



**2018 ANNUAL REPORT TO
BALTIMORE COUNTY EXECUTIVE AND
BALTIMORE COUNTY COUNCIL
July 30, 2019**

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BACKGROUND

The Baltimore County Advisory Commission on Environmental Quality (CEQ), which was established by legislation in 2003, met eight times throughout the 2018 calendar year. Lois Jacobs, Chair, set the agendas and presided at the meetings. Andy Miller, CEQ Secretary, took minutes at the meetings.

This Baltimore County Advisory Commission on Environmental Quality (CEQ) 2017 Annual Report to the Baltimore County Executive and Baltimore County Council fulfills the requirement specified in Baltimore County Code Subsection 3-3-2106 and provides a summary of CEQ activities during 2017.

CEQ MEMBERSHIP

The CEQ enjoyed active membership during 2018. The 2018 CEQ membership included the following individuals:

Name	Appointed By
Linda Davis	County Executive at Large
Brian Fath, PhD	County Executive at Large
Brian Bernstein	County Executive at Large
S. Glenn Elseroad	County Executive Agricultural Representative
Andy Miller, PhD	County Executive Educator and Scientist
Rex Wright, PE	County Executive Business Community Representative
Valerie Androutsopoulos	Council District 1
Lois Jacobs, Chair	Council District 2
Chris Overcash	Council District 3
Lynda Eisenberg	Council District 4
Carol Newill, MD, PhD	Council District 5
Dan Doerfer	Council District 6 (resigned end of January)
Karen Wynn	Council District 7
Brian Lindley	County Government Liaison, EPS
Kui Zhao	County Government Liaison, Planning

CEQ MISSION STATEMENT

The CEQ activities in 2018 furthered the mission previously established for this Commission.

The purpose of the CEQ, through its duties and responsibilities as described in the Baltimore County Code, Subsection 3-3-21, is to encourage protection and preservation of the natural environment in Baltimore County and its waterways, including the Chesapeake Bay, by educating the community to make environmentally sustainable decisions and by enlightening, advising, and initiating dialogue with

County officials. It facilitates communication between the County government and its residents on environmental needs, programs, and legislation.

As a group of dedicated volunteers for environmental integrity, the members understand the need for following and monitoring environmental plans.

PRESENTATIONS/REPORTS/WORK ITEMS

Painted Trees Project – CEQ Report and Developments

In December, 2017, Commissioner Davis received input from CEQ members and sent out a revised draft for a Painted Trees Report, which was discussed at the January CEQ meeting. By this time, the Commission discovered that there was no practical way to remediate the damage to the painted trees, so the report would focus on preventing harmful park activities in the future; our recommendations would include narrowing a loophole in the County Code that allowed such a project to happen,

The Commission went through the text of the report and agreed on the final language. Commissioner Fath would write the cover letter and forward the report and cover letter to Commissioner Bernstein for printing. Commissioner Fath delivered the letter and Painted Tree Report to all County Council members and the Directors of Recreation and Parks and Environmental Protection and Sustainability (EPS).

Our next steps were to meet with our Councilmen with the objective of sponsoring and passing a bill that limits the power of one person to approve such projects or activities in the future. There should also be consultation with EPS and stakeholders, with an exception for management actions to protect park resources.

By March, Commissioner Newill met with Councilman Marks who supported a change in the code, and Commissioner Jacobs met with Councilwoman Almond who also supported a code change and our Report recommendations.

On May 3rd, Commissioners Newill, Davis and Jacobs met with Council members Bevins and Jones to discuss the report and recommendations.

At the May 7th County Council meeting there was a CEQ presentation of the Painted Trees Report; Commissioners Newill, Androutopoulos, Jacobs and Davis spoke. Commissioner Wynn was also present. Our presentation was well received and our work praised by the Councilmen. It was our hope that a bipartisan bill might be drawn up by July or August.

BALTIMORE COUNTY COUNCIL BILL 67-18: REGULATION OF PARK ACTIVITIES

A largely non-partisan and collegial effort resulted in a Bill based on the CEQ report by September of 2018. Commissioner Jacobs attended the Council work session where the bill was given a positive reception and scheduled for a vote on October 1st, where it passed 6-1.

Commissioners Jacobs and Wynn attended the Council meeting and informed the rest of the Commission that the Bill had been passed.

This was the first County Council Bill that was originated and passed based on a proposal by the CEQ. It should be noted that some parts of the CEQ Report had recommendations to be addressed by the

Executive branch; due to the sudden loss of our County Executive in May, CEQ decided to address these issues at a later time.

Ten Year Solid Waste Plan

This issue was discussed at almost every CEQ meeting in 2018 – the Commissioners agreed that the document does not go far enough and should have more tangible recommendations. County Parks need more recycling opportunities and education. Schools should do more with solid waste including banning Styrofoam trays and plastic straws, and move towards recyclables.. Limiting the use of plastic bags and non-recyclable waste cannot wait another ten years. The document now supports State efforts for reduction or bans of certain plastic items, but did not include new policies at the County level.

At the September 26th CEQ meeting, Commissioner Jacobs discussed the State’s new regulations to reduce exhaust from the Wheelabrator Baltimore incinerator (from a Baltimore Sun article sent to all CEQ members). Commissioner Androustopoulos pointed out that plastics 3 and 7 as well as some paper can no longer be recycled in Pennsylvania and based on her conversations with Waste Management, this is likely to happen here as well; those things (also yoghurt cups and envelopes) will probably go to the incinerator as they become no longer acceptable for single stream recycling. Part of the reason for this change is that China is no longer accepting many of our recycling materials.

There was a final meeting of the Solid Waste Management Citizens Review Committee (SWMCRC) on 10/29/18 which was an open meeting but not a forum for Public Comments. Commissioner Jacobs attended for CEQ. The draft Plan was kept largely intact. The Sierra Club (who have a representative on the Review Committee) has been pushing to get rid of the incinerator, but that decision has not been made. There is no realistic “Plan B” other than increasing use of landfills – which is opposite to the County’s interests and needs. The Plan did not address the impacts of China rejecting previously accepted materials; it did, however, include an option of banning problem materials including single use plastics and plastic bags.

The Commissioners agreed our efforts in 2019 and beyond must focus on reducing what enters the waste stream.

Solar Facilities Review and Actions

A Solar Facilities Law Review Committee was set up by the Planning Department; and facilitated by Wally Lippincott. Two Committee meetings were scheduled (for 3/26 and 4/13) and Comments and discussion was asked of all participants. Commissioner Jacobs served on this committee for CEQ. There were also representatives from the Solar Industry, Sierra Club, Valley’s Planning Council, other environmental groups, a farmer, and several other members of the County Planning Department. There was much discussion of what constitutes “prime soils”, as well as the well written “Hudson Valley Guidelines” that help steer solar development to appropriate sites. A major item of contention concerned changing the caps in the current bill. Both the solar industry and the Sierra Club wanted no caps on solar development at all; others including the Planning Department representatives, CEQ, Valley’s Planning and the farming community member pointed out that there was little appetite for making major changes in an approved bill that took so much effort and planning to arrive at a consensus. It was noted that none of the properties that requested permits or hearings or had permits pending had any significant opposition outside of District 3.

A document of the Committee's recommendations was sent to the Planning Department by May 3rd; they sent their final document and recommendations to the Planning Board for a Public Hearing on June 7th. Commissioner Jacobs sent a copy of the "Hudson Valley Guidelines" to all CEQ members along with a copy of the Review Committee's recommendations before the May 23rd CEQ meeting. We discussed the different viewpoints and interests of the diverse groups of stakeholders, especially how small (10 acres or less) installations can benefit farm income without endangering prime agricultural land or encouraging possible speculators.

The recommendations in the Review document cited the CEQ Solar Report and included some of our suggestions including a five year review. It was recommended that solar development be steered towards grayfields and brown fields, and to investigate if additional conditions are warranted to reduce the impact on farms.

The June 7th Planning Board Hearing was filled with anti-solar protestors from District 3. Some of these were real estate agents or owners of large new homes built on former farms – many on the same "prime soils" they don't want to see covered with solar facilities (unlike houses, land with solar panels can go back into agriculture at some point). There were, however, other stakeholders who wanted to leave more open land and thought their viewpoints was not represented on the Review Committee (they actually were quite well represented). It was noted that the horse industry was not represented – a valid point – and that a new committee should be formed with a broader range of perspectives. The CEQ Solar Report provided for animal husbandry and pastures, but these points were not among the CEQ recommendations in the Review documents. The Planning Board was willing to start over – but the County Council was unlikely to go back to square one or change the existing bill. Nothing further would be done on this topic until the upcoming elections were over.

County Trees/Urban Tree Canopy

At our meeting of January 24th, we reviewed the presentation of Dr. Morgan Grove on 11/29/17 and noted that while he concentrated on the interesting and valuable LiDAR system to assess land cover and tree canopy change, he did not have the time to directly address the benefits of the Urban Tree Cover he wrote about in the Sun Article of 9/6/17. The Commissioners agreed that these benefits (and the article itself) should be part of the focus on this topic in future CEQ discussions or reports. It is also likely to be an important component of our work on climate change adaptation going forward. Although tree management has been complicated by the roles of multiple agencies with lack of coordination and collaboration, there is hope for improvement. There is a new County Executive and EPS director; at our May 23rd meeting Brian Lindley announced that he was appointed to Don Outen's old position (long vacant) as head of Forest Management. The Commissioners support and are hopeful that the County Executive plans for substantial inter-departmental coordination will spur meaningful progress and help halt the decline of the Urban Tree Canopy.

Ongoing Educations of CEQ Members

In addition to the presentations and reports noted, County Staff members and outside speakers briefed our Commission on environmental and sustainable issues and programs useful to our work efforts. The information provided also helped clarify where future Commission priorities need to be adjusted, changed or modified.

At our 5/23 CEQ meeting, EPS liaison Brian Lindley spoke to us about his new position as Director of Forest Management. Forest Conservation and the Watershed Implementation Plan for the MS4 Stormwater Permit are two major responsibilities. There are also obligations to mitigate additional amounts of impervious cover each year. The County might purchase land for forest preservation which can get credit. Median strips and roadside plantings can be brought into the Planning process; EPS and Planning are working together on some of this – an example of the interdepartmental cooperation needed on many environmental issues.

At our November 28th meeting we had an important presentation – “Baltimore County Greenhouse Gas Inventory”, by Morgan Beard, Shaina Furman, Devin Moody and Brianna Weinman. The four presenters, students of Commissioner Fath, produced a researched inventory that updated a similar project done ten years ago; the first project led to some County initiatives, and the present group followed the changes over time to the present. The focus of the study was the impact of greenhouse gases on the global radiation balance, leading to global warming potential. The main gases considered were CO₂, N₂O, CH₄, and F, using eCO₂ as a standard. Sectors included were energy, transportation, natural gas, waste, and agriculture. The study found an increase in emissions from 2006-2016, although different sectors emit different quantities of different gases – e.g. CO₂ – burning of fossil fuel for heating, fueling cars, electricity; N₂O is mainly from fertilizer and some from transportation and waste. CH₄ derives mainly from agriculture and waste. Fluorinated hydrocarbons come largely from industrial and commercial processes. Some of the recommendations for reduction of greenhouse gas included the following:

- Electricity and gas – switch to more renewables (solar, wind, hydro, nuclear).
- Transportation – increase mass transit options, fewer overall vehicles, more vehicle alternatives including fuel flexible vehicles using ethanol, electronics that do not require fossil fuel energy if there is battery recycling.
- Waste – build on ten year solid waste plan, increase recycling pickup, drop-off centers, composting.
- Agriculture – promote no-till farming to reduce carbon release, preserve forests, increase green space and produce renewable energy on farms.

Specific data and statistics can be found in the CEQ minutes of November 28th, 2018 and in the report itself. The Commission has discussed further dissemination of the report and possibly putting it on the CEQ website.

Climate Change Impact/Adaptions

By November the CEQ turned the majority of its attention and meeting time to the increasingly pressing problem of climate change, adaption and resiliency. In addition to the presentation on the greenhouse gases inventory, and the 10 year Solid Waste Plan final review, our November 28th meeting focused on several other related topics.

Commissioner Jacobs discussed the Drowning Cities Series on PBS which dealt with the risks and impacts to different cities with different physical conditions (i.e. relative elevation above sea level, subsidence rates, vulnerability of infrastructure, etc.), and what is being planned/or being done to cope in places like New York City, London, Tokyo; the take-away is that every coastal jurisdiction will have to be prepared for adaption in order to survive. Commissioner Elseroad pointed out that there are huge impacts to other places and sectors as well – including agriculture, where growing seasons, viability of crops, and predictability of ripening are already being disrupted.

Commissioner Newill reported that Councilman Marks is interested in CEQ assessing risks to Baltimore County and would like to see a report on how the County is preparing to increase its resilience in the face of climate change impacts.

At this point we have no information on who is working on resilience for the County; this issue was not a major component of the current Master Plan, but will need to be incorporated in the next one. We also discussed sending a letter to the Transition Team of the incoming County Executive suggesting that CEQ prepare a report with recommendations on how to promote broader attention to climate change adaptation and resilience across County agencies. This report could also be informed by the work of the Maryland Climate Change Commission and the recent report of the US Fourth National Climate Assessment. This will be our major area of concentration in 2019.

CONTACT WITH CITIZENS

Citizen inquiries, concerns and complaints, came to CEQ via its website and/or to individual commissioners. Requests were directed to the proper County Agencies. Citizen concerns were discussed by the Commissioners, who decided if further response or action was necessary. Frequent topics focused on trash disposal, littering, recycling issues, flood damage, park related problems, stream erosion, Urban Tree destruction, and apparent lack of government transparency. Our CEQ County Liaisons helped us find the appropriate persons to deal with specific problems.

A controversial issue about the possible “repurposing” of several County parks for equine activity came to CEQ (as well as news outlets) which cited a study for the County without public input. As we were not sure this was an environmental issue, we obtained a copy of the Populous Study from the Planning Department. Equine activities are often found in parks, but sharing and repurposing are different; the study showed no repurposing and called for public input and transparency before proceeding with a potential project. The only environmental issue might be protecting water quality in Baisman Run. Commissioner Elseroad pointed out that the new Administration may not follow-up on this proposal after the election, and it might not be an issue in 2019.

CONTACT WITH COUNTY

During 2018, CEQ members:

- Communicated and met with Council members to update them on CEQ activities and to discuss environmental concerns and priorities in their districts and the County as a whole.
- Attended Council Work Sessions, Council meetings, Planning Board meetings, served on the Solar Law Review Committee, testified on solar and recycling issues, wrote the definitive Painted Trees Report, and gave testimony leading to the passage of County Council Bill 67-18 Regulation of Park Activities.
- Welcomed the ongoing attendance, information, advice and support provided by our CEQ County Liaisons Brian Lindley (EPS) and Kui Zhou (Planning).
- Initiated contact and conversation with members of the new Administration’s Transition Team.

COMMISSION INFRASTRUCTURE AND COMMUNICATION

The Commissioners discussed concerns and priorities in their districts and the County as a whole, and in their areas of environmental expertise. The Commission updated the CEQ website, and prioritized topics

for ongoing and future consideration. Commission members also attended environmental hearings, workshops, lectures and events around the County.

ONGOING CEQ MEMBER CONCERNS

The Commission will continue to review environmental issues confronting the County, with particular attention to Council members topics of concern, or the environmental concerns of the Executive. Issues for future actions include:

- Climate change Adaption and Resilience in Baltimore County.
- Urban and Forest Tree Canopies.
- Reduction of air-borne pollutants.
- Recycling and waste reduction – especially removing plastics from the waste stream.
- Solar and other alternative energy generation/production.
- Deer Management
- Update of CEQ Reports on Road Salt and Plastic Bags
- Invasive Species