

Fairfax County Tree Commission

Electronic Meeting Format

Meeting Minutes: Thursday, March 17th, 2022

Toll Free Call in 1 888-270-9936

Participant Access Code 224765

Call to Order

Chair Speas called the November meeting of the Fairfax County Tree Commission to order at 7:02 p.m. on March 17, 2022, via Electronic Meeting.

From the Chairman:

“To conduct this meeting wholly electronically and to effectuate both the emergency procedures authorized by the Fairfax County Board of Supervisors, in compliance with Virginia FOIA, the Fairfax County Tree Commission must make certain findings and determinations for the record. It’s a bit cumbersome, so I ask you in advance for your patience.”

Audibility of Members’ Voices

“First, because each member of the Fairfax County Tree Commission is participating in this meeting from a separate location, we must verify that a quorum of members is participating, and that each member’s voice is clear, audible, and at an appropriate volume for all the other members. Accordingly, I am going to conduct a roll call, and ask each Fairfax County Tree Commission member participating in this meeting to state your name and the location from which you are participating. I ask that each of you pay close attention to ensure that you can hear each of your colleagues. Following this roll call, we will vote to establish that every member can hear every other member.”

See Roll Call Below

“At this point, I will pass the virtual gavel to Vice-Chairman McGlone, so that I may be heard to make the requisite motion.

I move that each member’s voice may be adequately heard by each other member of this the Fairfax County Tree Commission.”

Commissioner Ledec seconded the motion, all in favor, no abstentions, motion carried.

PRESENT:

Cindy Speas, Chair, At-Large-Falls Church, VA
Jim McGlone, Vice-Chair, VA Dept. of Forestry-Franconia, VA
Laura Beaty, Providence District-Fairfax, VA
Brenda Frank, VA Cooperative Extension, Mclean, VA
Rick Healy, Environmental Quality Advisory Council-Annandale, VA

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Kevin Holland, Mason District, Falls Church, VA
Jeanne Kadet, Braddock District-Annandale, VA
Catherine Ledec, Mt. Vernon District-Alexandria, VA
Bret Leslie, Hunter Mill District-Vienna, VA
Jerry Peters, NV Soil & Water Conservation District-Great Falls, VA
Cory Suter, Springfield District-Fairfax, VA
Robert Vickers, Dranesville District-Great Falls, VA

ABSENT:

Karen Campblin, Sully District
Jessica Bowser, Lee District-Fairfax, VA
John Burke, Fairfax County Park Authority-Arlington, VA

STAFF:

Brian Keightley, Urban Forest Management Division
Hugh Whitehead, Urban Forest Management Division

GUESTS:

Ali Althen, PIO, Office of Environmental and Energy, Fairfax County
Matt Meyers, Office of Environmental and Energy, Fairfax County
Maya Dhavale, Fairfax County
Elizabeth 'Betty' Ende, Fairfax County Citizen-McLean, VA

Public Comment:

Elizabeth Ende spoke about the Board of Supervisors' response to the Commission's letter to the Board of Supervisors on September 2, 2021 proposing several ways to improve the land development process by prioritizing trees. (Attachment 1 below). Chair Speas replied that the Board has not yet responded to the Tree Commission, noting that the Mclean Citizens' Association and the Great Falls Citizens' association supported most of the recommendations. She noted that the Commission would pursue a response and indicate when or if that occurs.

Office of Environmental and Energy Coordination presents on CECAP implementation and Resilient Fairfax progress

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Chair Speas asked that in order to accommodate staff time, if there were no objections to changing the order of business (agenda), the Commission would hear from our guest speakers first, and then continue with the posted agenda. There were no objections.

UFMD Director Brian Keightly introduced Matt Meyers, Divisional Director in the Office of Energy and Environmental Coordination (OEEC), which has been working on both the CECAP and the Resilient Fairfax processes. Mr. Meyers and his team brought the Commission up to date on the CECAP plan: Maya Dhavale (OEEC) spoke on the CECAP timeline and what will be the next steps as directed by the BOS; Ali Althen (OEEC) spoke about Carbon Free Fairfax which is a CECAP inspired community-wide education and outreach initiative; John Morrill, (manager OEEC) outlined the county's legislative agenda on environmental issues, the July 2021 Board signing of the Carbon Neutral Counties Declaration, the new update of the Operational Energy Strategy and looking at plans for a Green Bank. Matt gave an update on Resilient Fairfax's Adaptation and Resiliency Plan. It is anticipated that the Tree Commission will be invited to comment on the upcoming CECAP work plan development sometime in the fall of 2022.

Comments and questions from Commissioners:

1. Comment: One low-cost action for all CECAP sectors that requires no actual spending is to preserve the tree canopy that we have.
2. Comment: The Tree Commission has issued two letters with recommendations (to the BOS) on solar and the impact on trees, one in May 2009 and one in June 2020. It may be helpful to the team to review those recommendations.
3. Question: How will OEEC make recommendations on sustainable land use in Strategy 8 when the CECAP plan has only transportation actions listed there? Answer: Suggested implementations may be updates to zoning regulations, the comprehensive plan, or ordinance changes. OEEC will seek to coordinate with the upcoming Resilient Fairfax plan. Items in Strategy 12 that relate to land use will be considered in Strategy 8 implementations).
4. Question: WHO at OEEC is the champion for the TreeAction Plan's community of practice and who's involved in our Community of practice? Answer: Items in the Tree Action Plan complement the recommended activities that are in the CECAP so they will be looked at.
5. Comment: The Tree Action Plan calls for a Community of Practice which is county-wide and agency-wide which is basically Strategy 12c in the CECAP. It might be nice to see those things somehow merged as OEEC moves forward with implementation.
6. Comment: Two things that the Tree Commission is concerned about is that some of these strategies have potential conflict between trees and solar and between trails and trees. We want to see more people on bicycles but not to carve up our forest in order to have places to ride.

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7. Comment: The Commission is disappointed that your outreach and education strategies are not including trees at the front end instead of somewhere down the line
8. Comment: It is nice to have a new goal that is actually going to push us to expand the tree canopy.
9. Comment: One thing of concern is about the 40% canopy coverage goal in every census block. Looking at a few census blocks, that's tearing up a lot of asphalt. Keep that in mind as goals are set.

Approval of February Minutes

Chair Speas asked for any changes/edits to the February minutes. Suggested amendments were read aloud.

Commissioner McGlone moved to approve February meeting minutes as amended, Commissioner Leslie seconded, no abstentions, motion carried.

Unfinished Business

Revised Tree Commission Charter - Cindy Speas

Chair Speas went through which parts of the proposed Charter changes were approved by the Commission in February 2022 and which parts are still to be discussed for a vote.

Commissioner Suter moved to approve all presented changes to Part 1, Commissioner Ledec seconded, discussion followed. Commissioner Vickers then proposed a friendly amendment, Commissioner Leslie seconded, discussion followed, with no abstentions, two ayes and 8 nays, the Vickers friendly amendment failed. Commissioner McGlone proposed a friendly amendment, Commissioner Peters seconded, with no abstentions and one nay, the amendment carried. The original motion with friendly amendment, with no abstentions and one nay, carried. Commissioner McGlone moved to add Commissioner Leslie's language to the proposed Charter under Report: 3 (d), Commissioner Ledec seconded, no discussion, no abstentions, one nay, the motion carried.

Chair Speas commended Commissioner Healy for his expertise and guidance on Roberts Rules of Order and the Commission for its hard work. The proposed changes to the Charter, showing deletions and additions, are Attachment 2 below.

UFMD Director's Update – Brian Keightley

Director Keightley updated the Commission on promotions, new hires and a 20 year celebration of service. He covered the current covid requirements for meetings and will keep the

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Commissioner posted when those change. He gave an update on General Assembly changes to the Virginia tree code section 15.2-961 and how they could have affected the county's tree ordinance.

Announcements

1. Bret Leslie: The draft matrix that was an appendix to our annual consolidated report has been formatted into a survey. Brian will send out to the Community of Practice. Bret will be responsible for consolidating the data to distribute to the various Commissioners prior to drafting the 2022 consolidated report.

2. Jeanne Kadet updated the Commission on the developing Tree Steward program. It has been incorporated in the Commonwealth as a 501(c)(3) nonprofit. A website is in the works, there is a three-person board, and there are various training opportunities in the works for the fall. She thanked Jim McGlone for his advice and knowledge from the last Stewards' program which ended in 2015.

3. Cory Suter announced an event to all on this call (including partners) to honor Commissioner Ledec on May 21 at 5:30. It will be a non-business event with a pot luck and specific information will be available soon.

3. Cindy Speas noted that the CECAP Recommendations Survey had to be dropped from the agenda because of time. For homework, she asked all Commissioners to look it over. Priorities are listed from 1-10, with the top 5 highlighted in yellow. If there is anything crucial that is not in the top 10, please email the Chair prior to the April meeting when she will present a CECAP recommendation letter for approval.

Commissioner Activities

Omitted due to time limit.

Adjournment

9:07 p.m.

Attachment 1: Elizabeth Ende testimony

Hello Members of the Tree Commission. My name is Elizabeth Ende and I am a resident of McLean, VA. I am here tonight to ask about the Board of Supervisor's response to your

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September 2, 2021 letter where you proposed the following ways to improve the land development process by prioritizing trees.

- 1) Requiring that a natural resources and tree inventory with a conceptual site plan be approved prior to submittal of the site plan.
- 2) Increasing property boundary setbacks for infill development and re-zonings to provide adequate space for preservation of mature trees and planting of large shade trees.
- 3) Providing developers the option to build higher with a concurrent development condition that the building footprint must be reduced to allow for tree preservation or large shade tree planting.
- 4) Raising the fee in lieu to reflect appraised value
- 5) Evaluating the effectiveness of the 10-year tree canopy requirement and whether it is being met, managed and retained.
- 6) Identifying high priority tree planting areas using an equity lens and vulnerability index.

These suggestions are critical in maximizing the preservation of existing mature trees. It is critical the Tree Commission continue to focus on the importance of not subjugating all tree preservation regulation requirements to builders' rights to build to limits of clearance. From Fairfax County website: Trees provide significant levels of environmental, social and economic benefits to our community.

<https://www.fairfaxcounty.gov/publicworks/trees/benefits-planting-trees>

- Energy conservation: Properties with trees that shade homes from afternoon sun often have energy costs that are 20-25 percent lower than those without.
- Increased property values: Healthy, mature trees add an average of 10 percent to a property's value and landscaping with trees can increase property values as much as 20 percent.
- Trees increase your property's curb appeal.
- Increased salability of homes: The majority of realtors surveyed believe that mature trees have a "strong or moderate impact" on the salability of homes.
- Stress reduction: It has been shown that exposure to trees can decrease blood pressure and reduce muscle tension.
- Screening: Trees increase privacy and reduce the impacts of unwanted views, lights, wind and noise on your property.

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- Enhanced quality of life.
- Improved air quality: Once mature, the additional canopy will provide 5.3 million dollars of air pollution removal annually.
- Increased carbon dioxide absorption and storage: The additional canopy will absorb over 10 million pounds of carbon dioxide annually and eliminate the need for spending over one million dollars in greenhouse gas reduction services each year.
- Energy conservation: 4.7 million dollars of energy conservation services will be provided by the additional canopy annually.
- Improved water quality.
- Improved wildlife habitat.
- Decreased stormwater runoff: The stormwater management capacity associated with the additional mature tree canopy is estimated to cost \$510,632,400 to construct.
- Cooled ambient air temperature.

Attachment 2: Approved Proposed Changes to the Tree Commission Charter

Section 122-9-1. Tree Commission.

Purposes.

- (a) The purposes of the Tree Commission shall be to:
1. Advise the Board of Supervisors on actions it might take to protect, improve and expand the urban forest across Fairfax County.
 2. Review and comment as needed on actions being considered by the Planning Commission, the Board of Zoning Appeals, the Fairfax County Schools and Board, the Fairfax County Park Authority and Board, and any other County or County-related agencies that may impact the urban forest.
 3. Report annually to the Board of Supervisors on the administration and implementation of ordinances, policy and programs regarding:
 - A. Tree preservation and planting requirements of the Code of Ordinances and the Public Facilities Manual.
 - B. County agencies' design, installation and maintenance of natural landscapes pursuant to the Board of Supervisors' Natural Landscaping Policy.
 - C. Activities of public and private agencies to promote tree planting and care on private property.
 - D. Results from the Community of Practice as identified in the Fairfax County Tree Action Plan.

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4. Recommend to the Board of Supervisors improvements to the Fairfax County Tree Action Plan as appropriate.
5. Represent the Board of Supervisors in the Community of Practice established in accordance with the Fairfax County Tree Action Plan.
6. Provide outreach on behalf of the Board of Supervisors to private organizations and county citizens regarding the benefits of protecting, improving and expanding Fairfax County's urban forest.

(b) *Authority and Establishment.*

1. The Tree Commission was established in conformance with an action adopted by the Board of Supervisors on June 18, 1973 and amended on July 30, 1973, which action became effective on August 1, 1973.
2. The official title of this commission is the 'Fairfax County Tree Commission'.

(c) *Membership.*

1. The Board of Supervisors appoints the Tree Commission members. The Tree Commission may have no more than fifteen (15) members of the following composition: ten (10) citizens of the County chosen by the Chair and other members of the Board of Supervisors and one representative from each of the following: Fairfax County Environmental Quality Advisory Council, Northern Virginia Soil and Water Conservation District, Fairfax County Park Authority, Fairfax County Office of Virginia Cooperative Extension and Virginia Department of Forestry.
2. Citizen members of the Commission are appointed to serve for a three (3) year term or until their successor has been appointed. An appointed successor to a vacancy serves only the unexpired portion of the term. Members may be reappointed to successive terms.
3. If a member is absent for three (3) consecutive meetings without sufficient cause, a letter will be sent to the Chairman of the Board of Supervisors asking for replacement of that member.
4. The removal or resignation or withdrawal of any or all members of the Tree Commission does not result in the dissolution of the Tree Commission.

(d) *Officers.*

1. The Tree Commission must have a Chairperson and Vice-Chairperson and such other officers that the Tree Commission elects from time to time.
2. Officers of the Tree Commission are to be elected once each year or when an officer withdraws from his post. An annual election meeting will be held as soon as appropriate after regular annual appointments are made.

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3. The duties of the officers will be in general those defined in Robert's Rules of Order, modified as required to fit the purpose of the Tree Commission.
- (e) *Meetings.*
1. Meetings of the Tree Commission are scheduled by the Chairperson, as needed, or upon the request of three (3) or more members. Meetings are held at a time and place to be designated by the Chairperson.
 2. Robert's Rules of Order govern proceedings of the Tree Commission.
- (f) *Records.* The Tree Commission must keep records of all its proceedings, and the records must be made available for public inspection upon request.
- (g) *Powers and Duties.*
1. The Tree Commission has the power to do any lawful acts or things reasonably necessary to carry out its purposes.
 2. The Tree Commission develops and disseminates technical information for professional groups, developers, and citizens, and strives to inform the general public of the provisions of applicable ordinances, Board policies, and chapters of the Public Facilities Manual.
 3. The Tree Commission assists the Urban Forest Management Division in the development and maintenance of the ordinances, the policies listed in the purpose section of this Article, and allied documents which provide guidance for persons involved in planting, preserving, protecting or replacing trees and other components of healthy forests and natural vegetation.
 4. The Tree Commission presents an annual report to the County Executive and Board of Supervisors that includes:
 - A. A description of activities conducted.
 - B. A report of ongoing and anticipated activities.
 - C. An evaluation of the experience of the administration and implementation of the provisions set forth in applicable ordinances, Board policies, and chapters of the Public Facilities Manual, including: an appraisal of the strength and comprehensiveness of the provisions; recommendations to improve implementation; and judgment as to how it is being interpreted by the public and by those affected by the requirements of these provisions.
 5. The Tree Commission will be provided working facilities by the County Executive. Where required, the Tree Commission will be provided with assistance from other County agencies.

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6. The Tree Commission may divide itself into ad hoc committees as the Chairperson may direct or the Tree Commission may resolve, and those ad hoc committees may acquire additional assistance from any sources as required to perform assignments so long as they are consistent with applicable ordinances, Board policies, and chapters of the Public Facilities Manual.
7. The Tree Commission may enact bylaws as may be required to aid in its efficient operation. (9-21-122 .)