

BOARD OF SUPERVISORS ENVIRONMENTAL COMMITTEE

October 27, 2020

11:00 A.M.

Government Center Conference Room 11

Board of Supervisors Members Present:

Board Chair Jeffrey C. McKay

Committee Chair Daniel G. Storck, Mount Vernon District

Supervisor Walter L. Alcorn, Hunter Mill District

Supervisor John Foust, Dranesville District

Supervisor Penelope A. Gross, Mason District

Supervisor Pat Herrity, Springfield District

Supervisor Rodney L. Lusk, Lee District

Supervisor Dalia A. Palchik, Providence District (Participated Virtually)

Supervisor Kathy L. Smith, Sully District

Supervisor James R. Walkinshaw, Braddock District

Others Present:

Bryan Hill, County Executive

Joe Mondoro, Chief Financial Officer

Elizabeth D. Teare, County Attorney

Kambiz Agazi, Director, Office of Environmental and Energy Coordination (OEEC)

October 27, 2020 Meeting Agenda:

<https://www.fairfaxcounty.gov/boardofsupervisors/sites/boardofsupervisors/files/assets/meeting-materials/2020/oct27-environmental-agenda.pdf>

October 27, 2020 Meeting Materials:

<https://www.fairfaxcounty.gov/boardofsupervisors/board-supervisors-environmental-committee-meeting-oct-27-2020>

The following is a summary of the highlights of the discussion from the October 27, 2020, meeting.

Today's meeting was called to order at 11:10 A.M.

Item I Opening Remarks

After a brief introduction from Supervisor Storck, Committee Chair, the Environmental Committee accepted the minutes of July 21, 2020. With no further changes, the meeting minutes were accepted into the record.

Kate Daley, Environmental Specialist, OEEC, gave an update on Fairfax Green Initiatives. She referred to the memo included in the Board package which summarized progress on action items in the first Fairfax Green Initiatives Board Matter related to zoning changes, building design and code changes, the pursuit of grants and cooperative agreement funding for energy efficiency and other initiatives, low-cost options and partnerships to increase the existing tree canopy, and the development of partnerships to increase county leadership and accountability for climate change initiatives. The memo included the Fairfax Green Initiatives Implementation Matrix, which was updated to incorporate the action items from the second Fairfax Green Initiatives Board Matter, approved in July 2020. The OEEC expects to provide its next update to the Board prior to the December 8, 2020 Environmental Committee meeting.

Item II Operational Energy Strategy – Energy Service Company Pilot Program Update

The second topic on the agenda was an update on the Operational Energy Strategy – Energy Service Company Pilot Program (ESCO) by Jessica Lavender, Senior Energy Analyst, OEEC. She referred to a memo to the Board on this item, dated October 20, 2020, and also referenced the October 20, 2020 Joint Environmental Task Force (JET) Board Matter, which included an recommendation to increase the use of ESCOs to meet accelerated energy reduction goals. The OEEC is working to incorporate the JET recommendations into the ESCO program.

A timeline on progress to date was presented, showing how the OEEC is riding a Virginia Department of Mines, Minerals, and Energy (DMME) contract, using DMME templates, and adjusting them to suit its needs. The proposal deadline was extended by one month, due to COVID-19. The OEEC worked with several departments to finalize the memorandums of understanding (MOUs) for the

investment-grade audits, from which measures will be selected for implementation. The MOUs were signed on October 26, 2020.

Two vendors have been selected, CMTA and Noresco. Carryover funding from FY 2019 and 2020, in the amount of \$6.9 million, will be used for the program. Buildings were selected based on high energy use per square foot, known needed upgrades, and upcoming capital renewal. Potential projects will be selected on cost effectiveness and equipment needs. Next steps will include comprehensive investment-grade audits and dividing the funding over the five buildings selected. Assuming that the pilot program is successful, work will be done in other buildings in the future. Another update on the chosen projects and an estimated installation timeline will be provided at an upcoming spring or summer 2021 Environmental Committee meeting.

Board Discussion:

Supervisor Alcorn asked about the payback period and whether there is a projected average or goal.

Ms. Lavender responded that it would depend on how long the equipment lasts.

Dr. Kambiz Agazi, Director, OEEC, added that it depends on the type of upgrades that are done. Upgrades such as LED light replacements could have a short payback period, while other equipment or control upgrades, such as HVAC, could have a payback period of 10-15 years. In every instance, there is a guaranteed payback and guaranteed energy savings.

Supervisor Alcorn asked that payback projections be calculated for the Board to review before the projects move forward.

Dr. Agazi responded that investment-grade audits will be done at all of the facilities listed and will be reported to the Board in late spring 2021.

Mr. Bryan Hill, County Executive, commented that a chart of the payback schedule will be provided to the Board.

Supervisor Palchik asked if staff has had conversations with the schools and Mr. Jeff Platenberg, Fairfax County Public Schools Assistant Superintendent, Facilities and Transportation Services, on lessons learned.

Dr. Agazi responded that county staff has been in contact with Mr. Platenberg and schools staff. Although this ESCO process is slightly different from the schools, it is similar.

Item III Update to Yard Waste Bag Policy

The third item on the agenda was an update on the Yard Waste Bag Policy, given by Eric Forbes, Director, Engineering & Environmental Compliance, Solid Waste Management Program, DPWES.

Mr. Forbes presented on the public messaging DPWES has undertaken since the Board voted to move forward with an administrative change to no longer allow plastic bags to collect yard waste in February 2020. Over the past several months, DPWES provided updates on their website, gave presentations, and conducted outreach to customers. Their target audiences included homeowners, landscaping companies, and haulers. DPWES reached out to over 700 homeowner associations throughout the summer. For landscapers, they contacted over 120 companies over the phone and handed out fliers about the transition at the I-95 Landfill and I-66 Transfer Station. Licensed haulers were informed through articles published in an existing monthly newsletter, in addition to a phone survey. The messaging addressed plastic alternatives, such as grasscycling, backyard composting, reusable containers, and paper yard waste bags. A survey conducted over the summer resulted in a 50/50 split among residents using plastic bags or alternatives for yard waste. Updates on regional yard waste processors were presented, including the updated cost differential for plastic bagged yard waste vs. plastic alternatives at a local processor. Recommended language on an ordinance update was then presented. Next steps include continuing outreach with residents and haulers and returning to the Board in January 2021 to request a public hearing on an ordinance change. Following a public hearing, a new ordinance could be implemented as early as March 2021.

Board Discussion:

Supervisor Herrity asked if staff has confirmed the availability of paper collection bags in sufficient quantities for a fall collection season.

Mr. Forbes responded that the research has been done and the bags are readily available. Similar bans on plastic yard waste bags are working in neighboring jurisdictions. The availability of e-commerce and online ordering makes it unlikely that there will be a shortage of paper bags.

Supervisor Herrity also commented that he disagreed with the cost comparison of plastic to paper bags for consumers. He asked if there was any reason that biodegradable plastic bags wouldn't be included in the ordinance.

Mr. Forbes responded that staff spent time looking at compostable plastic bags and decided not to include them in the recommended updates to the ordinance. Surrounding jurisdictions are not accepting compostable plastic bags as an option. Local processing facilities indicated that they would charge the same fees for compostable plastic bags as they would for non-compostable plastic bags. Staff also took into consideration the burden that would fall on haulers to determine whether a plastic bag was compostable or not. When the durability of compostable plastic bags was considered, staff found compostable plastic bags had the worst durability and tore easily when loading. Should the technology improve, they may be considered as acceptable alternatives in the future.

Supervisor Herrity went on to address the illegal dumping of leaves and its impact. He asked if other jurisdictions with plastic yard waste bans had seen an increase in illegal dumping since a ban was enacted.

Mr. Forbes responded that they reached out to other jurisdictions as well as the Department of Environmental Quality. During the beginning of the pandemic, when resources and staffing were limited, and the requirement to collect yard waste was suspended, DPWES did not see a major increase in illegal dumping.

Supervisor Herrity commented that the leaf collection season was not occurring at the beginning of the pandemic. He received affirmation that the ordinance change would have a public comment period. He found that in his district, 80% of residents want to continue to encourage paper bags, but not ban plastic collection bags. He felt that we need to give the residents an opportunity to comment.

Supervisor Smith commented on the importance of joining neighboring jurisdictions in banning plastic yard waste bags. She commented that plastic bags are not essential to collection; paper bags, reusable containers and keeping leaves in yards are good options.

Chairman McKay commented on the successful outreach to the community on this issue and the need to move forward with an updated ordinance.

Supervisor Gross expressed concern about an updated ordinance. She commented that there were complaints to her office at the beginning of the pandemic about the lack of yard waste collection during that time. She also expressed concern for the ability of the paper bags to stand up to the weather when placed out for collection and suggested working with manufacturers to improve durability. She asked if there is a limit to the number of bags to be collected by a private hauler.

Mr. Forbes responded that there is a weight limitation of 50 lbs. Thirty-gallon paper bags are designed to uphold their durability when put out for collection.

Supervisor Alcorn asked if at some point the Board would like to recommend the use of reusable containers as opposed to paper bags and requested that staff look into this issue.

Supervisor Herrity commented that if you have large amounts of trees, reusable containers would pose an issue and inconvenience residents.

Supervisor Walkinshaw added that the reusable containers are cost effective. He would like to continue to educate residents on lawncare, for example, and leaf mulching.

Supervisor Alcorn agreed with Supervisor Walkinshaw and asked that, as well as looking at the advisability of using reusable containers, staff look at increasing outreach on on-site leaf mulching operations and alternative ways homeowners can manage their property.

Supervisor Palchik asked if staff is reaching out to condo associations, and homeowners associations.

Mr. Forbes confirmed that staff has worked with over 700 HOAs, in addition to condo associations and property management groups.

Item IV

CECAP Goals and Process Update

The fourth item on the agenda was an update on the Community-wide Energy and Climate Action Plan (CECAP), regarding goals and the planning process, given by Maya Dhavale, Senior Community Specialist, OEEC. She referred to the handout and memo previously distributed to the Board.

Results were presented from the two Task Force meetings that were conducted since the last update to the Board in July. The major outcome of the meetings was a determination of the final goals of CECAP, including a goal to be carbon neutral by 2050, from a baseline year of 2005, with an absolute emissions reduction target of 87%. It was decided that two interim goals would be set for 2030 and 2040. Any discussion of sector-based goals was held for the discussion of strategies in the next meeting.

Since the last update to the Board, there were a series of public meetings and an online survey was conducted. Many individuals indicated that more public feedback was necessary, so an additional public feedback meeting series was added.

There was also a process change that occurred, which resulted in a pivot from the Focus Group/Task Force model to a Working Group model. The pandemic has affected the planning process, and the process change was needed to increase efficiency, equity, and engagement.

Under the new model, the Focus Groups and the Task Force will merge to create the Working Group. Previously, the Focus Groups were advisory bodies to the Task Force, and the Task Force was the decision-making body. Working Group members will all have the same level of participation.

For the next three meetings, the Working Group will work on strategies and divide into two sector-based subgroups, with the potential of a third. The first will focus on transportation and global emissions, the second will focus on land use, the built environment, and emissions from residential and commercial buildings. The subgroups will come together as a whole to review strategies and discuss recommendations before they are sent to the Board.

Recognizing that the pandemic has created a lot of delays, the process change is expected to improve efficiency. It will also address resource and equity constraints involving public engagement. Being a community plan, engagement is essential to

the success of implementation. Staff will continue to monitor how the process is affected by the pandemic and recommend improvements if needed. The process change is not expected to derail the CECAP schedule; the final plan is still scheduled to be presented to the Board in July 2021. Staff will continue to provide updates to the Board after significant meetings or actions.

Board Discussion:

Chairman Storck asked for more information on the change in the Focus Groups and Task Force.

Ms. Dhavale responded that, with the pandemic, the Focus Group members had frustrations and concerns about the switch from in-person to virtual meetings. There was a desire for deeper engagement. After receiving feedback from the members and consulting with contractors and Board staff, county staff came to the conclusion that the process as it existed was not sustainable. CECAP is a community plan and cannot be implemented without adequate community involvement.

Supervisor Palchik acknowledged that Ms. Dhavale's update addressed many of the concerns from her constituents. One remaining concern is the timing of distribution of materials before a meeting. Supervisor Palchik asked for a guarantee that, under the new model, materials would be provided in ample time for Working Group members to review ahead of meetings.

Ms. Dhavale acknowledged that the Supervisor's concerns were a major issue with how the meetings were being conducted. Many of the Focus Groups did not organize the meeting minutes, so the members' voices were being lost and not being conveyed to the Task Force. The new model will ensure that the voices will be heard in the Working Group meetings.

Supervisor Palchick asked for a clarification on the amount of time for the materials to be provided ahead of meetings. She asked that materials be provided a week in advance.

Ms. Dhavale responded that this could be done. Staff will no longer have to rely on the generation of meeting minutes from the Focus Groups.

Supervisor Alcorn agreed with the process change. He would like to encourage that the Working Group split into no more than two subgroups. He thinks this will be a positive development.

Chairman McKay also agreed with the process change, however he expressed disappointment with the notice period provided to Focus Group/Task Force participants. He suggested that we be more sensitive to the fact that these members are volunteers and have other obligations and suggested we be sensible about expectations and timelines for getting good feedback.

Ms. Dhavale responded that the process change was discussed with all the Focus Group liaisons and several other participants prior to the notice of change. A number of constraints affected the notice period for the process change.

Chairman Storck asked for clarification that staff will reach out to those that have not responded to the notice of process change and give them time to make the decision that is suitable for their circumstances.

Ms. Dhavale agreed and stated that she intends to follow-up with those that did not respond.

Supervisor Foust expressed his disappointment with the process change and notice period provided to participants. He felt that the Board should have made the decision on the process change and expressed a concern that participant voices would not be heard under the new Working Group model. He suggested the Board pause the planning process and think about how it can be carried out more effectively.

Supervisor Herrity echoed Supervisor Alcorn's comments about not dividing up the Working Group too much and limiting participation. Regarding the public input process, he asked if staff is planning to include anticipated costs in those conversations.

Ms. Dhavale responded that estimated costs will be identified for the strategies that have been selected. There will be discussions on which strategies have the most impact on emissions, and which will be the most effective, given the resources that we have.

Supervisor Herrity asked when the Board will see the estimated cost impacts of strategies.

Ms. Dhavale responded that estimated costs will be incorporated in the final CECAP report, expected in July 2021, with a draft anticipated in April 2021.

Supervisor Herrity commented that he didn't realize that the CECAP was voluntary. If it is voluntary, that's good news.

Ms. Dhavale responded that the way the plan is designed, the level of community engagement with the climate mitigation strategies is voluntary.

Chairman Storck asked Dr. Agazi to comment on the management of the CECAP process, and how to address the concerns the Board has raised and keep the planning process on track.

Dr. Agazi stated that the Focus Group/Task Force model was significantly impacted by the pandemic and the need to meet virtually. It became very difficult to support the nine Focus Groups with existing resource and staff constraints. He spoke to staff approximately two months prior to the process change to discuss alternative ways to move forward. Staff looked at other models in the region and noted that the working group model was successful with the Joint Environmental Task Force (JET), the Metropolitan Washington Council of Governments (MWCOG), and the Northern Virginia Regional Commission (NVRC).

The Working Group model ensures everyone has a voice. There will be smaller subgroups, two or three, and no voices will be lost. The new model will also address concerns with equity, as we weren't hearing from all of the Focus Groups. Dr. Agazi believes that, with the pandemic, this is a better process, and recommended moving forward with this process. Staff will ensure that everyone will have an opportunity to participate.

Chairman Storck acknowledged that the pandemic had an impact on the process. The Focus Groups were greatly varied with their level of engagement and their voices were not being heard. He asked if the Board should slow the process down and come back at a later time, or proceed with the process change now. He acknowledged that slowing down the process may affect the timeline and incur a cost with the consultants.

Supervisor Gross commented that we cannot afford to pause this process. Staff has done a lot of work to coordinate these volunteers. The recommended changes should work well. She stated that some of the expectations with CECAP engagement need to be more realistic. Managing expectations is important, as is never losing sight of the goal. The goal is to provide the plan to the Board in the timeline agreed upon. She is satisfied that staff has done what they needed to do to make the changes. The volunteers involved should have a better experience as a result. The county cannot afford to pause. The process is not broken; it has been remedied.

Supervisor Foust responded that he feels that this is a quick fix, and not the proper procedure for effective community input. The consequence of moving forward under this approach is going to result in the lack of community buy in.

Supervisor Alcorn commented that he did not like the previous process; it was too stovepiped. He agreed with Supervisor Gross that this is a better process. He added that Supervisor Foust made some good points, but he does not want to pause the process. This is a 30-year plan and, 10 years from now, it may need to be completely different as things continue to change. He recommended that staff move forward, refine the process, and figure out a way to get input from the larger group.

Supervisor Palchik requested that the Board receive a plan to ensure input from the community stakeholders. Moving toward a Working Group process is critical. Finally, she wants equity and socioeconomic concerns addressed.

Chairman McKay shared his concerns with the changes but did not want to slow down the process. He echoed Supervisor Foust's concerns about the participation of a larger group and how that is done in an electronic meeting. The biggest challenge will be to ensure the engagement of a group of that size. As we move forward, the Board will be paying close attention to the process and the engagement of the participants. He thinks the process needs to be refined, including ensuring proper notices are given, materials are accessible, and time is given to participants to prepare for meetings.

Supervisor Smith echoed that the process should be done in a timely manner, but the community participation is the most important part of the plan.

Chairman Storck added that if there is any doubt that the engagement is not there, the plan will take longer.

Supervisor Alcorn encouraged staff to use existing channels for community engagement.

Dr. Agazi stated that he understands the direction from the Board and will work with staff to make these improvements. Further information will be distributed to the Board in a memo, likely in mid to late November.

Chairman Storck concluded that the process presents challenges that need to be addressed. Chairmen McKay and Storck will provide additional contacts for engagement with the business community.

Item V

Salt TMDL and Salt Application on Impervious Surfaces

The fifth item on the agenda was a presentation on Salt TMDL and Salt Application on Impervious Surfaces, given by Sarah Sivers, Virginia Department of Environmental Quality (DEQ) and Randy Bartlett, Director, DPWES.

Ms. Sivers presented on the negative impact the application of winter salt on roadways and sidewalks has had on Accotink Creek and other waterways. She explained the SaMS (Salt Management Strategy), which is a broad, proactive, and voluntary approach being developed by DEQ for the Northern Virginia region to minimize the impacts of winter salt while maintaining public safety. Best practices and recommendations are being developed under SaMS. A number of stakeholders have been engaged throughout the strategy development process, which began in January 2018 and is expected to conclude in early 2021. A draft toolkit has been developed to educate and provide resources for organizations, local governments and the general public. Once the strategy is developed, DEQ will move into implementation. NVRC will initially coordinate implementation. Implementation will be voluntary, however, actors such as Fairfax County will have upcoming permit requirements which they will need to meet. SaMS can be used as a toolkit for those permittees.

Mr. Barlett provided concluding remarks on the work DPWES is doing with schools and parks on joint training and storage to make sure the county does its part.

Board Discussion:

Supervisor Walkinshaw reiterated the impacts salt application has on the Accotink watershed. He stated that the single largest contributor to salt in the watershed is VDOT's maintenance of the Capital Beltway. He expressed his frustration with VDOT's management to anticipate salt impacts and their lack of a plan to change their practices. He referred to Maryland's statewide salt management plan and stated that he hopes VDOT will catch up to Maryland's improvements.

Chairman Storck supported Supervisor Walkinshaw's comments. He added that he thinks that he and Chairman McKay should send a letter to VDOT to be clear about their expectations about the upcoming winter.

Item VI

Joint Environmental Task Force (JET) Goals and Targets

The sixth item on the agenda was a discussion on the Joint Environmental Task Force (JET) Goals and Targets, led by Chairman Storck. Due to time constraints, Chairman Storck announced that this item will be addressed at a later Environmental Committee meeting.

Item VII

Quarterly Review of Environment and Energy Not in Board Packages (NIPs)

The seventh item on the agenda was a quarterly review of environment and energy Not in Board Packages (NIPs), led by Chairman Storck. With limited time to address this item, Chairman Storck asked the Board to be sure to review the NIPs that had been distributed, including the DPWES update on environmental initiatives and the update on solar power purchase agreements.

The meeting adjourned at 12:40 P.M.