



August 1, 2022

Honorable Katie Cristol, Chair
Arlington County Board
Ellen M. Bozman Government Center
2100 Clarendon Blvd, Suite 300
Arlington, VA 22201

Re: Urgent Need for Legislation to Increase Tree Canopy Coverage Requirements in New Developments

Dear Chair Cristol:

For the past several years, the Forestry and Natural Resources Commission has been sounding the alarm about the County's threatened tree canopy, which is suffering from major declines in some areas, especially those with high rates of new infill development.

Over the same period of time, the FNRC has been pushing hard for state legislation that would finally address this problem.

The single-most important provision of such legislation would be allowing Arlington County and other local jurisdictions to require greater canopy coverage for new single-family developments than is allowed under the current tree replacement ordinance, which has a upper limit of 20% tree cover in 20 years (section § 61-10 of the County code). This change would benefit communities all across the state, giving them the flexibility to address their own unique issues with specific local solutions.

This year, we ask the County to fight harder to finally enact such legislation.

Some groundwork has already been laid. In 2021, the state legislature passed companion bills (HB 2042 and SB1393) that "give a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance."

Unfortunately, these bills didn't actually grant that proposed authority. Instead, the legislators moved forward with another recommendation of the FNRC—creating a working group to develop measures to promote and enhance the tree canopy, with further legislation on hold pending the working group's report.

The results of that working group then led to companion bills passed in the 2022 legislative session—HB 1346 and SB 537. The bills, however, offer just a small step forward. While they add more flexibility for strategies like tree canopy banks and tree canopy credits, they fail to give localities the crucial authority to increase their tree canopy coverage requirements for new development.

Now is the time to finally get this critical provision over the finish line, especially as accelerating climate change increases the threat to the tree canopy and natural resources. We ask Arlington County to join with many other cities and counties around the state, along with dozens of environmental groups and conservation organizations, to fight for the expanded authority we need to stem the loss of our invaluable tree canopy.

Thank you for the opportunity to share our views.

Sincerely,



Phil Klingelhofer, Chair
Forestry and Natural Resources Commission

Cc: Members, Arlington County Board
Mark Schwartz, Arlington County Manager
Jane Rudolph, Director, Department of Parks and Recreation