

September 21, 2016

Re: OPPOSITION TO CB65 – Ellicott City Development Moratorium

Dear Chairman Ball and Members of the Howard County Council:

On behalf of the Howard County Chapter of the Maryland Building Industry Association (MBIA), I write in opposition to Council Bill 65, which creates a moratorium on the approval of new building and grading permits in the Tiber-Hudson watershed (Ellicott City, generally). The MBIA believes development moratoria are bad public policy while other approaches will more fully address the concerns of community.

Howard County MBIA members are not only builders, developers, engineers and environmental experts in the County, they are also citizens of the County. They, like most others in the County, hope to see Ellicott City continue to serve as a cultural, social and economic hub while also ensuring that the residents and businesses continue to live and work in the safest possible environment. The building industry welcomes its role in re-building Ellicott City in a stronger and safer manner consistent with the best science and technology available. **Specific to this legislation, a building moratorium ignores the lessons from previous Ellicott City flood studies, catastrophic floods dating back to the late 1800s and the best science of the day to target only new development where older public and private developments, as well as largely uncontrollable natural forces, are the real causes of flooding in Ellicott City.**

Since the mid-1990s, new projects in Ellicott City, unlike anywhere else in the County and very few areas in the State, are required to go above and beyond typical stormwater regulations to control runoff for a 100 year storm. Controlling for a 100 year storms is considered the gold-standard in stormwater management and it means that when new projects are built in Ellicott City, **they add no new stormwater runoff to the watershed.** While they are the target of this moratorium, these projects did not cause the flooding in Ellicott City and any other new projects will not create or exacerbate the very real problem of flooding in the Tiber-Hudson watershed.

However, the majority of development in Ellicott City, both publicly and privately owned, is older and was built when the best regulations and science of the day allowed for either uncontrolled or under-controlled stormwater runoff as compared to that in today's projects. It is these areas that add stormwater runoff during a major storm event and as such, should be the areas the County should focus its efforts to reduce the frequency and force of future flooding.

Rather than impose a development moratorium, the MBIA proposes to work with the bill sponsor, the County Council, the County Executive, DPZ, DPW, environmental experts and the local community to use the studies and science we already have as well as the new hydraulic study underway to identify and help construct retrofits to existing, uncontrolled or under-controlled stormwater facilities. This will have a measurable impact on flooding in Ellicott City without punishing Howard County businesses that are not contributing to the flooding problem. The MBIA urges you to vote against this moratorium and to address the actual causes of flooding in Ellicott City.

Thank you for your attention to this vital issue and your continued support of the local home building industry. If you have any questions about these comments and would like to discuss MBIA's position further, please do not hesitate to contact me at (443) 433-6287 or Jamie@i-s-land.com or Josh Greenfeld at (443) 515-0025.

Best regards,

James Fraser, Chair, MBIA of Howard County

Cc: Councilman Jon Weinstein
Councilman Greg Fox
Councilwoman Mary Kay Sigaty
Councilmember Jen Terrassa

County Executive Allan Kittleman
Diane Wilson
Valdis Lazdins, Planning Director