



March 17, 2021

2021 SESSION POSITION PAPER

BILL: HB0322: Real Property - Restrictions on Use - Low-Impact Landscaping
COMMITTEE: Senate Judicial Proceedings Committee
POSITION: Testimony of Support of House Bill 0322
BILL ANALYSIS: Prohibiting a certain restriction on use from imposing unreasonable limitations on low-impact landscaping such as rain gardens, pollinator gardens, and xeriscaping; requiring the property owner to regularly maintain landscaping; providing that "unreasonable limitations" includes items that increase the cost and efficiency of the low-impact program; providing that the Act may not be construed to prohibit a certain restriction on use from including certain reasonable guidelines; etc.

Dear Chair Smith and Members of the Senate Judicial Proceedings Committee:

The Montgomery County Food Council urges you to **SUPPORT** this bill as it will promote gardening efforts that support food education and food access opportunities in Maryland, while also offering environmental benefits such as wildlife and pollinator habitat, water conservation, improved soil health, and pollution prevention.

The COVID-19 pandemic has led to an increased interest amongst residents to grow food and cultivate at-home gardens as a form of self-sufficiency and as a safe, healthy outdoor activity. The Montgomery County Food Council, as the primary nonprofit organization leading the work of the Montgomery County Food Security Task Force, oversaw the implementation of a Resident and Community Gardening Grant Program in the fall of 2020, as an opportunity to support nonprofit partners and community-based organizations with projects that would increase resident access to yard, patio, and community gardening supplies. The gardening projects funded through this grant program serve as catalysts to expand food education and culturally appropriate food access in Montgomery County, while also promoting low-impact, environmentally conscious food cultivation that also provides wildlife and pollinator habitats.

HB0322 would effectively support and protect similar low-impact landscaping projects throughout the state, which all serve the purpose of reducing stormwater runoff into the Chesapeake Bay, improving soil health, and providing cleansing properties to the air that we breathe. This is a critical measure to ensure that Maryland residents can continue to establish these types of projects and contribute to a more sustainable and accessible food system.

For these reasons, the Montgomery County Food Council supports HB0322 and urges you to vote **FOR** this bill.

The Montgomery County Food Council is an independent council formed and led by individual community members and representatives of local businesses, government, non-profit organizations, and educational institutions. Our mission is to bring together a diverse representation of stakeholders to improve the environmental, economic, social and nutritional health of Montgomery County, Maryland through the creation of a robust, local, sustainable food system. Our vision is to cultivate a vibrant food system in Montgomery County that consciously produces, distributes, and recycles food, making it accessible to all residents while promoting the health of the local food economy, its consumers, and the environment.

For more information, please contact: Heather Bruskin, MCFC Executive Director at the email and phone number below.

