

Approved by EQAC, December 14, 2011

**COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)
MINUTES**

DATE: Wednesday, October 12, 2011

TIME: 7:30-10:25 PM

LOCATION: Conference Room, Hidden Oaks Nature Center

MEMBERS PRESENT

Stella Koch (Chairman, At-Large)
George Lamb (Vice Chairman, At-Large)
Frank Crandall (Dranesville)
Frank Divita (Braddock)
Johna Gagnon (Lee)
Angela Greenberg (Springfield)

Robert McLaren (At-Large)
Kat Pfleeger (Student Member)
Rich Weisman (Sully)
Glen White (Mason)
Larry Zaragoza (Mount Vernon)

MEMBERS ABSENT

Linda Burchfiel (At-Large)
Marie Flanigan (Providence)

Patricia Greenberg (Hunter Mill)

STAFF

Kambiz Agazi

Noel Kaplan

GUESTS

Randy Bartlett (DPWES-Stormwater)
Kate Bennett (DPWES-Stormwater)

Susan Datta (Management and Budget)

The meeting convened at 7:15 p.m.

FY 2013 Fairfax County Budget Process

Matters discussed:

- Susan Datta, the Director of Fairfax County Management and Budget and CFO, provided a short briefing on the FY 2013 county budget.
- She indicated that staff is projecting that county income will not improve and she has asked department heads to propose budgets that are 1, 3, and 5% lower than their FY 2012 budgets.
- It is too early to tell what the actual budget will be, but she is preparing for budget cuts similar to last year.

- Ms. Datta mentioned that she has had recent conversations with Tony Griffin and he seems open to considering an increase in the tax rate for the Stormwater Service District (currently at 1 1/2 cents for each \$100 assessed).
- Ms. Datta noted that Supervisor Herrity had been appointed to serve on the Governor's Task Force for Local Government Mandate Review. She invited EQAC to call to Supervisor Herrity's attention any state environmental mandates that don't make sense.
- Ms. Datta noted that she would be discussing with Tony Griffin EQAC's idea of establishing an Environmental Improvement Program fund similar to the Information Technology fund. She stressed, however, a need to any increases in the budget to be balanced with reductions elsewhere. There was additional discussion regarding budget commitments for energy-related matters.
- Mr. Griffin's proposed county budget to the BOS is not expected to be available until February 2012.

Briefing from the Department of Public Works and Environmental Services on the Accotink Creek Total Maximum Daily Load

Matters discussed:

- Randy Bartlett and Kate Bennett from DPWES presented an update on the Accotink Creek flow TMDL (Total Maximum Daily Load) from a briefing provided earlier in the year. The presentation provided background information and a brief history of this TMDL. Randy presented the county's concerns that:
 - a. The streams have already evolved and the analysis did not seem to take this into account, thus there is no reasonable assurance that reducing flow alone will restore the benthic community.
 - b. Sediment was identified as the primary stressor, and TMDLs for similar impairments have been written for sediment. A sediment TMDL would allow the county to use a broader range of stormwater management techniques, including stream restoration, to help restore the stream's habitat. With a flow TMDL, implementation is limited to projects that reduce instream flow, which stream restoration does not do.
- After discussion, the county staff explained that the purpose for attending the meeting was to inform EQAC, listen to suggestions and perspectives, and seek suggestions on other venues to have similar discussions. He noted that a revision to the county's MS4 (Municipal Separate Storm Sewer System) permit was in progress, that TMDL implementation may be incorporated within the revised permit and that the Accotink Creek flow TMDL may not be challengeable once the permit has been issued. He indicated that the state was trying to get the MS4 permit out by the end of the year, but the specific time frame was uncertain. He noted that staff may recommend to the Board of Supervisors that the flow TMDL for Accotink Creek be challenged. He was interested in EQAC's perspectives and further actions staff should take in terms of coordination.
- Stella Koch expressed her view that staff's message should be that there needs to be a different approach to addressing the stream impairment and not that we simply don't want to do what's being proposed. Staff concurred with Stella's view and indicated that this is the message that staff has been sending.

- EQAC members suggested providing a presentation to the Green Breakfast on November 12th, and at the Watershed Meeting being scheduled for late November. Staff agreed to work on this, and thanked EQAC for its input.

2011 Annual Report on the Environmental (ARE)

Matters discussed

- The report chapters for the 2011 Annual Report on the Environment were discussed as follows:

Cover

- Kat Pfleeger provided the draft cover page. It shows the environment (Huntley Meadows Park), building (Metro construction in Tysons Corner), and erosion resulting from heavy rain. One theme she tried to capture was that Fairfax County is currently experiencing construction, but that things will get better as mass transit is built. Johna Gagnon commented that she liked the change in theme from pretty to reality. The group agreed overall and the cover page was approved. Kat Pfleeger will send Noel Kaplan the captions for the cover.

Climate Change and Energy

- Over the last month, Larry Zaragoza has made several revisions to the draft chapter with input from Kambiz Agazi. One major update to the chapter was the incorporation of new GHG emissions inventory data. He discussed his recommendations with the Council. After discussion, he decided to drop one recommendation. Kambiz Agazi noted that, in regard to proposed recommendation #4 (continuation of the Residential Energy Education and Outreach program beyond its current grant period), there was a need for similar outreach efforts to businesses and that he is seeking seed money for such an effort.
- The Council discussed if perhaps Figures 3, 4, and 5 should be included in the report because they really focus on GHG-related projects over the entire Metropolitan Washington Council of Governments (MWCOG) region instead of Fairfax County. Kambiz Agazi noted that these efforts were broader in scope than climate change and energy and had linkages to air quality and land use/transportation issues as well. After much discussion, it was agreed that, if the graphics were to be retained, the labels and titles would need to be clarified so that they would more clearly show references to regional, rather than county, efforts.
- Noel Kaplan mentioned that, while the draft documents had been copied in black-and-white, the electronic report will be published in color so that there is not a need to format the figures for a black-and-white production.
- An additional recommendation was accepted to clarify that the closed portion of the landfill does not include ash. The last two lines of proposed recommendation #2 were deleted, and a section of the chapter addressing landfill gas recovery and utilization was revised to stress that these activities were only occurring within the closed portion of the landfill.

Motions made:

- Larry Zaragoza moved approval of the chapter with minor revisions as noted above. Bob McLaren seconded the motion.

Record of the vote:

- Approval by unanimous vote.

Follow-up actions:

- Larry Zaragoza will submit the revised chapter to Noel Kaplan by October 21, 2011

Land Use and Transportation

- George Lamb provided an update on the chapter and discussed recommendations with the Council. Frank Divita agreed to contact Walter Alcorn to ask for an update on the Tysons Corner project.
- George Lamb noted a concern with recommendation 2c (regarding the Integrated Parcel Lifecycle System) and wanted to retain the ability to keep or delete this recommendation pending further discussion with staff. EQAC agreed to provide George and Frank with this discretion.

Motions made:

- George Lamb moved approval of the chapter, allowing the chapter authors to make minor revisions as noted above. Larry Zaragoza seconded the motion.

Record of the vote:

- Approval by unanimous vote.

Follow-up actions:

- George Land and Frank Divita will submit the revised chapter and summary to Noel Kaplan by October 21, 2011.

Water Resources

- Stella Koch noted that her comments and recommendations had already been approved and that her full chapter would soon be available for review. She noted that she would be rewriting the TMDL section and would provide that to Noel Kaplan soon. It was agreed that interested members would have an opportunity to review this chapter prior to publication.

Hazardous Materials

- Glen White noted that he was still working on the text of the chapter, so the discussion focused on whether or not last year's recommendation (addressing household hazardous waste collection) should be retained. He noted that the county had satisfied this recommendation by holding several household hazardous waste collection events. After some discussion, the council agreed that a slightly modified version of this recommendation should be retained to commend the county for holding the collection events and to support continuation of at least three to five such events each year.

Motions made:

- George Lamb moved approval of the recommendation. Johna Gagnon seconded the motion.

Record of the vote:

- Approval by unanimous vote.

Follow-up actions:

- Glen White will submit the chapter and summary to Noel Kaplan by October 21, 2011.

Ecological Resources

- Bob McLaren noted that the recommendation had already been approved and that no action was needed. Drafts of the complete chapter and summary section had been provided to all members in advance of the meeting. There was no further discussion.

Motions made:

- None

Follow-up actions:

- None

Environmental Crimes/Violations Matrix

Matters discussed:

- Noel Kaplan asked chapter authors to provide information on how to report environmental crimes and violations by October 21, 2011. He feels this section needs to be expanded. Noel agreed to work on improving the introduction.

Motions made:

- None

Follow-up actions:

- Noel will resend the matrix to all members and ask members to augment the information that has been provided.

Summary Reports

Matters discussed:

- Noel Kaplan has received several summary report sections. All others need to be submitted by October 21, 2011.

Motions made:

- None

Follow-up actions:

- All summary sections are to be provided to Noel by October 21.

Scorecard: Status of chapter author inputs

Matters discussed:

- Scorecard entries have only been received for Ecological Resources and Climate Change. All other chapter authors need to submit their entries to Bob McLaren by Friday, October 14, 2011. After that date, scorecard entries should be submitted to Noel Kaplan.

Motions made:

- None

Follow-up actions:

- All Scorecard entries should be provided, preferably by October 14 but no later than October 21.

Chairman's letter

Matters discussed:

- Rich Weisman asked if there was a need for the letter to highlight that the EIP fund recommendation (the second item in the draft letter) should be oriented to energy and climate change projects. It was agreed that the fund concept was broader than energy and climate change but that these were specific components of the concept that could be recognized specifically. Noel offered suggested language to address this, and the suggestion was accepted by consensus.

Approval of the minutes of the August 10, 2010 meeting

Motions made:

- Johna Gagnon moved approval of the minutes, which were drafted by Rich Weisman. Bob McLaren seconded the motion.

Record of the vote:

- Approval by unanimous vote.

Follow-up actions:

- Noel Kaplan to post the approved minutes on the EQAC website and notify Board member offices once they are posted.

Rescheduling of the Annual Public Hearing

Matters discussed:

- The public hearing will be held in the Board Auditorium, Fairfax County Government Center on January 17, 2012, with a remote testimony site at the South County Center.

Follow-up actions:

- Noel Kaplan will make arrangements.

Chairman's Items

- Stella Koch attended the BOS Environmental Committee meeting. She described the four presentations, which she found interesting.
- Stella Koch welcomed Angela Greenberg to EQAC.

Council Member Items

Matters discussed:

- George Lamb mentioned that the Governor is proposing to remove funding for the Interstate Commission on the Potomac River Basin and withdraw Virginia's participation on the commission. Stella Koch noted that the Board of Supervisors had sent a letter to the Governor opposing such a withdrawal and that there was nothing for EQAC to do in regard to this matter.
- Larry Zaragoza noted a recent discussion with county staff regarding stream restoration work near his home.
- Frank Crandall described a recent problem in Scotts Run between the McLean Land Conservancy and a land developer who had created lots that included land within a conservation easement held by MLC. He stressed that there was a need for the county to review conservation easements before approving plans. It was requested that staff from DPWES-Land Development Services be asked to attend a future EQAC meeting to address this concern.
- Angela Greenberg introduced herself and invited one or more EQAC members to walk with her along the creek beds and Fairfax County well system at Occoquan Regional Park.
- Frank Divita reminded members of the deadlines for submission of Annual Report materials.

Staff Items

Matters discussed:

- The next Planning Commission Environment Committee Meeting is Thursday November 17, 2011 at 7:00 PM. The committee will discuss staff responses to public comments received on the green building policy strawman document.
- The City of Fairfax's Environmental Sustainability Committee is interested in scheduling a joint meeting with EQAC. EQAC agreed to such a meeting in April 2012.
- Noel Kaplan noted that he had received and passed along to EQAC notice regarding a Planning Commission public hearing for a 2232 application for Hogge Park in the Baileys Crossroads area.
- With the new schedule of the annual public hearing, the December agenda is open now. The council discussed possible items. Noel Kaplan agreed to follow up on a few issues and to make suggestions at next month's meeting.

- Kambiz Agazi noted that a question was raised at the last BOS Environmental Committee meeting regarding the potential to provide synthetic turf playing areas on rooftops. He indicated that EQAC may be asked about this. Angela Greenberg asked if there was any potential for combustion. Frank Crandall identified Deb Garris as a point of contact at the Fairfax County Park Authority.

Adjournment

The meeting adjourned at 10:15.