

SB0359-FAV-DTMG-2-3-21.pdf

Uploaded by: Bartlett, Olivia

Position: FAV



COMMITTEE: Finance

TESTIMONY ON: SB0359 - Department of Transportation and Department of the Environment – Purple Line Tree Replacement Plan

POSITION: Favorable

HEARING DATE: February 3, 2021

BILL CONTACT: Senator Jim Rosapepe

DoTheMostGood (DTMG) is a progressive grass-roots organization with more than 2500 members who live in a wide range of communities in Montgomery and Frederick Counties, from Bethesda near the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that keep its members healthy and safe in a clean environment. DTMG strongly supports SB0359 because it will help return a clean and healthy environment to neighborhoods and communities disrupted by years of construction on the Purple Line.

Construction of the 16-mile Purple Line light rail line from Bethesda in Montgomery County to New Carrollton in Prince George’s County required the removal of many large mature trees. While the overall plan required replacement of these trees, they were replaced in areas far from the communities which lost them. Many of the areas which lost trees were areas already suffering from heat island effects and poor air quality. Walking and biking along these corridors for transit dependent individuals is even hotter and more unpleasant now without these trees. While these trees cannot be replaced in the exact locations from which they were removed, they can be replaced in the same neighborhoods on a combination of state, county, and private land.

SB0359 requires the Maryland Department of Transportation and the Maryland Department of the Environment to coordinate this effort across multiple state and local agencies to replant trees in these communities, with a priority on replanting in communities suffering multiple environmental health harms.

Trees capture CO₂, a greenhouse gas, thereby mitigating climate change, release oxygen, and provide cooling shade. Replacement of trees will increase the health of the environment and the health and quality of life of residents in the Purple Line corridor. SB0359 therefore addresses both the environment and social justice and equity.

For these reasons, DTMG strongly supports SB0359 and urges a **FAVORABLE** report on this bill.

Respectfully submitted,

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Takoma Park - SB 359 FAV - Purple Line Tree Replac

Uploaded by: Searcy, Talisha

Position: FAV



CITY OF TAKOMA PARK, MARYLAND

SB 359 Support

Senate Finance Committee February 3, 2021

SB 359: Department of Transportation and Department of the Environment - Purple Line Tree Replacement Plan

City contact: Suzanne Ludlow, City Manager

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The City of Takoma Park strongly supports a plan to replace trees removed during the construction of the Purple Line light rail project. It is critical that the State prioritizes and addresses environmental justice factors, including heat island effects in impacted communities when making these decisions.

- Takoma Park is a Purple Line advocate. The project will help to foster a more livable city by providing access to an environmentally friendly form of transit for our residents. However, we have been challenged by the impacts of prolonged construction and lack of responsiveness to concerns expressed by our residents and businesses. One lasting impact of Purple Line construction is the loss of the area's tree canopy.
- The section of the city most directly affected by the Purple Line's construction—Ward 6—has over 70% people of color, who have historically borne the costs of environmental injustices. A 2018 [assessment](#) from the University of Vermont's Spatial Analysis Laboratory found that Ward 6 is most underserved by the City's existing tree canopy. The area immediately affected by the construction is also heavily commercialized, and especially vulnerable to heat sinks in the tree canopy's absence. This is an area that should be a comfortable, shaded place to walk to transit and our community's businesses.
- The same assessment found that tree canopy in Ward 6 is largely privately managed, and it is important that the State coordinate with businesses and residents to restore the canopy lost in the process of building the Purple Line, as is called for in the legislation.

As the Purple Line's construction moves forward, the State should make sure not to forget about those who have suffered so far. To ensure that Takoma Park residents and other communities impacted by Purple Line construction are made whole for the loss of their tree canopy and have the opportunity to weigh in on its restoration, **the City of Takoma Park strongly urges favorable consideration of SB 359.**

SB359 - Purple Line Tree Replacement Plan - FIN -

Uploaded by: Tulkin, Josh

Position: FAV



7338 Baltimore Ave
Suite 102
College Park, MD 20740

Committee: Finance

Testimony on: SB359 - “Department of Transportation and Department of the Environment - Purple Line Tree Replacement Plan”

Position: Support

Hearing Date: February 3, 2021

The Maryland Chapter of the Sierra Club supports SB359, which would require the Department of Transportation (MDOT), in collaboration with the Department of the Environment (MDE), to devise a plan to replace tall, mature trees that were removed for construction of the Purple Line in Prince George’s and Montgomery Counties.

A forest conservation plan for the Purple Line project documents the removal of approximately 200 large trees, including towering oaks, tulip poplars, and pines.¹ To comply with the Maryland Forest Conservation Act, forest bank credits were purchased to mitigate the tree loss, but unfortunately the new trees will be planted at a location some distance from where the trees were removed.

HB80 directs MDOT and MDE to consult with a range of stakeholders from communities where the trees were removed when developing the plan to replace trees in each community where trees were cut down. The bill specifies that initial replacement of trees would occur in communities that are affected by environmental justice issues or the “heat island effect” when buildings, roads and other infrastructure absorb and re-emit heat from the sun causing higher temperatures than in surrounding areas. The bill says that trees may be replaced on state, county, municipal or private property.

The benefits of trees to the health of people and the environment are well documented. A single mature tree can absorb climate-damaging carbon dioxide at a rate of 21.6 KG/year and release enough oxygen into the atmosphere to support two humans. Ozone, a powerful respiratory hazard, is reduced by 3 to 7% for every 10 % increase in the urban tree canopy. Trees also capture nitrogen, provide shade and lower ambient air temperature, and provide vital habitat for animals in the water and on land. They slow and filter storm water runoff, stabilize streambanks and reduce erosion. Trees have aesthetic value, too. In summary, trees help create clean air, clean water, and habitat for life, and play a vital role in our lives.

It is unfortunate that so many mature trees needed to be removed for the construction of the Purple Line. HB80 would help address that problem by directing the replacement of trees in each community where trees were removed. Trees provide a bonanza of benefits for our health, communities and the environment, so we urge the Committee to issue a favorable report on this legislation

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¹ <https://www.purplelinemd.com/about-the-project/studies>

Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 75,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

SB0359 - MTA - MDOT MDE - Tree Replacement - LOI_F

Uploaded by: Westervelt, Patricia

Position: INFO

February 3, 2021

The Honorable Delores Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis MD 21401

***RE: Letter of Information – Senate Bill 359 – Department of Transportation and
Department of the Environment – Purple Line Tree Replacement Program***

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 359 but offers the following information for the committee's consideration.

Senate Bill 359 requires the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) to collaborate with the Maryland Department of the Environment (MDE) to develop a plan to replace trees that are removed because of the Purple Line Project. In developing the plan, the Department must consult with impacted business and communities, local governments, and residents of impacted areas. The legislation further stipulates that the plan must provide for the replacement of trees in each community where trees are removed due to construction of the Purple Line and must prioritize the initial replacement of trees in communities that experience environmental justice issues or the heat island effect. MDOT must collaborate with MDE, the Department of Natural Resources (DNR), and any other state agency deemed necessary, to identify sources of funding available for the implementation of the plan.

MDOT MTA recognizes the intention of the legislation and has proactively satisfied DNR's requirements for tree or forest clearing including expenditures for a Forest Stand Delineation, Forest Conservation Plan, and reforestation requirements. DNR regulations require a certified professional to assess forestry resources across the entire project footprint and document the forest stand extents, characteristics, and conditions in detail. This data is used to generate the Forest Conservation Plan, which outlines where forest clearing will take place; additionally, this is used as a planning tool to reduce forest impacts to the extent possible and to determine the reforestation required for the project. While MDOT MTA minimized forest clearing to the extent possible, there is very little potential for reforestation plantings along the rail alignment due to its urbanized nature and safety setbacks required to maintain transit operations. DNR regulations authorize the purchase of credits at local reforestation banks to offset unavoidable forest impacts. This process was fully completed and approved by DNR in 2018 with 83 acres of credits purchased between two local banks: one in Montgomery County and one in Prince George's County. With regulatory compliance completed for forestry impacts for this project, MDOT MTA, MDE, and DNR have not budgeted for additional coordination, assessment, and/or review for additional planting of trees in neighborhoods.

If the work required in the legislation were to be undertaken as part of the Purple Line capital project, the effort would require documentation and review and approval by the Federal Transit Administration in regard to National Environmental Policy Act (NEPA) conformance for disturbance outside of the approved NEPA Limits of Disturbance (LOD). The purpose of this required effort is to assess impacts to cultural resources, wetlands, Waters of the US, endangered species, and other environmentally sensitive resources. Any impacts identified would need to be fully documented, coordinated, and approved by various state and Federal agencies in accordance with state and Federal regulations and processes, which can take up to a year and require significant effort from subject matter experts and environmental professionals. This effort would also involve utility location and coordination and easement coordination for the Purple Line project to conduct work outside of state property/right-of-way. Due diligence would also need to be performed to ensure that current/existing easements, protective covenants, and other legal restrictions would not be violated through this action. This effort is not currently budgeted. Given the additional collaboration required with stakeholders, and agencies having limited resources, the effort associated with planting trees in neighborhoods could impact review and approval of design and construction elements and could delay the project.

As stated above, the regulatory requirements have been met for the Purple Line through coordination with appropriate agencies. MDOT appreciates the importance of forest and tree canopy cover in mitigating heat island effects and improving air quality in urban areas and is currently exploring other opportunities to reestablish tree cover within the adjacent communities affected by the Purple Line. MDOT respectfully requests that the committee consider this information while deliberating Senate Bill 359.

Respectfully submitted,

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