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SENATE JOINT RESOLUTION NO. 343

Offered January 12, 2005

Prefiled January 11, 2005

Requesting the Department of Environmental Quality, in consultation with local governments and appropriate state, regional, and federal air quality and natural resource management agencies to study the effect of urban trees and native forests on ambient ozone levels and other air pollutants regulated by the 1990 Clean Air Act amendments, and to study the feasibility of including tree-related measures in the Commonwealth's state implementation plans for managing air quality in order to reduce health risks and to avoid loss of future federal transportation funds. Report.

Patrons—Mims, Howell, Puller, Ticer and Whipple; Delegates: Albo, Plum, Rust, Scott, J.M., Sickles and Watts

Referred to Committee on Rules

WHEREAS, it is the Commonwealth's policy to conserve, develop, and utilize its natural resources, including its trees; and

WHEREAS, it is the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth; and

WHEREAS, the 1990 federal Clean Air Act amendments mandate that states implement a plan of action to address air quality problems; and

WHEREAS, jurisdictions in the Hampton Roads, Greater Richmond, and Northern Virginia areas, and in other areas of the Commonwealth, are currently designated by the U.S. Environmental Protection Agency (EPA) as non-attainment areas for the eight-hour ozone concentration standard; and

WHEREAS, high concentration of ground-level ozone and other gaseous and particulate air pollutants pose serious health risks to the people of the Commonwealth, and non-attainment areas have until 2007 to submit the state implementation plan to the EPA demonstrating compliance with the U.S. eight-hour ozone standard; and

WHEREAS, failure of non-attainment areas to achieve federal air quality standards will result in the loss of future federal transportation funds and potential sanctions for not meeting air quality standards, which will negatively impact the economic vitality of the Commonwealth; and

WHEREAS, the average tree canopy coverage for urbanized areas of Virginia is 35 percent, which translates into 767,000 acres of the Commonwealth that are covered with urban trees, and that same tree canopy is estimated to absorb millions of pounds of air pollutants each year; and

WHEREAS, to date, tree-related practices have not been accepted as viable offset measures for use by non-attainment areas in their air quality plans because air quality professionals did not have data sufficient to determine whether volatile organic compounds produced by trees contributed significantly to the formation of ozone; and

WHEREAS, recent research by the USDA Forest Service indicates that urban trees in the mid-Atlantic states contribute only approximately one percent of the total levels of volatile organic compounds released while absorbing much higher levels of ozone; and

WHEREAS, studies conducted by the USDA Forest Service within the Metropolitan New York airshed demonstrate that a 10-percent increase in tree canopy could reduce peak ozone concentrations by 37 percent of the levels exceeded in the area's air-quality standard, and that similar results have been found in other communities along the East Coast; and

WHEREAS, the USDA Forest Service and the EPA are investigating the feasibility of adding tree-related measures to the Clean Air Act regulatory policies; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Environmental Quality, in consultation with local governments and appropriate state, regional and federal air quality and natural resource management agencies be requested to study the effect of urban trees and native forests on ambient ozone levels and other air pollutants regulated by the 1990 Clean Air Act amendments, and to study the feasibility of including tree-related measures in the Commonwealth's state implementation plans for managing air quality in order to reduce health risks and to avoid loss of future federal transportation funds.

In conducting its study, the Department of Environmental Quality shall: (i) evaluate current research by the USDA Forest Service and others regarding the levels of volatile organic compounds that are emitted by trees; (ii) evaluate current research by the USDA Forest Service and others regarding the overall effect of trees on ambient air pollution levels including ozone and particulate matter less than 10

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58 microns in size; (iii) evaluate the potential for jurisdictions to use the preservation of forested tracts in
59 perpetuity as viable measures in the Commonwealth's state implementation plans; (iv) evaluate the
60 potential for jurisdictions to use tree planting efforts and increases to jurisdictional tree coverage as
61 measures in the Commonwealth's state implementation plans; (v) suggest any additional tree-related
62 measures that may be viable; (vi) measure the discrete effect of trees on health-risk related air pollution
63 levels in at least two representative non-attainment areas; and (vii) review the federal policy and
64 procedures relating to allowable measures and practices and the potential for these to be amended to
65 include tree-related measures.

66 The Department of Environmental Quality shall consult with air quality research staff from the
67 USDA Forest Service and other federal agencies in conducting this study. All agencies of the
68 Commonwealth shall provide assistance to the Department of Environmental Quality for this study, upon
69 request.

70 The Department of Environmental Quality shall complete its meetings by November 30, 2006, and
71 the Director shall submit to the Governor and the General Assembly an executive summary and a report
72 of its findings and recommendations for publication as a Senate document. The executive summary and
73 report shall be submitted as provided in the procedures of the Division of Legislative Automated
74 Systems for the processing of legislative documents and reports no later than the first day of the 2007
75 Regular Session of the General Assembly and shall be posted on the General Assembly's website.