

## Section 7

### The lack of response to petitions and letters and a way forward engage all stakeholders in a review of the Western Gateway

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#### 1. No meetings with stakeholders

President Darryl Pines in a response to a question in the Senate meeting on 23 Oct 2021 said:

“My administration has received thousands of letters, emails and phone calls regarding this property now referred to as "Guilford Woods." Our team has met with a number of stakeholders in multiple venues over the past 16 months to listen to the concerns of all parties and to explain to everyone the details of the proposed Western Gateway project.”

No faculty, staff, students or the greater part of the University Administration (Outside the Office of Real Estate) were aware of the proposed Western Gateway project development in Guilford Woods—and certainly not its environmental impacts—until the alarm began to be raised in Spring 2021.

We only know of one “stakeholder meeting” with University officials (including the President) at which concerns could be presented. As far as we aware, there have been three public meetings, one on 1/15/2020, and two later with neighboring communities. These were organized and run by the developer and all have been of the infomercial format, most of the time taken up with a video promoting the project. The only opportunity for questions was at the end of the meeting, and these were selected by the developer. In all these meetings and the video, the development has been presented as a done deal.

Importantly, there have been no meetings with stakeholders on campus—faculty, staff, and students—other than with a very small group of graduate students. This is certainly a striking omission given that the campus community would be profoundly impacted by the deforestation (see Section 3). This omission is all the more remarkable since such engagement is mandated by the campus Facilities Master Plan (see Section 2). However, in view of the subsequent overwhelming expression of concern, this failure to engage the campus community was clearly no accident.

### 1.1. Discussion in the University Senate and Administration Senate

The Campus Senate's Facilities Site Selection Review Committee is an established procedure for review of this type of proposal, but it has not been convened to review the Guilford Woods development.

A debate in the Senate on saving Guilford Woods has been denied by the Senate Executive committee.

The Vice President & Chief Administrative Officer (responsible for the Office of Real Estate) replied on 29 August 2021 to a question about the Facilities Site Selection Review as follows (*editor's notes in italics*)

"...the University land that is to be part of the Western Gateway project was approved in 2006 (*note, the approval was for Mosaic, not the Western Gateway*) by the University System of Maryland Board of Regents as part of a 300-unit multi-family condominium project known as Mosaic at Turtle Creek (*there is no record of this in the Senate minutes so the date could not be determined*). Those approvals remain in effect (*note, the approval was for Mosaic which was a quite different from the Western Gateway development*). The Independent Site Review Committee process you reference was introduced in 2009, three years after the aforementioned 2006 University System of Maryland Board of Regents approval..." (*note Mosaic was different. The Site selection Committee therefore was in effect when Mosaic was abandoned and the Western Gateway was being planned, therefore it was in existence and should have been consulted*)

#### Administration:

No part of the University has been consulted, not even the Administration's own Offices responsible for student welfare, campus environment, class instruction, and research - not even the Office of Sustainability. The Office of Real Estate alone has promoted the sale/lease bypassing the rest of the University.

### 1.2. Persisting with a flawed project from 15 years ago

*"The Site Selection Committee recognizes that the University is in a new era of environmental regulations, goals, expectations, and values. The processes for site selection and related facilities development have to take a corresponding step up to meet the University's environmental responsibilities." (Report of the Senate ad hoc Committee on Site Selection Processes, March 10, 2010)*

1. Just because the Regents' decision was made 6 months before the Facility Site Review Subcommittee (see 1. above) was set up, does not mean opinion suddenly changed in 2009. For example, the importance of a green campus was emphasized in the 2001-2020 Campus Master Plan and three key University documents from 2009 and earlier make clear the University's intentions: the Environmental Stewardship Guidelines (2005); the University Strategic Plan (2008); and the University of Maryland Climate Action Plan (2009).
2. It is ironic that in 2009 - exactly the same time that the Wooded Hillock debate led to the establishment of the Facilities Site Selection subcommittee - the Administration was quietly pursuing the sale of Guilford Woods for development, an equally inappropriate development also with no input from the University community.
3. The Regents' authorization was for the original Mosaic at Turtle Creek development, not the current proposal. The County rezoned the site to R10 from R55 to accommodate the Mosaic structure. This rezoning should have expired after 3 years. However, the Council waived this requirement temporarily in order to encourage development during the 2007-9 economic recession. This temporary waiver has not since been rescinded, and blanket extensions for all zone changes continue. One effect of the original 3-yr

limit was to prevent old zone changes that were not exploited in a reasonable period of time being used long after their original approval date, when zoning decisions may have been revised.

4. The Regents' approval for Mosaic was given at a time when the importance of green infrastructure was not widely understood, and one suspects the Regents were not apprised of the environmental damage that would result. A very different outcome would have been expected if the normal 3-yr lapse had been reinstated and a new proposal was submitted to the Regents.
5. Many aspects of the County Detailed Site Plan (DSP) for Mosaic are not appropriate for the current Western Gateway plans and unless Gilbane want to build that exact same project, they will have to obtain a new DSP permit. Similarly, the new development proposal should go to the Senate Facilities Site Selection subcommittee for review
6. Persisting with a concept from 15 years ago, for a different project, and in the face of criticism in more than 2,000 letters and petition signatures, and opposition from undergraduate students, is astonishing. Letter-writers and petition signees come from across the University, hold many different positions, and include numerous distinguished members of the campus community such as department chairs, distinguished university professors, sustainability experts, and members of the National Academy of Sciences. To ignore such a strong reaction is very hard to reconcile with the UMD principle of shared governance. One cannot escape the conclusion that parts of the Administration regard the University community as the enemy and do not see themselves as part of it.

### 1.3. No responses by the developer to comments by the public

The developer has held several community meetings, but with no open discussion with the public.

They show a promotional video (which is full of false claims, errors and misleading statements). Generally, there is a member of the University's Office of Real Estate present, who endorses the proposal. Meetings have been hosted by the development company who select what questions to answer.

### 1.4. No responses to protests by the University community

The President, Dr. Pines, has not responded publicly to a petition with more than **2,300 signatures** (as of early October, 2021), nor to separate petition **from UMD Faculty/Staff** with **more than 420 signatures** (as of early September, 2002). Furthermore approximately **100 individual letters** (as of late September, 2021) have been sent, advocating for preservation of Guilford Woods, but not one has been replied to. (The number of letters includes only those that have been copied to Save Guilford Woods campaign website, others are in addition.)

Some writers have received an email from his Office, mostly more than a month later, saying letters were being passed to the Office of Real Estate. Since that Office is the only part of the Administration that is advocating for the development, in isolation from all others, sending the letters to the Office of Real Estate is like the chickens calling 911 and the dispatcher sending the call to the fox!

The lack of response to this enormous outcry shows little respect for the University community and the neighborhood.

## 2. A Way Forward

University distinguished professors and department chairs, and renowned faculty all stand ready to provide their expert knowledge in a collegial setting, to review and make recommendations on the Western Gateway project. The existence of a natural area on Campus is relevant to a wide range of disciplines, including: the environmental health science, atmospheric and oceanic science, chemistry and biochemistry, earth

system science, environmental science and policy, architecture planning and preservation, biology, geographical sciences, public policy, geology, sociology and fine Arts.

A structure in which to undertake such a review is the Senate Facilities Site Selection Review committee. From "Report of the Senate Ad Hoc Committee On Site Selection Processes" (March 10, 2010)

<https://www.senate.umd.edu/sites/default/files/resources/News/SSPCReportv5.pdf>

*RECOMMENDATION 1 (p 10): The University should create a new, independent **Facilities Review Committee** (approved by President Mote, 5/4/10) **to review site selection and related facility development proposals** and make recommendations concerning these proposals to the Facilities Council ..... This committee should have an independent non-proponent chair and at least a solid majority of its voting members should also be independent non-proponent **faculty and staff members with appropriate experience and expertise**. The committee membership should include **an undergraduate student and a graduate student**. ...The charge should require **a consistent, transparent, open and public process for considering and for recommending** facility siting and other related facility development actions to the Facilities Council for all projects, those in the Facilities Master Plan and those that are not. **The Facilities Review Committee's review should be early in the facility development process, so that problems are found and issues resolved before costs mount and changing course becomes very difficult**. The criteria used to evaluate the facility siting and related facility development actions must include the policies, practices, and the architectural, engineering, and design standards adopted by the University, **including those policies and practices pertaining to the environment and sustainability**. This review process, the Facilities Review Committee's agenda, and the schedule of public hearings should be publicized and **public comment should be invited**. The Facilities Review Committee should keep a written record of its activities and its recommendations.*