

Approved by EQAC, October 14, 2009

**FAIRFAX COUNTY ENVIRONMENTAL QUALITY ADVISORY COUNCIL
MINUTES**

**Monthly meeting and
Joint meeting with Fairfax County's Environmental Coordinating Committee**

DATE: Wednesday, July 8, 2009
TIME: 5:00 PM
PLACE: Room 232, Fairfax County Government Center

MEMBERS PRESENT

Stella Koch (Chairman, At-Large)
George Lamb (Vice Chairman, At-Large)
Linda Burchfiel (At-Large)
Ned Foster (Springfield)
Johna Gagnon (Lee)
Robert McLaren (At-Large)

David Ouderkirk (Hunter Mill)
Ben Swanson (Student Member)
Rich Weisman (Sully)
Glen White (Mason)
Larry Zaragoza (Mount Vernon)

MEMBERS ABSENT

Frank Crandall (Dranesville)
Doug Denny (Providence)

STAFF

Kambiz Agazi, Fairfax County Env. Coord.
Randy Bartlett, DPWES
Michelle Brickner, DPWES
Ellen Eggerton, DPWES

Jennifer Gorter, Facilities Mgmt.
Noel Kaplan, DPZ
Victoria Monroe (Police—Wildlife)
Cindy Walsh, Fairfax County Park Auth.

OTHERS PRESENT

Andrew Bernick
Natasha Bridge
John Byrne
Roger Diedrich
Diane Hoffman, NVSWCD

Reich Nadkarni
Treat Richardson
Wes Rogers
Patrick Solomon

Joint meeting with Fairfax County’s Environmental Coordinating Committee

Matters Discussed

Energy accounting software, Jennifer Gorter, Department of Facilities Management.

- Energy accounting software called “EnergyCAP” is being used by Facilities Management and Parks to track energy usage in 180 buildings. The software is essentially a database that tracks energy use in fixed facilities including electric, natural gas, number 2 fuel (heating) oil, propane and water usage.
- The data can be used to geographically represent usage, compare units of energy and cost by building and facility, and correlate usage to weather factors. Reports from the system show usage by billing period and can compare usage based on building types, for example libraries in contrast with 24/7 emergency buildings.
- The system ranks buildings by use per square foot, which is used to target the heaviest users for energy conservation, for example fire stations using propane cost more per square foot than those using natural gas. The system shows that conversion of the I-66 Solid Waste Transfer Station from natural gas to the use of the methane produced in the landfill saved \$40,000 (75%) of energy costs in the first year. It can generate reports that compare each building over a five-year period and show changes from conservation efforts or new construction. The system also tracks greenhouse gas emissions.
- EQAC comments/questions:
 - Has Facilities also pursued “soft” energy conservation efforts, like changing to efficient light bulbs? They did a lighting retrofit in all buildings, but the efforts and costs were rolled into other projects, therefore not tracked directly through the software.
 - Does it track vehicular energy use? No, transportation uses are not tracked through EnergyCAP.
 - Request for reports for public outreach; Facilities said they can provide reports.

Energy Efficiency and Conservation Coordinating Committee and development of an energy policy, David Molchany, Deputy County Executive

- The Energy Efficiency and Conservation Coordinating Committee (EECCC), which started in January 2009 and meets monthly, serves as an interagency forum for cross-organizational collaboration to develop strategies to reduce the county’s demand for energy, thereby reducing costs and associated pollutant emissions.

- The EECCC has produced a draft Fairfax County Energy Policy Statement (copy provided at meeting) to bring together and guide internal county energy efforts as well as aid in the coordination and collaboration among county agencies, schools, residents, business and governmental partners.
- The EECCC is also applying for funding via the Energy Efficiency and Conservation Block Grant Program funded under the American Recovery and Reinvestment Act of 2009. Mr. Molchany spoke from a copy of the proposal and a project summary spreadsheet provided at the meeting.
- EECCC also has representatives on relevant regional committees and the Council of Governments.
- EQAC comments/questions:
 - Will EECCC relate to or focus on Community Energy Planning (CEP)? The EECCC will focus on CEP, but is focusing first on the policy and the stimulus funding effort, with a high priority on the outreach component.
 - Are “cool roofs” being considered? Yes, they will look at that. The county has not yet packaged all they have done in energy; this will be a comprehensive effort.
 - How will an inventory for CEP be done? The county will use the energy accounting software; and be able to calculate a county footprint.
 - EQAC offered to serve as a test for outreach.

FY 2010 budget outlook and Board of Supervisors’ retreat, David Molchany

- The Board of Supervisors held a two-day meeting, at the Frying Pan Farm Park Visitors Center, Herndon, as an opportunity for the board to “consider its priorities and set a course of action for a sustainable future.” The board received a financial forecast for Fiscal Year 2011 with a projected deficit of \$316 million (noted as now \$317 million in the briefing). Mr. Molchany provided handouts on the stimulus funding proposal and a press release about the retreat.
- The Supervisors discussed stormwater issues and stated that environmental concerns are “embedded in everything we do,” including transportation, affordable housing and comprehensive planning.
- This fall the Office of the County Executive will meet with the board on budget four times and hold ten public meetings
- Most of the budget downturn is due to real estate declines and this year, commercial real estate

- The Office of the County Executive will keep us apprised of budget development. The entire county will be affected across the board.

Agency briefings on implications of FY 2010 budget reductions to environmental programs/ efforts

Fire and Rescue, Anthony Barrero

- The FY2009 budget has presented challenges. Fire and Rescue re-organized to consolidate fire investigations and Hazardous Materials and Investigative Services (HMIS), enabling them to assign 3 investigators per shift to address officer safety, while saving funds through consolidating the duties. This also provides for a hazmat investigator to be on duty 24/7, rather than on an “on call” basis. Investigators handle any issues related to suspected environmental crimes. (Handout provided)
- Fire and Rescue also cut the Local Emergency Planning Committee (LEPC) Coordinator at an annual cost savings of about \$52,000.
- The LEPC Coordinator was responsible for supporting the Fairfax Joint LEPC; maintaining the Tier II Chemical Inventories; maintaining information on all Critical Hazard Facilities; preparing the Hazardous Materials Emergency Response Plan (HMERP); and ensuring that the HMERP is exercised as federally mandated.
- As a result of the loss of the LEPC Coordinator, these duties were “absorbed” by other personnel. An alternative placement Fire Lieutenant was assigned as primary LEPC support, but this position will be lost upon his retirement in 2012 creating a very negative impact if the LEPC Coordinator position is not reinstated. Administrative support for the LEPC was assigned to the HMIS Administrative Assistant.
- Funding from FY 2009 was allocated to purchase Tier II Manager software to help cover the loss of the coordinator and ensure that needs and information continue to be communicated to local stations.
- EQAC comments/questions:
 - What kind of hazmat responses does HMIS do? A wide variety of responses for which they can provide EQAC a summary.
 - EQAC was also directed to the updated fire prevention web page.

Health Department, Tom Crow

- The FY 2010 budget eliminates the environmental investigation and response program for mold, radon, asbestos, etc. so these activities are no longer done. Blood lead investigations must be continued due to a federal mandate. Citizens, calling in with

issues, will now be referred to private contractors. The State Department of Environmental Quality will be responsible for asbestos investigations.

- Half of the Air Quality Program (two positions) was cut. This program monitored facilities and I-95. The county is now only monitoring for ozone and fine particulates at four stations, and will transition all of these stations to the state in 2011. The state will be working with the Environmental Protection Agency (EPA), the ozone and fine particulate monitoring are federally mandated under the Clean Air Act based on Fairfax being in a non-attainment area.
- EQAC comments/questions:
 - Will the state take on all four monitoring stations? The state is talking to EPA to make that decision.
 - Which monitoring stations are in operation now? Cub Run, Lewinsville, Mason and Mount Vernon. Following the loss of the two positions in 2010, the remaining two staff positions will go away in 2011; supervisory positions will remain to coordinate with the state.
 - EQAC stated that we need all four, offered EQC support and a requested to be kept informed of the timing.
 - Does the board support all four monitors? The board wants to continue all four monitors, but wants the state to pay for it; that's between the state and EPA.
 - EQAC stated that Fairfax has done an excellent job with the monitors but the state may not.

Northern Virginia Soil and Water Conservation District (NVSWCD), Diane Hoffman

- Under a 15 percent budget cut NVSWCD lost and person and then some. The person they lost ran the volunteer stream monitoring program; they will keep the program running but it will not be as robust. Ecological Stewardship training was also cut.
- NVSWCD helps homeowners directly, to a large extent, but they are shifting more to web-based system. They have frozen their salaries and reduced operations to keep the budget constant for next year.

Planning and Zoning, Noel Kaplan

- Budget cuts were generally consistent with the February report, although two Property Maintenance/Zoning Inspector positions were restored. The bad news is that the cuts run across the board, with no reductions in environmental positions but environmental staff will have to do additional functions. There will be proportional reductions in the agency's environmental abilities (Plan amendment and development reviews, including state and federal proposals; support for interagency initiatives; environmental policy studies; support on Zoning Ordinance amendments).

- The good news is that there will continue to be a greater focus on redevelopment of older developed areas with opportunities for environmental improvements, and environmental planners will be key participants in this effort.

Police – Wildlife Management, Col. Chuck Peters

- Col. Peters, Deputy Chief of Police, overseeing youth, school, gang prevention and animal programs, introduced new Wildlife Biologist for Animal Control, Victoria Monroe. There were cuts in the specialized deer and geese management programs and wildlife management.
- The deer management program had \$42,000 restored; this will be used for sharp shooters, two limited term positions and processing of the deer taken in the hunts.
- The Assistant Wildlife biologist position was cut along with police officer positions. In FY2010 they will be working with one-third of the former budget.
- EQAC comments/questions:
 - What does Animal Control do with the hunted deer? The hunters keep them or they are donated to Hunters for the Hungry, at a cost of \$40 per deer for processing.
 - In response to concerns about apparent increases in sightings of foxes and raccoon, Ms. Monroe noted that foxes and raccoon show very aggressive rabies symptoms. Therefore, problem animals should be recognizable, but if there is any question they should be reported. Fox mange is not a rabies symptom and transferrable to people or pets.

Public Works and Environmental Services

Land Development Services, Michelle Brickner for James Patteson

- Land Development Services has reduced contracts and is down by 60 positions, mostly by re-organizing and transfers. This strategy positions them to maintain flexibility to ramp back up quickly when land development activity comes back.

Solid Waste, Jeff Smithberger

- Solid Waste services are funded via special revenue funds and not affected by reductions in tax revenue, but the household Hazardous Waste Program was funded out of general funds and was reduced.
- They will keep two permanent household waste sites in place and cut the remote events. They believe that people who used the remote events will use the permanent sites and therefore service as a whole will not diminish. The permanent sites are funded through tipping fees, and now have Sunday hours.

- EQAC comments/questions:
 - EQAC suggested tracking usage and if numbers decrease, use the data to argue for re-instating the remote events.
 - Do they accept electronics as waste? The county treats electronics waste differently, so there are no remote events, but periodic recycling events at the permanent sites, publicized on their web site.

Stormwater and Wastewater, Randy Bartlett

- The good news is that the BOS adopted the stormwater service district. However, this was funded at a one cent rate rather than a 1.5 cent rate.
- They will, as a result, need to pull dollars out of projects to fund operations.
- EQAC comments/questions:
 - Concerning the EQAC suggestion to update planimetric data, they were working on it in '08 on a four-year cycle, but cannot complete the last 2 years.
 - What projects did you cut? They have used a pay-as-you-go system on projects. Have about \$10 million at the end of the fiscal year not tied to specific projects; they are getting federal funds, which they must match, for some projects. They need \$15 million for salaries and federal mandates, such as MS-4 permits, monitoring, reporting and outreach. At the September Environment Committee presentation to the BOS, they will explain which projects will be delayed and where dollars are going.

Transportation, Kathy Ichter

- There were no capital projects cut from the department, but cuts in Virginia Department of Transportation capital projects. The addition of bus services in the county and pedestrian and trail projects are still a go.
- The board cut less for Fairfax Connector than planned and increased fares for three express routes. There was an effort to only cut service where riders had other service options, and the Senior-On-the-Go service was retained but at increased fares.
- Otherwise, they cut parts of programs rather than whole programs, and lost four positions.
- Ms. Ichter provided handouts on the Fairfax Connector budget cuts and route changes.
- EQAC comments/questions:
 - Has the entire bike program been cut? Only parts of it.

- What happened to the trails planner position? DPZ lost the planner position, Transportation and others are dividing parts of the program. The Department of Transportation and others will meet next week to sort out who will lead and coordinate the trails program.
- Are you ensuring that trails are being installed at new developments? Transportation wants to be multi-modal and is pushing for trails wherever possible. A major problem is that they cannot quickly take the projects needed to connect all the links; not having the space or right-of-way is a major issue.

The next ECC/EQAC joint meeting is February 10, 2010. Staff will be back in September with follow-up budget information.

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DATE: Wednesday, July 8, 2009
TIME: 7:00 P.M
PLACE: Room 232, Fairfax County Government Center

1. Briefing on the draft state Stormwater Management Regulations and staff comment process, Michelle Brickner, Assistant Director, Land Development Services, Department of Public Works and Environmental Services

Ms Brickner spoke from a handout detailing the Amendments to Virginia's Stormwater Management Regulations. The 60-day public comment period started on June 22, 2009.

2. Consideration of resolution regarding the draft State Stormwater Management Regulations

It is useful to know that the driving force for these changes comes out of the review of the Chesapeake Bay goals, and will be seeking freshwater criteria; volume and sediment are new criteria that weren't included before. Ms. Brickner noted that the desire to delegate permitting authorities to local governments was driven by costs.

- EQAC proposed to review the implications of the changes for Fairfax County, which has 4,000 stormwater facilities (and about 3500 private facilities), six types of LID facilities, and six more planned. The fee structure is an issue because it is more expensive here and Fairfax County streams are flashy. The county agreed to meet with us for this review.
- EQAC made the points that once development reaches five to ten percent impervious surfaces, the watershed starts showing impacts, for example, trout begin to disappear at five percent. We have failed in stormwater protection and this will have a major impact on Fairfax County. Volume is the issue in Fairfax, and while the regulations cover volume, they are still inadequate. The state is shifting stormwater authorities to the locals, but much of the problems comes from state-controlled roads, homeowners and federal properties.
- The state has only three people for stormwater management for the whole state, so they're delegating the authorities to the locals, but with no funding – this will have huge consequences. EQAC recognizes that there are many challenges and Fairfax County's issues, but we support the new regs. The county stated that unfunded mandates are a major problem, due to Virginia being a land rights state retaining the authority to grant waivers and exceptions. The county has monitors in place, but the state allows waivers and loopholes – the regs will be local government responsibility, but the state will be able to waive local requirements. Also, the county should be able to assess fees commensurate with the costs of implementing the regs.

- EQAC suggested that VDOT also be brought into the picture, because their standards are inadequate.
- The county noted the lag between science and the regs. If you look at county streams, the best streams are in Great Falls and Occoquan due to less development and good buffers. A million LID facilities on private property may not get us where we need to go, but good buffers and low density development may go further. Regional ponds can be effective, but one concern of staff is LIDs on private property is uncharted territory, they will have to be monitored beyond just design criteria. Wastewater treatment plants have gone about as far as they can go, stormwater may have to follow the same route.
- EQAC stated that urban and suburban sources produce the major impacts on the Bay.
- EQAC proposed that we send a memo to the board in support of the regs, acknowledging staff concerns; we endorse the goals, with adequate fees, and adequate funding for the county.

Motions Made:

- Koch motioned to send this memo to the board; seconded by McLaren; motion passed

Follow-up action:

- Meet with county to review Stormwater regulations
- Circulate draft memo to the council in support of the regs
- Send memo to the board in support of the regs

3. Discussion of Legislative Issues

Zaragosa provided and discussed a resolution and a position statement on “Reducing Environmental Contamination from Plastic and Paper Bags.” Kaplan summarized the legislative proposal process and resolutions. Gagnon suggested clarification on the use of paper bags to specify use of recycled paper bags. There was a brief discussion of the potential need for an EQAC representative to attend the legislative committee meeting.

Motions Made:

- McLaren motioned to adopt both the resolution and the position statement; seconded by Ouderkirk; friendly amendment from Gagnon; motion passed by a unanimous vote.

Follow-up action:

- Forward resolution to the Board of Supervisors and a position statement to the County Executive’s Office for the package to go to the Legislative Committee

The motorcycle noise legislative action was dropped.

4. Environmental Excellence Awards

McLaren presented the results of the Environmental Excellence Awards committee, recommending County Employee, Carl Sivertsen; Organization, Earth Sangha; and Business, Allen Wayne, Ltd. as winners. Ouderkirk requested consideration of broadening awards to recognize more nominees; discussion was tabled for a later meeting.

Motions Made:

- McLaren motioned to present awards to the recommended recipients. Seconded by Gagnon; motion passed by a unanimous vote.

5. Discussion of EQAC member assignments

Koch provided a handout of EQAC member assignments, with a brief discussion about continued representation on the Local Emergency Planning Committee.

6. Discussion of invitation from the Fairfax County Park Authority Board for continued FCPA Executive Committee coordination with EQAC

The discussion was deferred.

7. Preliminary identification of schedule for continuation of discussion of land use issues.

Lamb stated that the Comprehensive Plan process needs to be revised, while the county has done Area Plan Reviews in the past, is that still the best approach. Jim Zook, DPZ has a different approach. The council will meet with him in November.

8. 2009 Annual Report on the Environment, Status Report

Kaplan stated that the chapter first drafts are needed by September 1, and we need a completed chapter to serve as a format prototype for the hard copy summary document. The ARE Scorecard from last year should be reviewed to evaluate what recommendations were made, what the county has done and if we endorse those actions and accomplishments, consistent with the new chapters. All recommendations should be action oriented and each chapter should have a section on stewardship.

9. Adjournment: A motion to adjourn was made and approved. The meeting was adjourned at 10:00 P.M.