eric Sprague
Don Outen
Gary Allen
Kirk Rodgers
Kim Finch
Al Goetzl
Bryan Seipp

DNR and Guests:

Anne Hairston-Strang, MFS
Steve Bunker, The Nature Conservancy
Steve McHenry, MARBIDCO

Eric Sprague called the meeting to order at 10:05am and solicited agenda items. He introduced Bryan Seipp as a new member. Bryan summarized his background, working with MD Forest Service, Potomac Conservancy, and Center for Watershed Protection on forestry and water quality issues, including urban tree canopy efforts. Anne Hairston-Strang was introduced as the Acting Associate Director.

The March 25 and May 20 minutes were presented for approval. For the May 20 minutes, an addition was made clarifying the discussion and recommendation that MD Forest Service manage all forest on state lands, not just State Forest. Gary moved that the minutes as amended be approved, Kirk seconded, and they were approved unanimously. Discussion included an update on forest management efforts on Park Service and Wildlife Management Area properties in conjunction with the Forest Service. Al Goetzl raised the question of what to do regarding EAB on State Parks.

Eric Sprague requested a future update about DNR budgets and BRFA legislation.

Don Outen provided a briefing on forest management of County-owned forests. Baltimore County is continuing efforts to actively manage County forestland, moving from the harvest at Oregon Ridge to a more rural parcel on the Back River peninsula. They use posters, signs, and other notices to inform the public, and found that the more rural area was not less controversial because residents had been actively involved in protection efforts, and it was important to counter fears that harvest road access was leading to development.

Eric provided an update on the Mel Noland Woodland Incentives Task Force Meeting. The meeting to figure out how to better fund practices and revolving loan fund for forest health was a challenging conversation. Questions were raised about accuracy on Assessment and Taxations land use data for identifying forested status regarding transfer tax allocation. Some alternative data was presented and a variety of options discussed. A report is due to the legislature in December. Steve McHenry reported on a past successful effort to raise the transfer tax to fund a

Young Farmers program that has failed to generate revenue yet because declining transfer taxes have not met specified thresholds.

Steve Bunker summarized the state of easement funding for forest conservation, focusing on programs funded through MD's land transfer tax (0.5%) and Program Open Space funding, which funds MD Ag Land Preservation Foundation (MALPF), Rural Legacy, local-side recreation programs, and State-side POS, usually fee-simple acquisitions. State funding has been frequently diverted to fill State budget gaps, but funding has been replaced through bonds in recent years, but was reduced \$30-40 million this year. Past income of \$200-300 million in POS was considered unlikely in the near future, with current income closer to \$120 million, partitioned among a number of programs; about \$15 million was going to State-side purchases aimed at the state Green Infrastructure priorities.

Relative costs and benefits of fee simple purchase compared to easements were discussed. Steve Bunker noted that in some areas purchase and easements may be relatively close, and purchase offered the advantage of greater land use control and public access (example of 700-ac purchase of \$2.2 million for easement, and \$3 million for fee simple). Others noted the advantages of lower prices for easements in more rural areas, the benefits of maintaining working forest, tax base, forest products markets, and avoiding public land management costs. Steve B. mentioned that the Rural Legacy program emphasized local control and easement acquisition. The issue of the dominance of farm land acquisition over forest land was raised, particularly with reference to MALPF, linked to ag-dominated local ranking rules and decision-makers. Don Outen commented on County results that forest % was 20% of MALPF, about the same for Rural Legacy, but more on GreenPrint/State-side POS purchases (40%+).

Don Outen pointed out the trend of reduced effort in land conservation by local governments, some of whom have had significant programs in the past. Baltimore County and some other jurisdictions see the threat of development reduced by significant limitations on major subdivisions posed by the septic tiers in SB236 and water supply/treatment issues from the Water Resource Element requirements, at the same time that funding sources like POS are declining and funding needs for restoration for water quality requirements are rising. Baltimore County is looking at approaches to forest conservation that are less government-supported and more related to facilitating private investment, aggregating landowners for better access and prices for markets and services.

Eric raised the question of whether forest conservation could benefit from having an easement portfolio (collection of willing easement sellers on important forest blocks) that could be marketed to foundations, corporations, and other philanthropic organizations, much like the MD Seafood marketing efforts to increase awareness and use of locally-sourced seafood. AI asked what role easements play in meeting the no-net-loss goal. Kirk identified a need for more sources for easement funding for landowners interested in keeping and protecting land from development. Many agreed that easement demand exceeded supply. The recent approval of the Forest Legacy new Assessment of Need opens that for new enrollments.

Steve McHenry presented MARBIDCO's efforts to address forest conservation. He circulated a draft low-interest Woodland Preservation Loan Fund that would act as a bridge loan for landowners seeking to sell forest conservation credits in a few years. This could allow buy-out of joint landowners not interested in keeping land, and facilitate permanent conservation.

The need for long-term easement monitoring and provision for enforcement was discussed, including assessments (e.g. \$5K/easement) to finance land trust efforts, partnering with state agencies such as MD Environmental Trust with access to legal resources, and bolstering land trust organizations with payment for monitoring efforts.

Efforts to focus easements in specific areas were discussed. Kirk brought up the recently created Harriet Tubman National Monument, which encompasses much of eastern Dorchester Co. Kim described the Piscataway National Park protecting the Mt Vernon viewshed, with 2/3rds of the park being easements with annual tax credits, acquired with assistance from the Accokeek and Mayo Foundation. She suggested that a similar approach might work for the Harriet Tubman National Monument, based on the appeal of Harriet Tubman and the delineated area of interest. A local land trust could be formed to coordinate a project of scenic easements by corporate sponsors to preserve the scenic and rural qualities of the area, which could be donated to the National Park Service or other entity for monitoring and protection, while allowing for forest management to continue. The corporate sponsor would get a charitable donation credit, the property owners would get a tax credit, and the National Park Service would protect an important national monument. Kirk suggested multiple lines of funding.

Don proposed forest management typology, laying out publicly owned, eased forest, regulatory easements, developed land with no further development potential, parcel size, and zoning limitations. Need was discussed for forest retention banks and policies that maintain a critical mass of working forest for forest product markets and rural and urban forest products jobs. Gary recommended that a consistently available set of common forest data needs be developed, and suggested a white paper to identify parameters and benefits of a system. Anne mentioned the upcoming Forest Action Plan revisions and new chapter on Relationship to National Trends.

Gary presented the issue of urban tree canopy clearing to meet electrical reliability standards, and concerns about the inconsistent approaches of different utility companies in resolving conflicts with landowners. There are recommendations on policies for tree trimming in right-of-ways developed through the MD DNR Power Plant Research Program, and presented to the MD Electrical Reliability Tree Trimming Council MERTT. He stated that guidance is not available for conflict resolution, and some companies offer rebates and incentives for trees removed while others do not. Gary proposed that the SFC hold a public hearing to identify the scope of problem, need for regulatory change, and need for consistent treatment of conflicts to better meet urban tree canopy goals, no-net-loss goal, and landowner desires. Discussion included options for Public Service Commission guidance, adjustment of Forest Conservation Act exemption, a fact-finding meeting, reconvening group that developed ROW trimming guidance, mitigating loss through forest conservation easements, involving PSC People's Council, role of ongoing lawsuits, and request to MD Forest Service for information on current conflict resolution policies of the different utility companies. Concerns were raised about whether the SFC was the appropriate body to act on the issue. Gary proposed drafting an email for Eric to outline questions on utility company policies for Marian Honecny, Urban Forester, to take to MERTT.

Anne provided a DNR Update, including the appointment of Donald VanHassent as Acting State Forester and addition of Anne Gilbert as the TreeMendous Coordinator, upcoming legislation, and the Urban Tree Canopy Summit on October 14 and 15. Other items were a forest buffer analysis with 1-m forest cover, golden-winged warbler habitat restoration in W MD, outlook for continued tight budgets, and proposed grants for emerald ash borer, hemlock woolly adelgid, and ecosystem benefits of trees in drinking water watersheds. The Annual Forestry Board meeting will be Nov. 1 at Arundel Mills Anne Arundel Community College.

Don Outen provided an update on efforts in the Prettyboy watershed, now labeled Prettyboy Resource Collaborative. They are developing a rural landowner toolkit to expand forest and land management. The Collaborative is seeking opportunities to aggregate smaller landowners so they can access forest product markets and land management services and realize economies of scale enjoyed by larger properties. Progress includes a commitment from a law firm to fund the Johns Hopkins Carey School of Business to develop business and marketing plans, forest health assessments of multi-owner patches through a DNR grant and forestry consultant, and inclusion in a RCPP proposal for the Mason-Dixon area to focus EQIP and other NRCS funding. The County is receiving a grant (\$73,500) from the Harry Hughes Center for Agroecology to determine resource aggregation potential, costs and benefits of forest and land management, and cross-sector nutrient trading potential. The overall project concept will be presented at the Chesapeake Watershed Forum and has been requested for MD Dept. of Environment Regional meetings on meeting TMDL requirements

Added agenda items included progress on the Lawn to Woodland program, biomass efforts, and Baltimore Wilderness. The pilot project for Lawn to Woodland partnership with National Arbor Day Foundation planted about 15 acres this year, and the expanded program with substantial mailings is on track to plant 100 acres next year. For biomass efforts, a bill will be presented for a third year to modify the Renewable Portfolio Standard to allow biofuel and construction incentives, include combined heat and power projects, and set minimum efficiency standards. It will not have controversial elements for black liquor, but is complicated by efforts to include it in a Climate Action Network bill to double RPS goals, from 20% up to 40%. The Coastal Resiliency project for the greater Baltimore Area was funded through the Hurricane Sandy RFP, a first step in developing a large landscape conservation network for Baltimore, similar to the Chicago Wilderness effort expanding parks and green infrastructure networks.

Eric adjourned the meeting at 2:15pm.

Respectfully Submitted,

Anne Hairston-Strang