

Approved by EQAC, February 8, 2012

**COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX
SUMMARY OF THE ANNUAL PUBLIC HEARING OF THE
ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

DATE: JANUARY 17, 2012

The public hearing commenced at 7:30 P.M. in the Board Auditorium of the Government Center. A remote public hearing testimony site was established in room 221A (Woodlawn) of the South County Center, with communications between sites established through a two-way audio and visual communication hookup via Fairfax County Cable Channel 16.

There were eight speakers, four of whom provided written testimony or other materials either during or after the public hearing. The speakers were:

Alan Ford (Government Center)	Rick Dotson (Government Center)
Glenda Booth (South County)	Flint Webb (Government Center)
Rob Hartwell (Government Center)	Pete Rigby (Government Center)
Kay Fowler and Donna Murphy (Government Center)	Paul Haskell (Government Center)

Five others provided written testimony but were not present at the public hearing:

A. Mary Jane Cobb Reyes	B. Steven Bruckner
C. Nancy Feeney	D. Kevin Feeney
E. Broyhill Park and Raymondale Civic Associations (c/o Whitney Redding)	

Unless otherwise noted, participants presented testimony as individuals rather than on behalf of groups.

1. Alan Ford

Mr. Ford introduced himself as the President of the Potowmack Chapter of the Virginia Native Plant Society; he noted that Fairfax County was included in the area covered by this chapter. He also noted that he is an active volunteer with the Fairfax County Park Authority's Invasive Management Area program.

Mr. Ford read from prepared comments, which are included as an attachment to this summary. His comments emphasized a need for more attention to land conservation, protection and restoration, particularly on park land. He described the impacts of development for active recreational uses (including trails) as permanent, noting the difficulty of restoring disturbed areas to a natural condition. He also noted that trails serve as vectors for the introduction and distribution of invasive species.

Rich Weisman asked if there were certain types of athletic fields that would be preferred from an environmental perspective and if there are design, operational

and/or engineering practices that can reduce adverse environmental impacts. Mr. Ford stressed the need to identify up-front, in the park master planning process, those areas that are undisturbed and to concentrate active uses away from those areas.

George Lamb noted the impacts of invasive species along the Washington and Old Dominion Trail; he asked how much work is needed to prepare a good conservation plan and what it takes to provide for the management of invasive species on a site. Mr. Ford replied that the questions should be referred to the Fairfax County Park Authority, but he stated that the efforts that are needed are orders of magnitude beyond what we're currently providing.

Stella Koch noted the goal of the Fairfax County Park Authority to own 10% of the land area of the county. She asked how, in a perfect world, a group would be assembled to strategize on acquisition priorities.

2. **Glenda Booth (Friends of Dyke Marsh and the Audubon Society of Northern Virginia; however, comments relating to Richmond Highway revitalization were not presented on behalf of either group)**

Ms. Booth thanked EQAC for its efforts and for providing the opportunity for testimony at the South County Center. She commended EQAC's focus on climate change, land use and ecological resources in particular.

With respect to climate change, she stated that, four years ago, the Governor's Commission on Climate Change concluded that we could not continue business as usual; she thanked EQAC for recognizing this. She offered the following recommendations:

- Start planning now for adaptation. We should not continue building hard shoreline protection structures, and we should plan for wetlands to migrate inland.
- Support the hiring of a new County Executive who will be committed to continued efforts to address climate change.
- Support more transit and less auto-dependent activities.

With respect to land use, she expressed disappointment in what she felt was a lack of sufficient attention in the Annual Report on the Environment to revitalization along the Richmond Highway corridor. She expressed her view that this has not received enough attention compared to Tysons Corner.

Addressing Ecological Resources, she endorsed Alan Ford's comments and stressed a need to preserve and restore more areas to their natural state. She commended EQAC for supporting woodland preservation (as opposed to turf fields) and expressed her view that there is a large imbalance between active and passive recreation in the

county's park system and natural resources parks; she presented budget and staffing statistics to support that view. She commended EQAC for its support for a natural resources inventory, noting the benefits of natural resource inventories conducted by the National Park Service along the Mount Vernon Parkway and at Fort Hunt Park, where a species new to science has been discovered. Given the fact that the county is reaching buildout, she highlighted restoration as the greatest opportunity to enhance ecological systems and supported more natural landscaping efforts. She noted the development of a natural landscaping plan for county facilities, a tree action plan and watershed plans and stressed the need for funding to implement these plans' recommendations.

As a general comment, she referenced environmental metrics (poor stream quality, air that does not meet federal ozone standards, loss of tree cover and biodiversity) and stated that these metrics are signaling a need to do more and better in regard to environmental protection. She cited the following specific examples: A decline in numbers of many species of birds; a high percentage (78%) of streams in fair to poor condition; ozone nonattainment; and litter in streams and in the Potomac River.

Stella Koch thanked Ms. Booth for her comments and noted EQAC's longstanding efforts to work with the Park Authority on ecological resource management issues.

Johna Gagnon concurred with Ms. Booth's comments.

3. Rob Hartwell (Interstate Commission on the Potomac River Basin)

Mr. Hartwell raised a concern regarding a proposal by the Governor to eliminate Virginia's contribution to the Interstate Commission on the Potomac River Basin. He noted that the annual cost to Virginia was only \$151,500 per year, and he presented a graphic identifying a \$529,000 cost benefit in fiscal year 2011 for the \$151,500 investment. He asked that EQAC members touch base with Virginia legislators to persuade them to retain Virginia's membership on ICPRB.

Prior to and subsequent to the public hearing, Mr. Hartwell provided the following materials: A copy of a letter he sent to Governor McDonnell on December 7, 2011; an October 27, 2011 letter from Doug Domenech, Secretary of Natural Resources, to Delegate Surovell; and two ICPRB documents outlining the economic and environmental benefits of Virginia's participation and funding. The graphic and supporting documentation are attached to this summary.

4. Kay Fowler and Donna Murphy

Kay Fowler and Donna Murphy gave a Power Point presentation outlining environmental restoration opportunities in the Franklin Farm community and raising concern regarding the community's focus on providing highly manicured, chemical

and turf-intensive open space areas as opposed to natural areas. The Power Point slides are included as an attachment to this summary. Ms. Fowler and Ms. Murphy noted the water quality, air quality, stream valley protection, wildlife management and broader ecological resource management benefits of a more natural approach. They noted their efforts to educate the community's Board of Trustees regarding the benefits of more natural approaches but noted a greater community sentiment in support of the current approach. They asked if the county could exert influence or provide incentives to support more environmentally-sensitive approaches to open space management.

Johna Gagnon expressed her concern about the extent of mowing that was being pursued and stressed the need for an education campaign. She thanked Ms. Fowler and Ms. Murphy for their efforts, noting that what they have done is a start.

Stella Koch referenced the Northern Virginia Regional Commission's Conservation Corridors project and suggested that NVRC may, in coordination with the county and with the Northern Virginia Soil and Water Conservation District, have an interest in a demonstration project. She offered to meet with Ms. Fowler and Ms. Murphy to explore what else could be done.

There was further discussion regarding the need for education.

5. Rick Dotson

Stella Koch recognized Rick Dotson as a member of the Fairfax Water Board. Mr. Dotson noted that he was speaking as a private citizen and read from prepared comments, which are included as an attachment to this summary. Also included as an attachment are several slides he presented while providing his comments. His comments focused on Virginia's moratorium on uranium mining and the possibility that legislation would be introduced in the 2012 General Assembly to lift the moratorium. He raised several concerns with uranium mining, including: A lack of regulations in Virginia pertaining to uranium mining; exemption of uranium mills from the Clean Water Act; implications of uranium mining in a humid climate area on surface water resources; the volume of waste that would be generated by the proposed uranium mine at Coles Hill; implications of a high water table on containment pond design; legal uncertainties regarding liability in the case of contamination from Coles Hill; and the potential for uranium mining elsewhere in Virginia. He referenced a recent National Academy of Science study that identified "major hurdles" associated with uranium mining that would need to be overcome. He recommended that the moratorium on uranium mining be retained and asked EQAC members to work to keep this ban in effect.

Johna Gagnon followed-up on a statement from Mr. Dotson's presentation noting a representation from Virginia Uranium that it will run the safest mine in the world. Mr. Dotson referenced what he felt were likely to have been similar assurances from

Tokyo Electric Power in regard to the Fukushima Daiichi nuclear power station. Ms. Gagnon noted similar statements from BP in regard to its oil wells.

6. **Flint Webb**

Flint Webb focused his comments on adaptation to climate change. He expressed his view that EQAC's Annual Report did not sufficiently cover this issue and recommended that greater attention be paid to it. He noted that increasing concentrations of carbon dioxide in the atmosphere would result in increases in both drought severity and storm intensity, along with a rise in sea level resulting in increased coastal flooding. He stressed the need for the county to recognize these impacts and suggested the following:

- An update to floodplain maps to account for expected increases in flooding.
- A consideration of how climate change may impact capital improvements, including storm drains and the county's wastewater treatment plant.
- A consideration of increasing water retention in the Occoquan Reservoir in order to improve drought protection.

Stella Koch noted that a regional water supply plan would be considered by the Board of Supervisors on February 28. *[During EQAC's business meeting later in the evening, EQAC scheduled a briefing on this matter for its February 8 meeting.]*

Linda Burchfiel asked if the county had already updated its floodplain maps. Mr. Webb replied that the traditional process of updating these maps has been a retroactive, rather than a proactive, assessment. Stella Koch expressed interest in discussing this issue with staff.

Mr. Webb referenced EQAC's table on the reporting of environmental crimes. He suggested that EQAC members review photos that have been taken by the Friends of Accotink Creek showing illegal dumping, including automobile parts, electronic equipment and furniture.

7. **Pete Rigby**

Pete Rigby, with Paciulli, Simmons & Associates, stated that he was speaking as an individual citizen. He indicated that he had reviewed EQAC's Annual Report on the Environment and had a number of comments and suggestions:

- In the Water Resources chapter, he recommended support for county staff's efforts regarding Total Maximum Daily Loads. He expressed his view that the report needed to address this issue better. He later noted that, under EPA's TMDL approach, stream restoration would not be allowed as a means of mitigating stormwater runoff issues. He expressed support for county staff's efforts to question this limitation.
- With respect to natural resource inventories, he stressed the need to include threatened and endangered species.

- In regard to energy, he referenced federal government facility energy performance requirements for the year 2020; he suggested that EQAC should consider recommending similar efforts for the county.
- In regard to parks, he recommended that EQAC do what it could to encourage the Fairfax County Park Authority to allow innovative techniques in the design of its facilities (e.g, pervious pavement for trails).
- He recommended development of a countywide invasive management plan.
- In response to the comments from Ms. Fowler and Ms. Murphy regarding Franklin Farm, he stated that the county's stormwater maintenance program has a wonderful program through which dry ponds are planted; he noted that education to homeowner associations is part of this program.
- With respect to air quality, he noted that his homeowner association only hires contractors that used electric lawn mowers; he asked if county and park maintenance entities could implement similar contracts.
- In regard to upcoming TMDLs for bacteria, he noted that the county would be faced with the need to develop regulations to reduce pet waste. He requested that EQAC look into this for its next Annual Report.

Stella Koch thanked Mr. Rigby for his comments and noted, in particular, his concern about stream restoration. He requested that Mr. Rigby provide his list of issues to Noel Kaplan for distribution to all EQAC members.

Ms. Koch took issue with Mr. Rigby's contention that the Annual Report did not sufficiently discuss TMDLs, noting that she had included a substantial discussion of TMDLs in the Water Resources chapter. She noted that the hard copy report was only a summary report and that significantly more detail had been included in the detailed report, which was available electronically on the report CD. Mr. Kaplan suggested that Mr. Rigby could review the detailed Water Resources report and provide his ideas regarding how the TMDL issue could be better addressed in the hard copy summary report.

Rich Weisman picked up on Mr. Rigby's comment regarding innovative designs for trails and other recreational facilities. He expressed interest in getting more information from Mr. Rigby regarding innovative techniques that the county should try. Glen White noted the continuing tension between demands for recreational vs. natural uses on county park land. He stated that, if there are ways to design our recreational facilities in a more minimally-invasive manner, we should look into this.

8. Paul Haskell

Mr. Haskell, a member of the Brylin Park Association, raised concern about the lack of highway noise barriers along I-66 near his neighborhood (located between the East Falls Church Metrorail station and the point at which Silver Line trains will diverge from I-66 and follow the Dulles Access Road). He stated that the implications of

Silver Line service will be an increase in noise along I-66 and suggested that this concern is worth EQAC's consideration.

Linda Burchfiel noted that rail project is subject to Federal Transit Administration review. Both she and Stella Koch indicated that EQAC would look into this further.

Mr. Haskell stressed a need for a noise study within this corridor and noted his efforts to coordinate with Supervisor Foust, the Virginia Department of Transportation and State Senator Janet Howell.

Closing

Chairman Koch thanked everyone for coming out and participating.

Written Testimony

Mr. Kaplan noted that two people submitted written testimony prior to the public hearing. In addition, three people submitted testimony subsequent to the public hearing. Whitney Redding submitted testimony on behalf of the Broyhill Park and Raymondale Civic Associations; the others provided their testimony as individual citizens (rather than on behalf of a group). Each piece of testimony is attached to this summary. The people who provided this testimony, and a summary of the issues they addressed, are as follows:

A. Mary Jane Cobb Reyes

- Concerns about potential air quality impacts of the Energy/Resource Recovery Facility (referred to in the testimony as the Lorton incinerator) to the Mason Neck Area.
- Recommendation for air quality monitoring in the Mason Neck area to assess the potential for such impacts.
- Recommendation for a Fairfax County public education program on the detrimental health effects of the burning of wood.

B. Steven Bruckner

- Support for District Combined Cooling, Heating and Power Generation systems.
- Identification of Tysons Corner as having "singular relevance" in regard to this concept due to high planned density levels and economy of scale.
- Request for EQAC support to the Board of Supervisors, Planning Commission and Private Sector Energy Task Force.

- A description of three levels of this technology:
 - District Heating and Cooling systems.
 - Combined Heat and Power systems.
 - Combined Cooling, Heating and Power Systems with Ice Thermal Energy Storage.
- Identification of benefits of these systems.

C. Nancy Feeney

[Note: Ms. Feeney submitted several photographs showing construction on the site in question. These are included in the public hearing record as attachments.]

- Construction under way of the “TriCare” facility along the north side of Arlington Boulevard (Route 50) between I-495 and Fairview Park Drive/Jaguar Trail, per the Base Realignment and Closure (BRAC) process.
- Concern that this project has had insufficient review under National Environmental Policy Act (NEPA) requirements.
- Concern about significant impacts to her neighborhood (Raymondale) resulting from additional traffic.
- Concern about environmental impacts: clearing of trees/reduction in habitat; and, within the broader context of development and road projects in the area, noise pollution, stormwater runoff/impacts to aquatic and riparian habitat and light pollution.
- Concern about the status of a trail that had been proposed for Luria Park but that had been opposed by residents.

D. Kevin Feeney

- Concern about a Categorical Exclusion under NEPA that was provided for the TriCare project, in that the project is not a minor alteration of the interior of an existing building but is instead a more significant renovation with substantial clearing and with substantial traffic implications relating to security checks (and associated traffic backups).
- Concern regarding the issue of who issued the Categorical Exclusion and whether they had the authority to do this.
- Characterization of the Categorical Exclusion as circumventing the requirement for an Environmental Assessment under the NEPA process.

- Recommendation that development efforts be stopped until an Environmental Assessment and associated publications are prepared to address the transportation and environmental impacts and mitigation measures.

E. Broyhill Park and Raymondale Civic Associations, c/o Whitney Redding

- Copy of a January 25, 2012 letter to Laura Miller, BRAC Coordinator, Fairfax County Department of Transportation, outlining concerns from the Raymondale and Broyhill Park Civic Associations about the TriCare project.
- Concerns about traffic impacts to Arlington Boulevard, Jaguar Trail and nearby residential streets.
- Concern about the lack of community coordination during the design of the project.
- Environmental concerns due to developments in the area of Route 50/ I-495/ Merrifield, of which TriCare is merely the latest example.
- The environmental context of the proposal in light of VDOT road projects and other development projects in the area—concern about collective impacts.
- Request for documentation, improved traffic analysis; public disclosure of transportation information, including a rationale for the decision regarding the main point of entrance; habitat restoration; and improved community coordination.