

**Meeting Minutes**  
**Advisory Commission on Environmental Quality (CEQ)**  
**September 16, 2015, 7:00 PM**  
**Dept. of Environmental Protection & Sustainability, Room 319: County Office Building,**  
**111 W. Chesapeake Ave, Towson, MD 21204**

**CEQ meeting dates, membership information, and reports are always available online here: [www.baltimorecountymd.gov/Agencies/ceq/index.html](http://www.baltimorecountymd.gov/Agencies/ceq/index.html)**

**Attendance:** Mary Gruver-Byers, Glenn Elseroad, Steve Morsberger, James Deriu, Bill Breakey, Lois Jacobs, Andy Miller, Brian Fath, Valerie Andoutsopoulos, Linda Davis, Rex Wright  
**Baltimore County Staff:** Don Outen, Kui Zhao  
**Absent:** German Mora, Russell Donnelly

Welcome, Introductions and Announcements

- Announcement that Jim Burkman has resigned (moving to Harford County). Jim was the District 5 representative. Steve will inquire about a new representative.
- District 4 still does not have a representative.
- Don pointed out that we don't have an updated roster of the members on the CEQ website and recommended we provide an updated roster.
- Don will have an email address set up on the website so that emails can be forwarded to the chair (Steve Morsberger) and co-chair (Bill Breakey).

I. Deer Management Presentation by Don Outen (approx. 30 minutes)

Don made a presentation in March at one of the reservoir SWAP meetings – Impact of Deer on Forest Health and Protection of Water Quality: where is the future forest? We know that forests are key to watershed function for managing stability of watersheds hydrologically. Half or more of watersheds should be forested to maintain stream health. We do have good data in recent years at fine resolution on existing forest cover, which is used in setting canopy goals. We are close to 50% countywide although most of our forest is outside of the URDL. The Chesapeake Bay Program and the State of Maryland have all pledged to do a systematic update of forest cover data across the state using 1-meter resolution data. Reservoir watersheds do have the highest percent forest cover; older developed watersheds have the least. The 2007 canopy cover is 48.7% countywide with 38.4% inside the URDL. The 2025 goal is 50% countywide and 40% in the urban areas.

White-tailed deer are a keystone herbivore and they thrive in suburban habitats but they alter plant community structure and composition and reduce ecosystem biodiversity and habitat for other animals. They reduce native species regeneration and reduce ability of forest to protect water quality in the watersheds and the reservoirs. There are now also more problems with deer-vehicle collisions, damage to vegetation, and increasing prevalence of lyme and associated tick-borne diseases. Collision rates are highest in mid-belt Baltimore County where most of the traffic is and where the road network is dense. There are also other accidents caused by people swerving to avoid hitting a deer.

Deer impact on vegetation: the average 150-lb deer eats twice as much food as the average 150-lb human. There is a lot of evidence to show that when deer are excluded from a patch of forest, you get tree regeneration whereas you get almost none when they are not excluded.

How many deer is healthy? For forest areas in Baltimore County to remain healthy, the countywide herd size should be about 4,400-5,850 based on the amount of forest resource in

the county. A modeling effort in collaboration with the applied mathematics lab at Towson University suggested that the current population as of March 2009 was more than 49,000 deer in Baltimore County or 82 per square mile. Nearly 9,300 deer are removed in Baltimore County each year, or double the desirable countywide carrying capacity of our forests. Deer-vehicle collisions account for 1,300 to 1,800 each year and hunting accounts for 5,800 to 7,000 per year. How do we remove enough deer to make a difference?

Baltimore City determined that at Loch Raven alone they had too many deer and they have run a public bow-hunting program for 6 years now, accounting for 200-300 deer per year and leaving 600 every year to continue to multiply. That approach – a recreational approach – is cheap but will never achieve the intended goal of getting down to the intended threshold level.

WSSC has annual managed hunts with the cooperation of the community surrounding their reservoirs and JD commented that this removes several times as many deer as would be removed from a recreational bow-hunting program, but this appears to be a political issue as much as anything.

#### Other options:

No silver bullet, no magic potion. Non-options include predator introduction, trap and relocation, toxicants and poisons, non-approved fertility control drugs. DNR says that lethal options have to be part of any community-approved program.

Work at Oregon Ridge proved effective in making the case for why deer control was needed. All 22 forest stands at the park lacked adequate regeneration. It was found that 54% of 119 plots had no native tree regeneration and 25% of 127 ground-layer plots were devoid of all herbaceous plants. Deer also create conditions that are probably conducive to the spread of invasive species like wavy basketgrass. However even without deer, Oregon Ridge still would not regenerate completely because of past clearcutting activity. There is some canopy thinning being implemented now in order to provide enough sunlight to create opportunities for seedling growth. Current deer population is thought to be greater than 5 times what is desirable for forest health in Oregon Ridge. A single helicopter flight in March 2008 counted 113 deer in ½ hour.

By 2011, a citizen Coalition for Responsible Deer Management requested the County Council to authorize a program for the County and in 2011 the Council passed Bill 21-11 authorizing deer management in county parks, with restrictions. It still does not allow general public hunting. A cooperator program allows hunting only at night by semi-silenced sharpshooters. The first hunt at ORP and CVP was conducted in February 2012 for 60 and 75 deer, respectively. Repeat hunts occurred in 2013 for 50 each and in 2015 for 35 and 45 deer, respectively. USDA animal and plant health inspection service does the hunts at Loch Raven and Cromwell. There is discussion about how much venison could be contributed to food banks to help citizens who need food. Protocol for each year's hunt is based on counts done in comparison to the 15 per square mile threshold. Natural resource staff indicates they are starting to see some evidence of regeneration. Invasive species however are still a huge problem; the powerline right-of-way is also a huge source of invasive species.

In the Prettyboy reservoir there is discussion about how to do a larger deer-management program over a larger area and make it an economic benefit for the landowners. The biggest challenge is the fragmented nature of the forest with too many small parcels. How do you aggregate properties to do beneficial management? All of these issues are ultimately tied to measures needed to meet EPA's TMDL requirements and water quality goals.

## II. Open Space – Group Discussion

Steve tried to get some information on Open Space, which had been brought to our attention by James at the June meeting. Councilman Quirk asked how we could plan better for open space. Councilman Quirk will be the cosponsor of a bill that will come from Councilman Marks. Not much info yet on what will be in the bill. Nothing has been posted publicly at this time. There is an issue on and off in the news about whether developer fees for open-space requirements are being reduced or waived and communities want those fees to be collected and not waived. Some of those fees have gone to NeighborSpace.

For example, Towson is a designated urban center and the only such place in the County with a variety of new projects that are mid-rise and even possibly some high-rise. There seems to be general support with the exception of concern about the open space issue. York 101 is a new development behind VFW on the corner of York and Bosley. Even dense developments can benefit from pocket parks and this one is next to an existing park. Raising those fees might help with some of the community concerns. Some of the other newer developments have interior parks that are only accessible to people who live within the development. This does not compensate for loss of open space elsewhere, but does meet some needs.

James has information from Barbara Hopkins, executive director of NeighborSpace for Baltimore County. We were going to consider putting together a letter at the start of the comprehensive zoning process. The situation with the fee waiver bill has been changing pretty rapidly and we will need to touch base with Ms. Hopkins. She has been coordinating with Councilman Quirk and Councilman Marks who were to be the sponsors of that bill.

The crux of the bill was to change the fee structure associated with development waivers and with the most attention to Towson; very large development projects in Towson had very little contribution to county open space inside an area that really needs it so there was a question whether different fee structures were going to be included for more densely populated areas. There even seemed to be some consensus from the homebuilders about the prospect for changing the fee structure. The CEQ will try to invite Ms. Hopkins to come and discuss this issue. As a commission we could review the bill when it is presented in order to assess its potential impacts.

The legislation website indicates the council resolution was introduced on September 8 and is being voted on September 21 and it has to do with open space waiver fee structure. James will discuss with Barbara to determine any CEQ action. A planning board report with a public hearing on June 1 recommended an increase in open space fees with a new fee structure but also recommended that it not be made retroactive. That hearing was probably on an earlier version of the resolution. The resolution submitted on September 8 was discussed at the September 15 work session. On some occasions in the past CEQ has testified at work sessions.

## III. Other Discussion Items

Solar Power - There is some interest in changes in the county code as relates to solar power. The primary issue in the county has had more to do with code issues related to panels on residential roofs where fire marshals have had an objection. Every other county interprets the international building code in a way that would allow panels on one side of a pitched roof. Modification of residential solar energy rules was introduced on Sept. 8 with a work session on Sept. 29 and a final vote on Oct. 5. This would allow for solar panels on homes under specified circumstances in places that are currently not permitted.

Legislation - Suggested that as part of our agenda each month we include a legislative update in order to figure out how we should respond. In the past, bills like the two under discussion now (Open Space and Solar Power) would have been brought to our attention as part of the process; we have new council members who may not even know we exist and it may be productive for us to weigh in to make sure we are on their radar screen. We should be part of the discussion before the bill is actually introduced and almost ready for a vote. Suggestion that we might write a letter reminding them of the purpose for which we were created and inviting them to consult with the CEQ early enough in the process to allow us to play a role before bills are submitted for formal consideration and asking if there is anything upcoming that we should know about. A recommendation was made that we send these letters separately to each council member as well as to Tom Peddicord (Council Secretary).

Suggestion that we have a couple of volunteers to track legislative agendas to make sure we are aware of what is going on, then put legislative updates on the agenda. Valerie volunteered to provide legislative updates at our regular meetings.

Road Salt - Councilman Quirk thought it would be good to touch base with Arnold Jablon on the road salt issue. The topic appears to be getting more traction not only from an environmental perspective, but also from a public health perspective. Bob Summers (MDE) was very sympathetic on this issue. Lynn Buell has just been appointed administrator for water management at MDE.

#### IV. New Business – Group Discussion

- Presentation from Larissa Johnson (Coordinator for MDE Climate Change Outreach and Communication) for November meeting
- Future Topics and /or Action for CEQ
  - Ask Barbara Hopkins to come in October to talk about NeighborSpace and open space
  - Also, consider inviting Joel Moore to talk about salt concentrations under detention basins.

#### V. Adjourn

Next Meetings: 7:00 p.m., regular meetings

- October 21, 2015
- November 18, 2015
- December 16, 2015
- January 27, 2016
- February 24, 2016
- March 23, 2016
- April 27, 2016
- May 25, 2016