

**Testimony of Mark Buscaino  
Executive Director, Casey Trees  
January 7, 2022**

**Bill 24-444, Urban Forest Preservation Authority Amendment Act of 2021  
Committee on Transportation and Environment**

Good afternoon. My name is Mark Buscaino, Executive Director of Casey Trees. Thank you for the opportunity to testify today.

Casey Trees was founded two decades ago in response to the decline in DC's tree canopy, and public outcry over dead and dying street trees. Since then significant progress has been made: adoption of tree protection laws, funding advancements and the rebuilding of the City's tree management apparatus into a world-class operation through DDOT's Urban Forestry Division.

We should all be proud of this, but there are warning signs ahead. While tempered by the pandemic, recent ten-year census data showed DC's population increasing by over 1,200 people per square mile. More people means more housing, infrastructure and development which is positive for DC, but done haphazardly it can negatively impact trees and greenspace – a major reason why people to move to the City in the first place. And what are those negative impacts?

First: while the data is still not "official," the Chesapeake Conservancy's regional canopy assessment shows a decline of one-half to 2.5% for the DC Metro area. DC's own assessment, also still not "officially" released, will likely also show an approximate 1% canopy decline for DC – an area about the size of the National Mall.

Second: over the past two years 135 Special and 50 Heritage Trees have been illegally cut down or destroyed. That's just under 100 large trees, or about 10 acres of canopy removed illegally each and every year. I think we would all agree that this is not acceptable.

With the City and its partners planting thousands of trees every year, Casey Trees is confident that this loss will be replaced, and the City's 40% goal will be met. **But trees are removed in an instant and replaced in a lifetime.** We must systematically plant **and protect** trees to succeed.

**These are the reasons why Casey Trees strongly supports this Amendment Act.** The City's arborists at the Urban Forestry Division – individuals with decades of experience, advanced degrees and professional credentials, are uniquely qualified and positioned in the field to issue Stop Work Orders to protect trees that are, or about to be, irreparably damaged or destroyed from construction and related impacts.

These professionals work with trees 24/7; they know when a tree is in harm's way, and they know what must be done to save it. It is these professionals to whom we should entrust this authority. People like Ertem Minerva, John O'Neill, Maddy McPhee, Ranjit Babra, Dr. Kasey Yuteralde, Samuel Doan, and others.

In short, this Act will enable the City to **proactively** save DC's largest trees, instead of **reactively** issuing fines for damage/destruction that cannot be undone.

**Finally, the Act could be improved by adding the following provisions:**

- First, **penalties should be strengthened for willful and repeated violations of the law**. This can be accomplished by adopting the Tree and Slope Overlay Protection ordinance that prohibits the issuance of building permits for a period of five years on any site where such violations have occurred.
- Second, current law does not prohibit the DC Government from removing Special or Heritage Trees on its own lands. **Expanding tree protections to District owned lands** will show that the City leads by example.
- Last, The Urban Forest Preservation Act is silent on avoiding disturbance to a tree's Critical Root Zone – a fundamental principle required to effectively preserve trees in and around development sites. This omission could be easily remedied by adding a Critical Root Zone definition.

In closing, I'll stress that the Amendment Act and these provisions will help the City preserve and protect one of its most valuable assets that benefits not just the environment, but population at large. Further, the Act and these provisions will have **absolutely no adverse impact on economic development any more than any other law protecting the public good in the District would, or – the lawful development of public or private property.**

Thank you for listening.