

Environmental Quality Advisory Council

Annual Public Hearing—January 7, 2013

**Written testimony and materials referenced in the
public hearing summary**

Statement of

Jerry Peters, Director of Green Fire

before the Fairfax County Environmental Quality Advisory Council
7 January 2013 Public Hearing

My name is Jerry Peters. I am

- an environmental scientist, retired from a career solving environmental problems mainly for Federal agency clients
- Associate Director of Northern Virginia Soil & Water Conservation District which I represent as a
- Member of the Fairfax County Tree Commission
- Volunteer with the County Wildlife Biologist in support of the Deer Management Program and the Deer Management Working Group.

I am speaking as the founding Director of Green Fire, a non-profit organized to increase the values that people place on healthy wildlife habitats. Green Fire's near-term mission is to find ways and means to control over-abundant deer populations in Fairfax County. From the GreenFireWeb.com web site: "Second only to habitat conversion to urban uses, the greatest threat to habitat quality and wildlife diversity in eastern North America suburban forests is over-abundant deer."

The purpose of my presentation tonight is to recommend ways that Fairfax County's Deer Management Program can be made more effective. I will try not to repeat information already in the Wildlife chapter of the EQAC annual report.

First, I want to recognize the accomplishments of the County Wildlife Biologist, Ms. Vicky Monroe, who has significantly expanded the County Deer Management Program by including archery. She initiated the first successful archery hunts on two FCPA parks in 2009. (See Figure 1.) With strong support from the Fairfax County Park Authority, she grew the archery program to 20 parks in the 2011-2012 season. During that season, archers volunteered 9.5 man-years and took 30% of all deer culled in the County. No archers, no bystanders, and no pets have been injured during the three and a half hunting seasons that the archery program has been operating. And less than 5% of the deer hit have not been recovered, a rate that compares favorably with sharpshooting and shotgun hunts organized for the County Deer Management Program

The efforts of Ms. Monroe, FCPA, and more than 500 archers have demonstrated that archery is both safe and effective. The County Police Department received a National Association of Counties award in 2011 for the innovative archery program implemented by Ms. Monroe.

I also want to commend EQAC's support for the Deer Management Program. And I want to especially commend Frank Crandall, a member of the County's first Deer Management Committee in the late 1990's and author of the wildlife section of the EQAC Annual Report. The public should be aware that EQAC in 2008 recommended to the County Board of Supervisors that the Deer Management Program be reorganized due to inter-county coordination needs. I will return to that later.

I want to also commend the Virginia Department of Game and Inland Fisheries for recognizing the problems that over-abundant deer cause and for amending regulations to increase harvests, including:

- approving use of crossbows,
- allowing urban archery seasons before and after the gun hunting seasons, and
- relaxing bag limits, especially for does.

These changes support DGIF's long standing goal of reducing deer populations in northern Virginia counties. Updates to the State's deer management objectives show that deer over-abundance is spreading and that Fairfax County has been at the epicenter of the problem. (See Figure 2.)

These efforts have been necessary for the success of the Deer Management Program to date, but they are not sufficient. Fairfax still has an over-abundance of deer. Because deer have home ranges of less than a square mile, deer hunting in parks benefits only the parks and some fringe areas perhaps a quarter to a half mile from the parks. (See Figure 3.) During the 2011-2012 season, half of all deer culled in Fairfax County were taken from these parks.

Figure 4 shows how much forested land in Fairfax County is not covered by the County Deer Management Program. The other half of all deer taken in the County were from the rest of the County outside of our parks. Deer remain over-abundant across this landscape.

So, what can be done to improve the County Deer Management Program?

First, adopt the following goal for the Program:

Control deer populations

- using all practical means,
- on a landscape scale,
- guided by monitoring data.

"Using all practical means" for the time being involves making full use of archery. Archery has been demonstrated to be safe and effective, and in most of Fairfax County it is the only legal way to cull deer. Note that 90% of all deer legally taken during the 2001-2012 season in Fairfax County, both by the County program and by hunters on private properties, were taken by archers. Where shotguns and rifles can be used safely, opportunities to increase culling using guns should not be ignored, however.

“On a landscape scale” means across Fairfax County. The most significant limitation on deer hunting is getting access to huntable properties. More public properties and common properties owned by homeowner associations that provide habitat for deer need to be hunted, as does a significant fraction of residential properties in wooded, large lot neighborhoods.

“Guided by monitoring data” means collecting information about the damages deer cause so we can guide hunters to where they are needed most and know when enough deer are being harvested. This is different from trying to guess the proper “carrying capacity”, a traditional management concept based on deer density (number of deer per square mile). We do not need to count deer. We need to monitor damages caused by over-browsing of forest and horticultural plants, vehicle collisions, and deer contributions to the spread of Lyme disease. This approach will provide a sound basis for achieving Program results, an approach I call “manage the damages”.

I have a list of tasks to implement this goal. These tasks would build on the successes already achieved. There is not enough time here to review all the tasks. However, I’d like to highlight the most consequential:

- “Making full use of archery” requires, among other things, recruiting and training more archers.
- Establish standards for individual archers and archer groups based on respect for deer, game and trespass laws, property owners, other hunters, and any person encountered during a hunt.
- New efforts will be required to collect damage monitoring data. To be affordable, we will want to crowd source monitoring efforts to students, volunteer groups, and landowners. Protocols are needed that can be followed by non-professionals. Training sessions will be needed annually at a minimum.
- “Implementation at landscape scale” will depend on gaining landowner support for deer management. An effective education effort will need to demonstrate the many ways that landowners can contribute to deer management.
- Dealing with existing and new archers, many additional public and private landowners, and a tide of monitoring data will produce an information management challenge. Databases and a GIS are needed to make information management as cost-effective as possible.
- In order to implement the improvements that I am recommending as cost-efficiently as possible, existing expertise and manpower in County agencies and from other public and private partners should be accessed. As EQAC resolved in 2008, “... EQAC finds the current organizational arrangement significantly impairs the ability to effectively conduct the Wildlife Management Program and believes that the program functions and personnel should be relocated elsewhere in the county structure and at a level consistent with the broad range of required coordinative functions; ...” I support renewal of that resolution.

I have outlined the additional steps that can be taken to make full use of archery. But I will add a note of skepticism: Some wildlife conservation experts doubt whether deer populations can be adequately controlled by archers complying with the current,

recreation-based hunting regulations. I feel that we don't know whether that is true because no one has really made full use of archery or monitored the damages deer cause as I am proposing.

If, after making full use of archery, we find that existing hunting regulations are not sufficient to control deer damages, then I would suggest we petition the Department of Game and Inland Fisheries to move beyond its emphasis on recreational hunting and give us more tools to get the job done. For example, making sale of venison legal would be the fastest way to increase deer harvests. Allowing Sunday hunting would significantly increase opportunities for archers to take deer. Use of bait, night hunting, and trapping/stunning are unattractive options, but may be found necessary.

I remain available to EQAC, County agencies, archer groups, homeowners associations, citizen's groups, and motivated landowners to discuss deer management in Fairfax County. Contact me at:

Director@GreenFireWeb.com

703/757-0314

301/512-4762 (mobile)

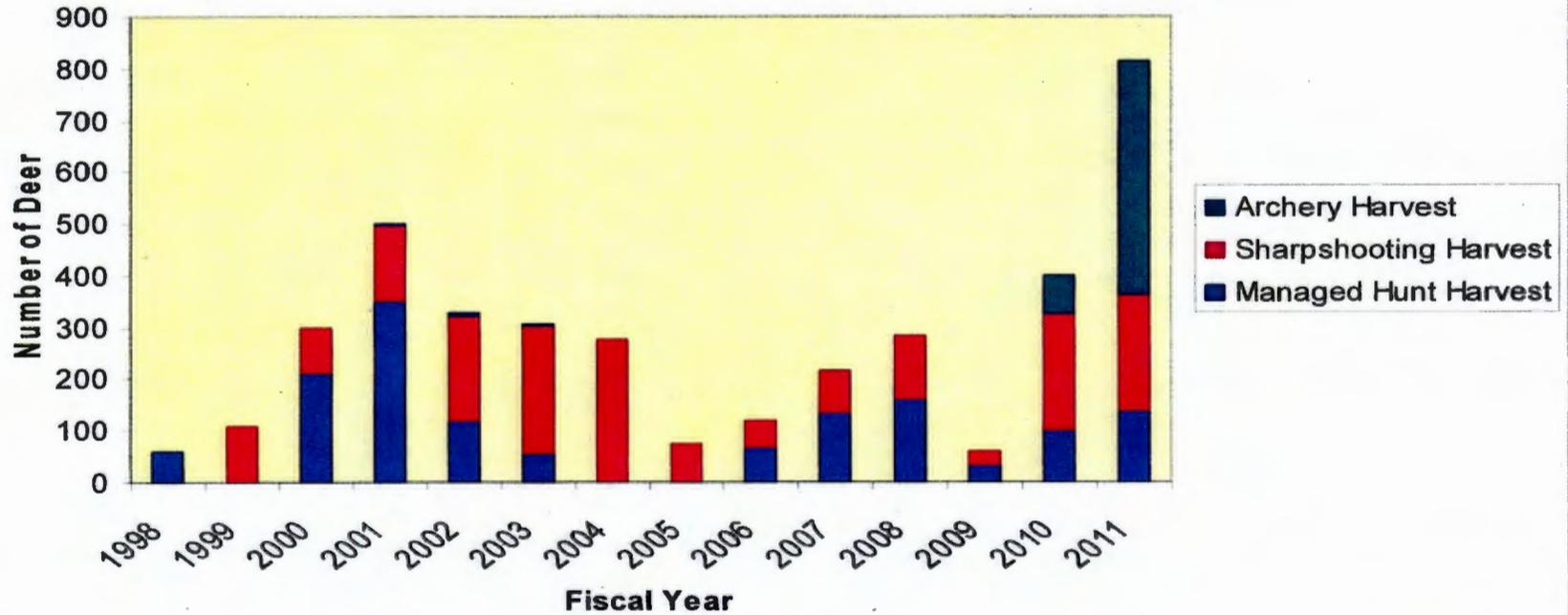
Figure 1. Chart of Deer Management Program deer harvests 1998 through 2011 from the Fairfax County Deer Management Report, FY 2010 – 2011.

Figure 2. 2006 DGIF deer management objectives from "Virginia Deer Management Plan, 2006 – 2015", Virginia Department of Game and Inland Fisheries, June 2007.

Figure 3. Fairfax County map showing FCPA and NVRPA parks identified for culling deer by the County Deer Management Program.

Figure 4 Fairfax County map showing forested land in Fairfax County that is not covered by the County Deer Management Program.

Fairfax County Deer Management Harvest by Strategy



Deer Population Objective



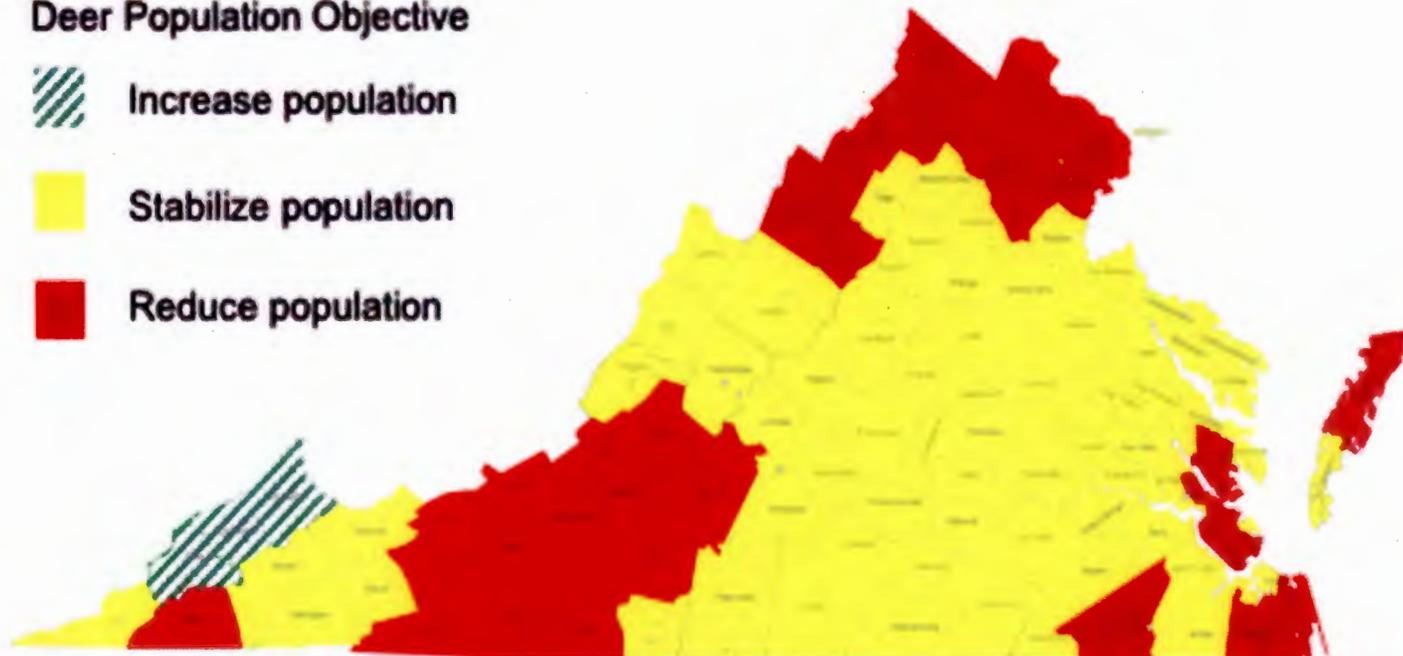
Increase population



Stabilize population

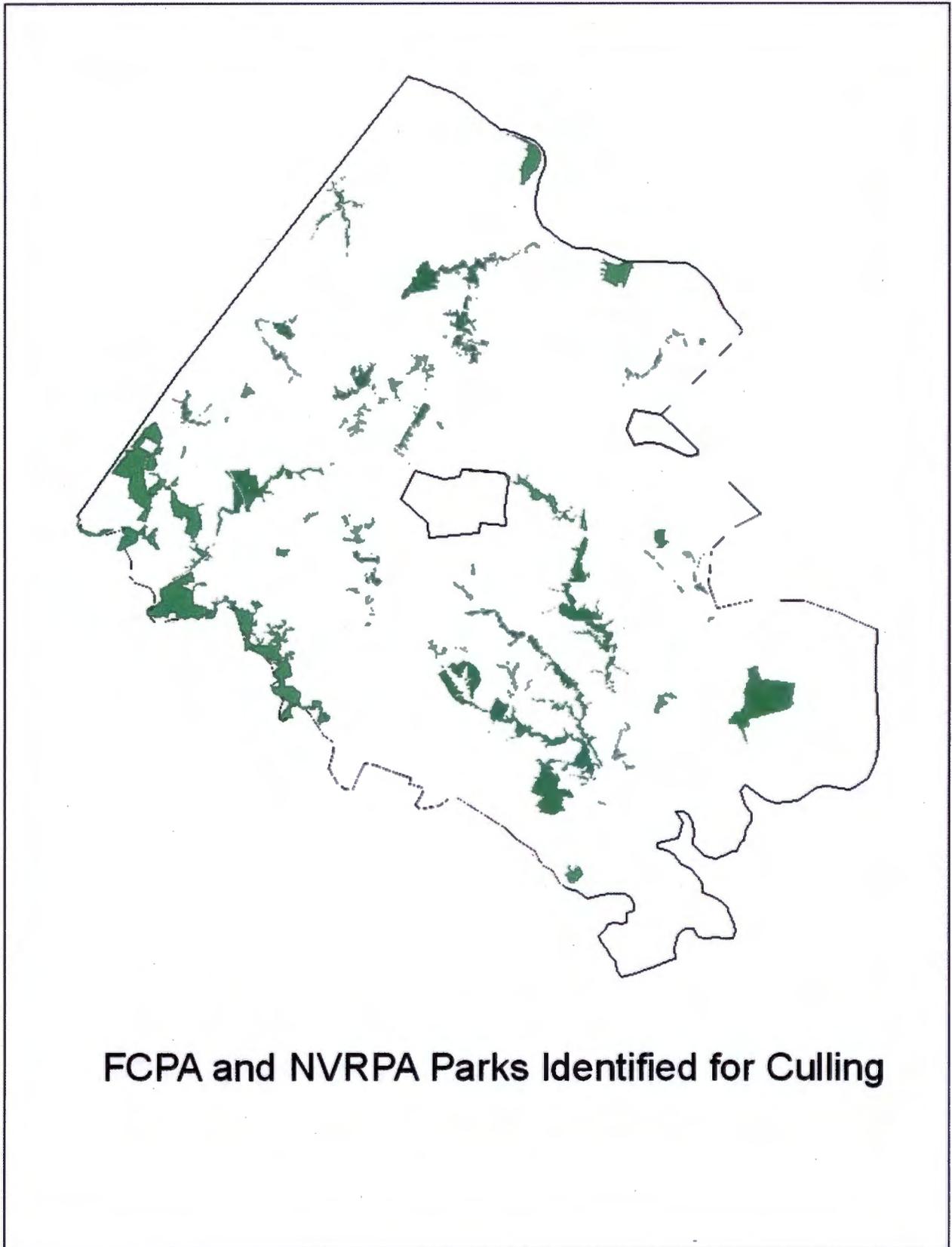


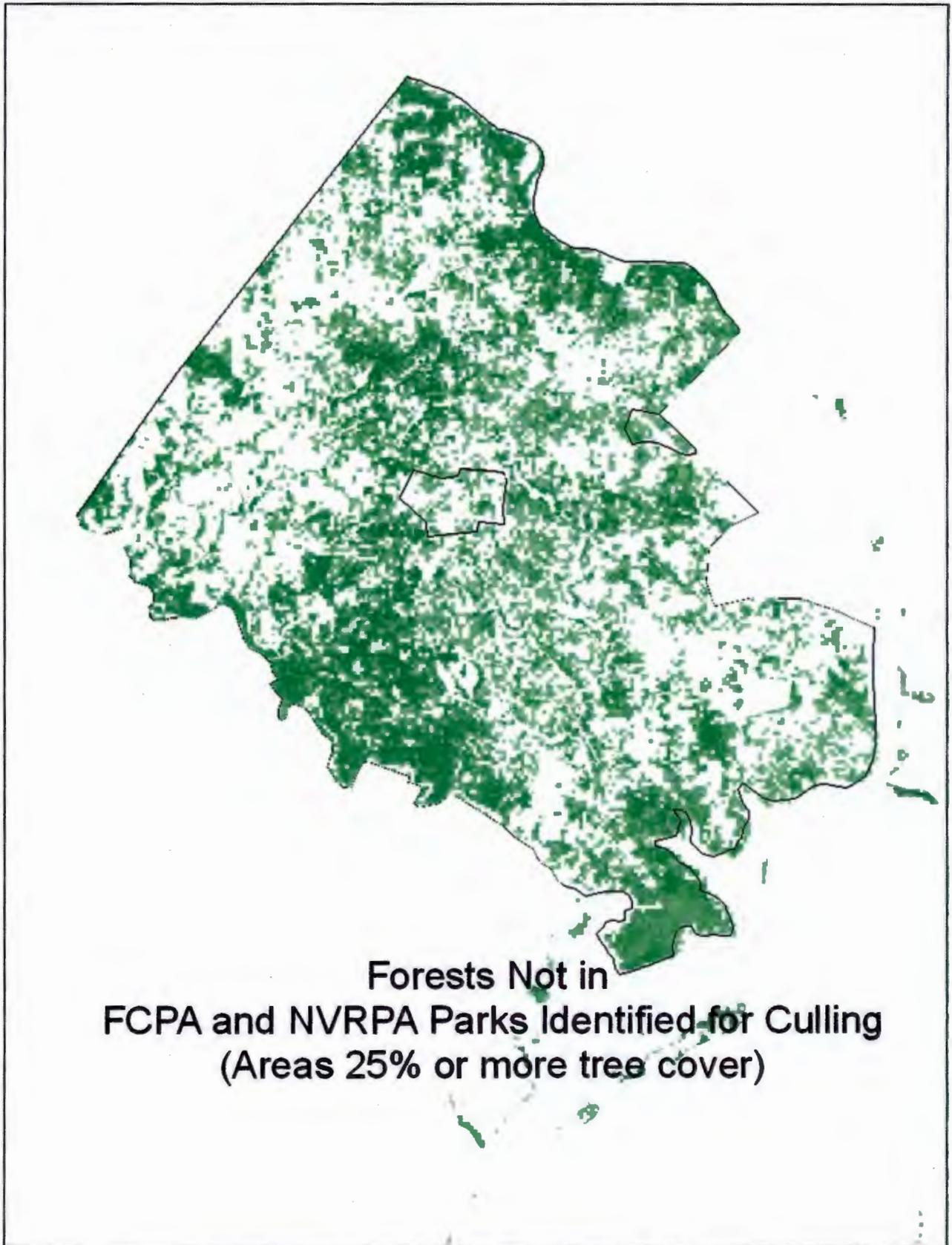
Reduce population



Note: Besides Chesapeake, Newport News/Hampton, Suffolk, and Virginia Beach, cities and towns are not considered deer management units.

Figure 23. 2006 private land deer population objectives. Updated objectives will be provided as addenda to the Plan on the agency website.





My name is Betsy Martin, and I live at 8707 Stockton Parkway, in the Mount Vernon district. For the past decade, I have organized cleanups of Little Hunting Creek, as part of the larger Potomac Watershed Cleanup conducted by Alice Ferguson Foundation. In 2012, the Friends of Little Hunting Creek picked up 245 bags of trash, 27 tires, and 49 shopping carts at 10 sites along the creek. 139 volunteers participated. On behalf of the Friends of Little Hunting Creek, I received one of the four Potomac Champion awards given by Alice Ferguson Foundation in recognition of cleanup efforts. As I said at the awards ceremony, I want to get out of the business of picking up other people's trash and litter.

There is way too much trash in our streams, along our roadsides, and blighting our neighborhoods. It is not only unsightly, but a hazard to wildlife and to public safety, and a source of toxics which affect water quality. And people care about it: a 2008 survey by Alice Ferguson Foundation of households in the Potomac River watershed found that almost 2/3 of respondents are bothered "a lot" by the litter they see. Two thirds would like to see state and local governments commit more resources to doing something about it.

I was disappointed that this problem received so little attention in the EQAC report. In future, I hope EQAC will make recommendations to address the very serious litter problem we have in Fairfax County. I have a few suggestions:

1. The report is quite laudatory about the 47% recycling rate that Fairfax County achieved for 2011. True, it looks good compared

to the state-mandated requirement of 25%—but it is not very impressive compared to nearby jurisdictions. Fairfax County ranked 12th among the 71 solid waste planning units in Virginia reported in DEQ's 2012 report. Fairfax County's 47% is much lower than Montgomery County's 57.6%—and Montgomery County has set a goal to recycle 70% of all waste by 2020. Fairfax County has no such goal, beyond the goal of continuing to meet the state-mandated 25%. Surely, we can do better than that. I would ask EQAC to recommend that Fairfax County adopt a recycling goal comparable to Montgomery County's, and then meet it.

2. The Mount Vernon Council of Citizens' Associations last year adopted a resolution in support of a *Citizens' Action Plan for Litter Prevention* that was prepared by its Environment and Recreation Committee, which I chair. The plan recommends 10 actions. One of our recommendations was a fee for disposable bags, and I was gratified to see that EQAC also has taken a position supporting a bag fee. Would EQAC please consider our report and our other nine recommendations, and act on them? They can be found on the MVCCA website at www.mvcca.org.
3. The Alice Ferguson Foundation annually sponsors Litter Enforcement Month in April. Last year, nine jurisdictions participated, 103 police officers received litter enforcement training, and a total of 850 reports and citations were issued for the month. Several jurisdictions in Virginia participated (Alexandria, Arlington, and Prince William County) but Fairfax County was not among them. Will EQAC please strongly urge

Fairfax County to participate in this year's Litter Enforcement Month? We should enroll some of our police officers in the litter enforcement training that will be conducted by Prince Georges County Police Litter Enforcement unit in preparation for Litter Enforcement Month.

From my vantage point, it is clear that our current policies fail to effectively address the litter problem. I hope that together we can come up with better policies and programs that prevent litter, and that EQAC will act more forcefully on this issue.

This is low-hanging fruit. There are policies and programs and laws that demonstrably reduce litter. It's not rocket science. This is not climate change, where the problems are so dauntingly complex, or stormwater runoff, which requires millions in infrastructure improvements. This should be easy, so we should get on with it.

Major Points of Glenda Booth to the Environmental Quality Advisory Council, January 7, 2013

South County Site

We very much appreciate the South County satellite location. Testifying here saves energy, time and money, cuts pollution and reduces our carbon footprint.

Land Use

The report commends many new developments like Tysons Corner and Merrifield, but once again ignores the smart growth and redevelopment potential of U.S. 1, the need for mass transit, parks and more visionary development in that vital corridor.

Climate Change

We commend the county's steps to address climate change. The county should --

- start planning now to adapt;
- reduce vehicle miles traveled such as short trips like driving kids to school;
- stop permitting big parking lots built for the day after Thanksgiving;
- support state and federal legislation to encourage less carbon-polluting energy;
- approve and encourage more smart growth with mass transit, walkable and bikeable communities.

Ecological Resources

- Thank you for including the Wetlands Board in your report. The Board will be moving to implement state law prioritizing living shorelines.
- The Wetlands Board needs EQAC's and the county's help in educating homeowners with shoreline property about the county's and state's laws.
- Restoration – The county is reaching buildout; there are very few natural areas left. This makes it more urgent to preserve and restore natural areas, to restore the ecology integrity of the county. The county should put a higher priority on the restoration of disturbed and degraded areas, since few opportunities remain to acquire natural areas.
- Merely preserving open space does not guarantee ecological integrity or provide ecological services as EQAC recognizes on page 42.
- The county should conduct a natural resource inventory and management plan (page 54). We should know what we have before we destroy it.
- County Parks – There is and has for a long time been an imbalance and underfunding in the funding of natural and cultural resources in the county parks budget. The Board of Supervisors should increase parks funding and the Park Authority should correct the imbalance that gives natural and cultural resources such a low priority.

- The county, schools and Fairfax Water should create more natural habitat and reduce grassy areas. The county should implement the Gerry Connolly natural landscaping plan for county properties. These steps could reduce costs, pollution, stormwater runoff and energy use from less mowing.
- Fairfax Water gave the Piedmont Environmental Council a grant to promote sustainable landscaping in Loudoun. EQAC should apply for a Fairfax County grant.

Fall Cankerworms

Thank you for monitoring fall cankerworm populations. Please pursue alternatives to the spray the county used in 2012, a control strategy that does not kill all caterpillars of moths and butterflies.

Waste/Litter

Please support the anti-litter plan developed by the Mount Vernon Council of Citizen Associations and urge the Board of Supervisors to adopt, implement and fund it.

Pesticides/Herbicides on School and Park Property

The county schools and parks use certain herbicides used to control weeds, chemicals which are probably approved by EPA.

EPA toxicity levels are based on an adult male, but children may be more vulnerable because, in part, their organs are developing.

The county should seek, evaluate and use alternatives to chemicals that do not kill all butterfly and moth larvae.

Conclusion

Northern Virginia is a prime example, a "poster child" of how development can fragment and degrade natural resources.

The report of the Audubon Society of Northern Virginia,, *Birds in Northern Virginia*, substantiates negative trends in abundance and distribution of many birds, particularly those that depend on quality natural habitat.

Eighty percent of the county's streams are in fair to very poor condition.

The county is in nonattainment for ozone, failing to meet air quality standards.

The Potomac River got grade of D down from D+ [Potomac Conservancy].

These metrics are sending us clear signals that we are degrading our environment, the very natural resources on which life depends. We can do better.

FAIRFAX COUNTY EQUAC PRESENTATION 1/7/13

- Good evening. My name is Phil Keipper, head of Design & Construction at Hilton Worldwide, based here in McLean.
- While Hilton is not opposed to the achievement of LEED certification at our properties, we have not adopted that designation as a mandatory standard for either our existing hotels or those that are in our development pipeline. Here's why:
 - **ADDITIONAL COSTS.** Depending on the level (Silver, Gold, Platinum) of certification, our owners report additional development costs of anywhere between 2.5% and 10%, sometimes more.
 - **LEED CERTIFICATION DOES NOT NECESSARILY MEAN HIGH PERFORMANCE.** Based on the LEED point system, it is possible that the additional costs incurred do not produce buildings that perform better.
 - **LIGHTSTAY...our answer to sustainability.**
 - Officially Launched in 2009 with specific 5 year goals.
 - A proprietary sustainability measurement system.
 - In force at over 3,900 hotels worldwide representing 10 lodging brands in 91 countries.
 - Tracks more than 450 million square feet of built space.
 - Has so far resulted in cumulative, quantifiable savings in excess of \$147 million.
 - Waste output already reduced by 20% system-wide...two years ahead of schedule.
 - Energy consumption and CO2 emissions will be reduced by 20% by Q1 2014.
 - 10% water consumption reduction by Q1 2014.
 - Due to our LightStay™ results, Hilton Worldwide maintains its ISO 14001 certification for Environmental Management Systems, which continues to be one of the largest ever volume certifications of commercial buildings.
 - **“MANDATE RESULTS, PROVIDE THE NECESSARY TOOLS, MEASURE PERFORMANCE, DRIVE ACCOUNTABILITY”**

Should Fairfax County do more to educate citizens about backyard composting of leaves and grass clippings and end curbside collection to reduce the negative impact on the environment and public health?

Testimony by Gretchen Giannelli to Fairfax County Environmental Quality Advisory Committee

January 7, 2013

Currently, Fairfax County citizens enjoy the convenience of seasonal curbside pickup of leaves and grass clippings, but I'd like to encourage Fairfax County to more actively promote grass and leaf recycling in citizens' own backyards and end or reduce curbside pickup.

The County began a YIMBY or Yes In My Back Yard program in the 1990s, but because it was optional, citizens chose to continue their habits of placing bags for curbside pickup. The program met with limited success and the County gave up on actively promoting it.

The County hires private contractors to haul away these organic materials from the curbside at a significant cost to the economy, environment and public health. In addition to consuming resources (fuel, cost to contractors, wear and tear and maintenance of trucks), causing traffic congestion, wear and tear on our roads, the trucks also contribute to more pollution in Fairfax County. The large heavy trucks create emissions like particulate matter (PM^{2.5}), oxides of nitrogen and carbon monoxide. This contribution is especially significant due to the seasonality of collection, April 1-Dec. 25, which includes the hottest months of the year when high temperatures combine with airborne pollutants to cause code yellow, orange and red alerts.

Truck emissions have a negative impact on public health by reducing the quality of the air that we breathe. Poor air quality impacts those with respiratory illnesses such as asthma and emphysema and is associated with heart disease.

Finally, when citizens give yard waste to the contractors to haul away they lose a valuable organic resource that they could use in their gardens and on their lawns to condition the soil and replace vital nutrients. Citizens then consume resources when they drive to stores to purchase mulches and fertilizers.

Fairfax County does support backyard composting and grasscycling and recognizes that they are important source reduction and reuse efforts to prevent yard waste from entering the MSW collection system (see Fairfax County Solid Waste Management Plan) but does not do enough to ensure that this takes place. I suggest ramping up an education campaign and to plan to reduce and/or eliminate the collection of curbside yard waste. The environmental, economic and public health benefits of grasscycling, leaf composting and even sustainable landscaping to reduce the percentage of turf planting should be explained to citizens. Mulching lawnmowers could be promoted and just as bins are provided for glass and paper mixed stream recycling, the county could offer modular composting bins for backyard leaves, grass and even food waste.

**Speaking Points for Frank Vajda, Chairman of the Park Authority Board
Environmental Committee – EQAC Testimony**

January 7, 2013

Good evening and thank you for this opportunity to speak with members of the Environmental Quality Advisory Council. Although there are many familiar faces gathered tonight, allow me to introduce myself. My name is Frank Vajda and this evening I speak on behalf of the Park Authority Board as the Mason District representative as well as the Chairman of the Resource Management Committee.

We met with you just before the holidays, and as always the gathering was informative and productive. Over the years, the relationship between the Park Board and EQAC has matured and prospered. We depend on your advocacy and assessment of the environmental issues we face in Fairfax County. And let me be clear that the Park Authority Board recognizes and appreciates the importance and effectiveness of your support.

We see proof of the power of EQAC's advocacy as evidenced by continuing support by the Board of Supervisors for stewardship projects, as well as the passage of the Park Bond which contained several stewardship-related projects and as a whole, the wide-ranging raising of awareness that results in the county's increased commitment to environmentally sound practices and policy. I think it's fair to say that EQAC has also helped the Park Authority get comfortable with both sides of its mission and elevate the protection of our natural resources internally and externally.

Let me touch on a few of the timely issues of concern. Now, more than ever we need financial resources to continue our work in protecting our natural capital. We all understand the reasons for and the benefits of adopting policies that support and encourage the protection and enhancement of our open spaces. We can no longer simply warehouse these properties. This realization has been a long time coming and clearly remains underfunded – even with limited bond funding.

We are currently underway with a pilot Forest Management Program at Ellanor C. Lawrence Park. It is a promising endeavor, staffed by experts from within our ranks and other agencies -- so standby for the results and the creation of a model applicable county-wide. With these new tools, our ability to proactively manage our 23,000 plus acres will be significantly increased -- providing adequate funding is in place.

Another critical issue remains the redevelopment of Tysons and other urban corridors of the county. Our newly adopted Urban Park standards and our success in coaxing developers into sharing in the responsibilities for provision of parkland and recreational amenities are inspiring. In Tysons, as this transformation to a livable downtown begins in earnest, we are well-positioned to ensure citizens have ample opportunities for green space and play even among the skyscrapers.

Our planning staff will be developing our new Needs Assessment over the coming months. This will provide vital information that will influence park bonds and the park system development for the next decade. It goes without saying that we will request and depend on your input to help us craft this vital document.

In order to more effectively assess and manage our natural capital, our natural resource management staff will be revising the agency Natural Resource Management Plan in 2013. With input from EQAC and other significant stakeholders, we will not only update this critical document, but refocus the new plan on how to adaptively manage our natural resources and prioritize where we invest the funding that we have.

So here we are adjusting to the New Year. As 2013 dawns we need your assistance more than ever. Lean times have taken its toll on the Park Authority. There are no easy fixes or reductions we can take to meet our budget mandates. Not only are our General Fund programs at risk, but even our Revenue Fund sites and services are under increased pressure as the County looks to agencies to cover infrastructure and administrative cost. Collectively, we must determine what the future of parks in this community will look like and how they will function. We will be undertaking this herculean task and looking to you again for support and guidance. These are challenging times that require great patience and recognition of our core mission and values.

The natural capital in Fairfax County parks plays a major role in cleaning our air and water, regulating regional temperatures, and providing open space that contributes to a high quality of life for both residents and wildlife. Environmental services provided by Fairfax County parks are invaluable.

We see these natural areas are stressed by human use and disturbance, the introduction of invasive species and deer overpopulation. Just like a home that requires regular maintenance and upkeep, natural areas require management to ensure they continue to provide the environmental services residents expect and rely on. Allocating resources towards the restoration and management of our natural capital is investing in the county's future. I ask you to keep that in mind as you speak with the leaders of this community.

Albert Einstein wrote, "We shall require a substantially new manner of thinking if mankind is to survive." His words are worthy of consideration and I ask that together we look for new approaches to old problems. Whether its storm water management, deforestation and the loss of habitat, invasive species, deer management or any other number of environmental threats, we must stand together and work towards a more holistic approach to managing our resources, expanding our stewardship goals and measuring our successes. This adaptive environmental management is a needed course of action with great benefits for all. Thank you for your kind attention and good night.



Clean Land, Safe Water, Healthy Lives



January 7, 2013

Clara Elias, Program Associate, Alice Ferguson Foundation
Trash Free Potomac Watershed Initiative

Fairfax County Environmental Quality Advisory Council, Public Hearing on the Environment

My name is Clara Elias and I represent the Alice Ferguson Foundation and our Trash Free Potomac Watershed Initiative. The Alice Ferguson Foundation, an environmental education nonprofit, has been working with our numerous partners throughout the region to end the litter and trash problem in the Potomac and its tributaries. We seek to solve this pervasive problem not just through cleanups, but also through actions to end litter at its source. We can and will achieve a trash free Potomac, but that will occur only when we have the institutions, infrastructure, and policies in place that will lead to a lasting reduction in litter. We are here today to encourage the Environmental Quality Advisory Committee to help support these elements within Fairfax County.

Litter is a pressing issue that threatens the health of our communities and our environment, one that has been linked to economic impacts such as reduced house prices and tourism. The Alice Ferguson Foundation has been hosting the annual Potomac River Watershed Cleanup for the last 24 years, and last year alone we removed over 178,000 pounds of trash from Fairfax County with the help of our partners, such as Fairfax Trails and Streams, Friends of Accotink Creek, and Friends of Little Hunting Creek. Working with a total of 2,300 volunteers at 67 sites this trash was removed from the roads, streets, parks, streams, ponds and lakes in Fairfax County. It is also a costly issue, one that cost the state of Virginia roughly \$5 million a year in tax payer money according to Clean Fairfax.

One of the key ways to address the problem of litter is through public education and outreach. We would like to commend Fairfax on several of their programs that work to educate and raise awareness in the public through the Report-a-Litterer and Cigarette Litter Campaign as well as through the Regional Litter Prevention Campaign.

The Regional Litter Prevention Campaign was developed by the Alice Ferguson Foundation in collaboration with our partners and consultants to change littering behaviors of residents in the Potomac Watershed. Released in 2011, after 2 years of social marketing research on citizen's attitudes towards littering, the Campaign was designed to provide an innovative, empowering message, "Take Control. Take Care of Your Trash," and an additional tag line, "Your litter hits close to home," to remind people that their choice to litter can have a negative impact on their personal space and on those they care about. From this research we have created a toolkit of communication items, which are available for use by partnering jurisdictions and agencies, including Fairfax County. Fairfax has a point person who has been working to disseminate the campaign but lacks the funds with which to implement it. We ask that you recommend a more robust budget for the Department of Public Works and Environmental Services to implement this Litter Prevention Campaign. Behavior change is challenging but we will only have lasting change if make an effort to deploy this Litter Campaign and we want Fairfax County to be a part of this solution.

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Another way the Environmental Quality Advisory Committee can help promote a change in littering behavior is by urging the Board of Supervisors to pass a resolution in support of the statewide legislation that would place a five cent fee on disposable plastic and paper bags, one that is avoided if customers bring their own bags. By providing an incentive for the public to reduce their dependence on single-use bags, this legislation will help reduce the amount of plastic bags that are littered. The results from our Annual Potomac River Watershed Cleanup in April have shown a 50-60% reduction in plastic bags in the jurisdictions that have passed similar legislation. During last year's Cleanup, we removed an estimated 6,000 plastic bags from Fairfax County alone, so we know this kind of source reduction legislation is critical.

While we work on changing behavior, it is also important for Fairfax to address the trash that continues to litter our communities and our waterways with trash-reducing infrastructure, such as in-stream trash reduction technology, commonly called trash traps. These trash traps capture floating debris, such as food wrappers, plastic bags and beverage containers. While Fairfax has implemented important stream restoration projects, trash-specific measures are needed to more effectively remove trash from the environment. Such measures will help the county comply with the storm water permit that is planned to be released this year. The District of Columbia has several different styles of traps and in a single stream one trap can capture on average from 3-8 tons of trash a year. Trash traps serve as a valuable stopgap solution while the county works on changing littering behaviors. There are other trash reduction techniques that could be considered including improving efficiency of street sweeping, street side containerization, and storm drain screens.

It is clear that litter is a major issue for Fairfax County, one that cannot be ignored. Now is the time to act. Together we can work to get the institutions, infrastructure, and policies in place that will lead to a lasting reduction in litter. This year you can do this by improving funding for the Regional Litter Prevention Campaign, passing a resolution in support of the bag bill and working to implement stormwater technology that will remove trash from the waterways in Fairfax County.

Thank you.

Thank you for the opportunity to speak to the Environmental Quality Advisory Council. My name is Alan Ford and I reside in McLean in the Dranesville District

I am concerned about the state of the undeveloped spaces in our county. I am a naturalist and among other activities I volunteer with Fairfax County Park Authority in the Natural Resources Management Division as an Invasive Management Area Early Detection Rapid Response site leader. I would like to take this opportunity to commend the Park Authority for their appreciation of the value and importance of the land in their care and active efforts to protect the parkland including the Stream Valley Parks.

Firstly, I refer to your support for implementation of the Park Authority Natural Resource Management Plan in the 2012 Annual Report on page vi of the Introduction and again on page 54. I echo the comments of my friend Glenda Booth in appreciation of the prominent placement of this issue in the report. I strongly urge your continued support for this initiative.

Secondly, I would like to echo the testimony from my friend and colleague Jerry Peters regarding Deer management. During my field work as a volunteer I see the stress and damage to our native plants from deer browse. We continue to have a serious overpopulation problem with White Tail Deer. This native species no longer has their natural predators to keep population in balance and our suburban landscape is prime habitat. Currently a significant cause of mortality for the White Tail Deer is collision with automobile. According to one study each year in the US more than 29,000 people are injured and more than 200 lose their lives in deer-vehicle collisions.¹ Deer are also directly implicated in the transmission of Lyme Disease. This potentially debilitating virus is carried by deer and transmitted to humans by the black legged tick. Deer population control needs to be recognized as critical to protecting our natural areas. I want to thank the Council for their well-developed and reasoned analysis in the 2012 Annual Report, (section VIII on page 55.)

Finally, I speak in concern of the conflict between the desired goal of increased tree canopy and uninterrupted electrical service which cannot be overstated. I frequently witness contractors removing trees near existing power lines. While I appreciate this need, some additional attention should be given to protecting tree canopy from unduly aggressive trimming. Successful implementation of the County compliance with the Clean Water Act Chesapeake Bay Ordinance will be aided by any actions taken to protect the tree canopy.

Thank you again for the opportunity to speak with you this evening.

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¹ White-Tailed Deer, Wildlife Damage Management Fact Sheet Series, Cornell Cooperative Extension, Ithaca, N.Y. ©2001 by Cornell University. http://wildlifecontrol.info/pubs/documents/deer/deer_factsheet.pdf

Date: January 7, 2013

To: Fairfax County Environmental Quality Advisory Council

From: Sheila Dunheimer

I am a resident of Fairfax County. I would like to express my gratitude to the EQAC for the great work that you do to help us maintain a wonderful quality of life in Fairfax County. Unfortunately, I was unable to attend the Fairfax County Public Hearing on the Environment tonight. Therefore, I'm submitting written remarks outlining my recommendation/request that the EQAC be formally represented on the new task force established under the leadership of the Department of Planning and Zoning to "develop recommendations on how to update and modernize the sign ordinance as it pertains to moving copy, flashing, and intermittent lights and visuals on electronic signs" (per the Clerk's Board Summary of the Fairfax County Board of Supervisors' 9/11/12 meeting where only the additional inclusion of the Park Authority and School Board were motioned and voted on by Board Members.) The EQAC 2012 Annual Report on the Environment, Chapter 9, entitled "Noise, Light Pollution and Visual Blight" notes that "the Department of Planning & Zoning has established a task force that is currently developing specifications for revisions needed for a comprehensive sign code/ordinance". However, the report doesn't specify if the EQAC is "officially" involved. I think it is absolutely necessary that the EQAC become a "voting member" of this task force – so they can represent the interest of those citizens of Fairfax County who are concerned about Light Pollution and Visual Blight!

Under the topic of "Visual Blight", I believe that a HUGE point any task force should consider, and establish, is the definition/purpose of a "sign" vs. a "message board". A "message board" produces "VISUAL SPAM"/ visual pollution. Virginia actually has pretty strict laws preventing e-mail SPAM. How different is a "message board" for drivers that have not "subscribed" to receive these "messages" that are forced on them vs. e-mail SPAM? There are many other avenues (websites, Facebook, Twitter, printed newsletters, etc.) that any establishment can utilize these days to communicate messages to their "subscribers"/customers. Residents and drivers don't have a way to "opt out" from the 24 hour message boards that have already been installed in the county. The task force should also define the quantity of sign(s) allowed, and what constitutes a single sign structure. For example, is a V-backed connection of two independent message boards one or two signs?

Under the topic of "Light Trespass", the EQAC has defined "light trespass" as the poor control of outdoor lighting such that it crosses property lines and detracts from the property value and quality of life of those whose property is so invaded." The EQAC has also stated that "Urban Sky Glow"/improper lighting has seriously degraded the darkness of our local night skies into a pallid luminescence that many of our residents find objectionable." Thus, I would like to recommend that any LED signs should have day and night lumen standards and hours of operation. To this end, someone should officially compare the day and night lumens currently being produced by existing LED signs and compare these values to current Fairfax County standards. Brightness, as well as timing boundaries for messaging, should be tied to speed limits on adjoining roads and zoning. I would also recommend that someone utilize a "headcam" to document a driver's true view (different times of day and night) of any existing LED signs in Fairfax County. This would allow everyone on the task force, Dept. of Planning and Zoning, and Board of Supervisors the opportunity to see how one's driving/walking/cycling experience can be totally destroyed by such LED message boards - particularly with any signs that exist in residential zones and/or adjacent to scenic byways.

The EQAC 2011 Annual Report on the Environment, Chapter 9, entitled "Noise, Light Pollution and Visual Blight" (section D - Current County Standards & Regulations) mentions "that Fairfax County now has a generally excellent ordinance that prescribes limits for maximum wattage of light sources and for the amount of illumination and glare in commercial and residential districts. The report also cites that the "Fairfax County Policy Plan: The Countywide Policy Element of Comprehensive Plan (2007 Edition) recognizes the nuisance of light emissions arising from increasing urbanization and recommends that efforts be made to avoid creating sources of glare that interfere with residents and/or travelers' visual acuity". However, it seems that current state law allows existing installations to be in noncompliance until "such time as the fixtures requires replacement." Hopefully noncompliance transition assistance can be addressed as well, so no LED sign is grandfathered, thus enabling implementation of any new recommendations as soon as possible.

It appears that the last time the Board of Supervisors did a "comprehensive review" of the sign ordinances was 1982! The evolving technology has advanced well beyond existing sign ordinances across the country – as numerous governing bodies are discovering. Currently the Fairfax County sign ordinances have less public review and consideration for "Context Sensitive Design" than does the process for approval of our telecommunication towers. I've attached a list of any zoning ordinance amendments pertaining to signs and telecommunication towers that have been adopted in Fairfax County since 1978 and attached a great slide presentation regarding "Context Sensitive Design". Hopefully, the EQAC can utilize these references in future task force discussions.

Context Sensitive Design

Wiehle Ave./Reston Parkway
Project Advisory Committee Meeting
January 16, 2007

Context sensitive solutions (CSS) is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist." -Federal Highway Administration

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Why Context Sensitive Design?

- Many roadway design guides tended to be “one-size” fits all (or at least that’s how they were interpreted in practice)
- The design of roadways affects how drivers perceive proper behavior
- Roadway design should encourage the behavior that is consistent with the environment in which the facility is located

Principles of Context Sensitive Design

- Context determines the priorities given different users of roadways and other public spaces
- Context determines the target speed for vehicle operations
- Context determines the appropriate design level-of-service for each mode

Context Sensitive Design

- The project **satisfies its purpose and needs** as agreed to by a wide range of constituents. This agreement is forged in the earliest phase of the project and amended as warranted as the project develops.
- The project is a **safe facility for users** of all ages and abilities as well as for the surrounding community.

Source: Mass Highway Department, Project Development and Design Guide

Context Sensitive Design

- The project meets **minimum design standards** for accessibility for people with disabilities and gives attention to universal design principles.
- The project is **in harmony with the community** and preserves environmental, scenic, aesthetic, historic, and built and natural resources of the area.

Source: Mass Highway Department, Project Development and Design Guide

Context Sensitive Design

- The project is well managed and involves **efficient and effective use of the resources** (time, budget, community) of all involved
- The project is designed and built with the **least possible disruption** to the community.
- The project is seen as having **added lasting value** to the community.

Source: Mass Highway Department, Project Development and Design Guide

Roadway Design Features

- Target Speed
- Lane Width
- Curb return (turning radius)
- Landscaping
- Sidewalk width
- Pedestrian Crossings

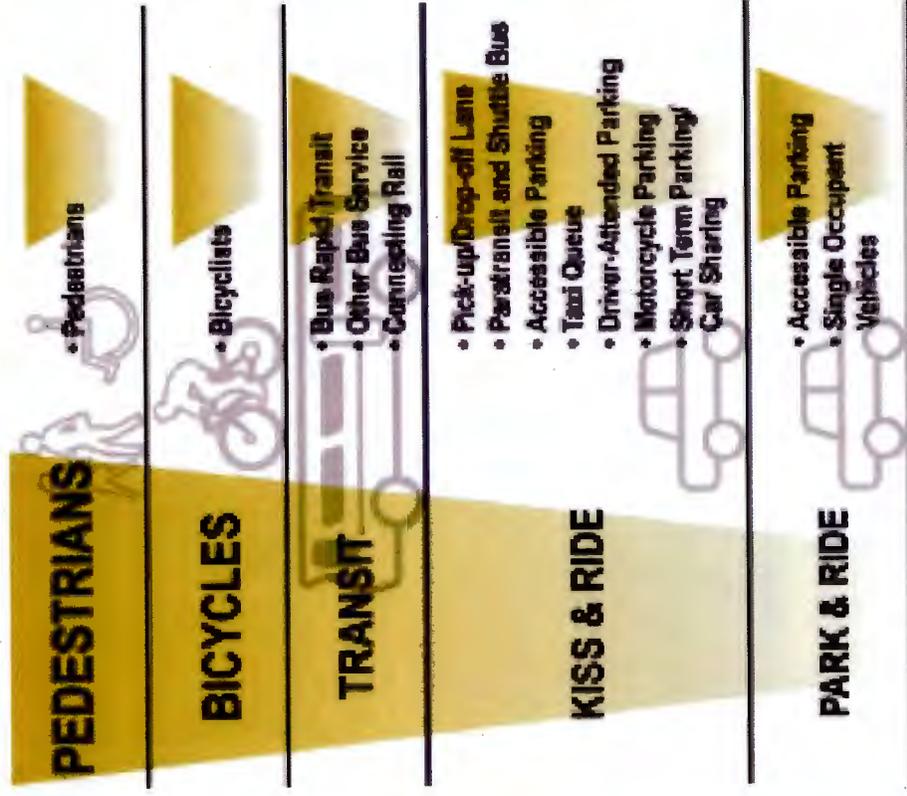
Context Sensitive Project Development

- **Early planning and evaluation** so that project needs, goals and objectives, issues, and impacts can be identified before significant resources are expended.
- Ensure context sensitivity through an **open, consensus-building dialog** with project constituents.
- Achieve **consistent expectations and understanding** between project proponents and those entities who evaluate and prioritize projects
- Facilitate efficient allocation of resources based on **pre-established project selection criteria** and consistency with local, regional, and statewide priorities.

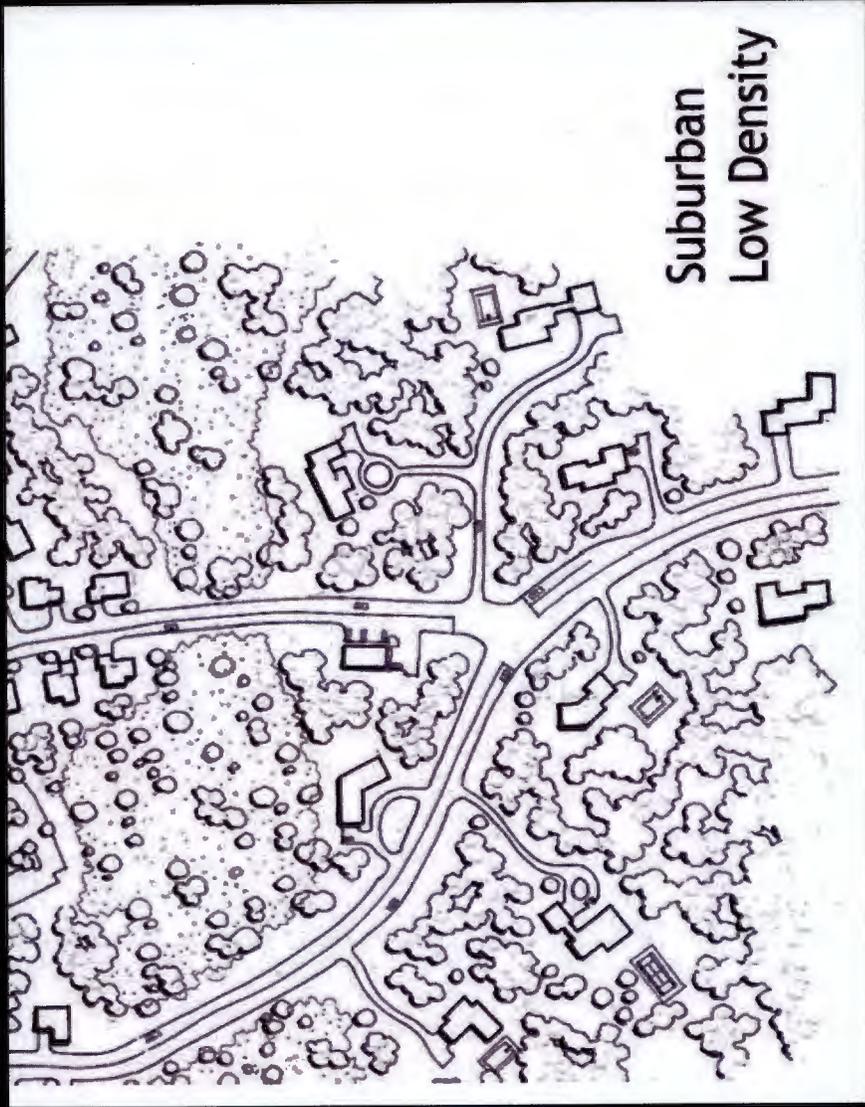
Source: Mass Highway Department, Project Development and Design Guide

WMATA Access Mode Priorities

FIGURE 1-1: ACCESS HIERARCHY

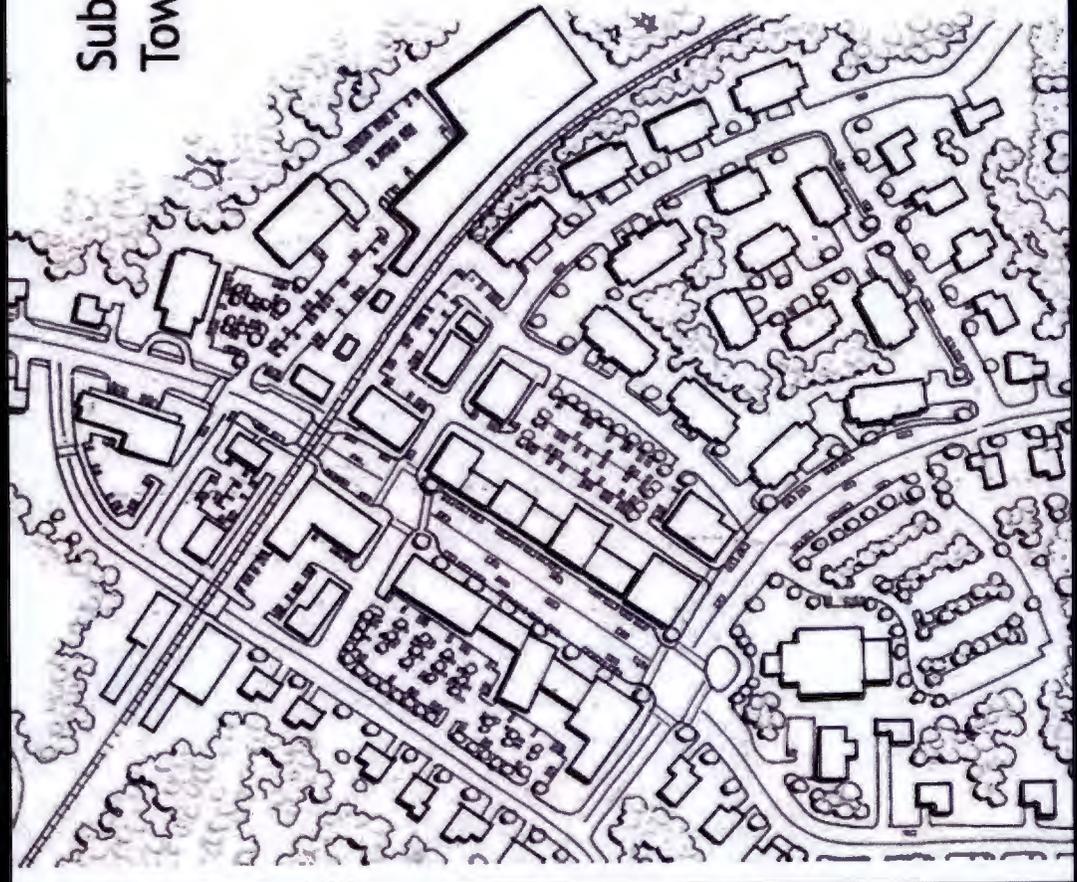


Planning Contexts



Planning Contexts

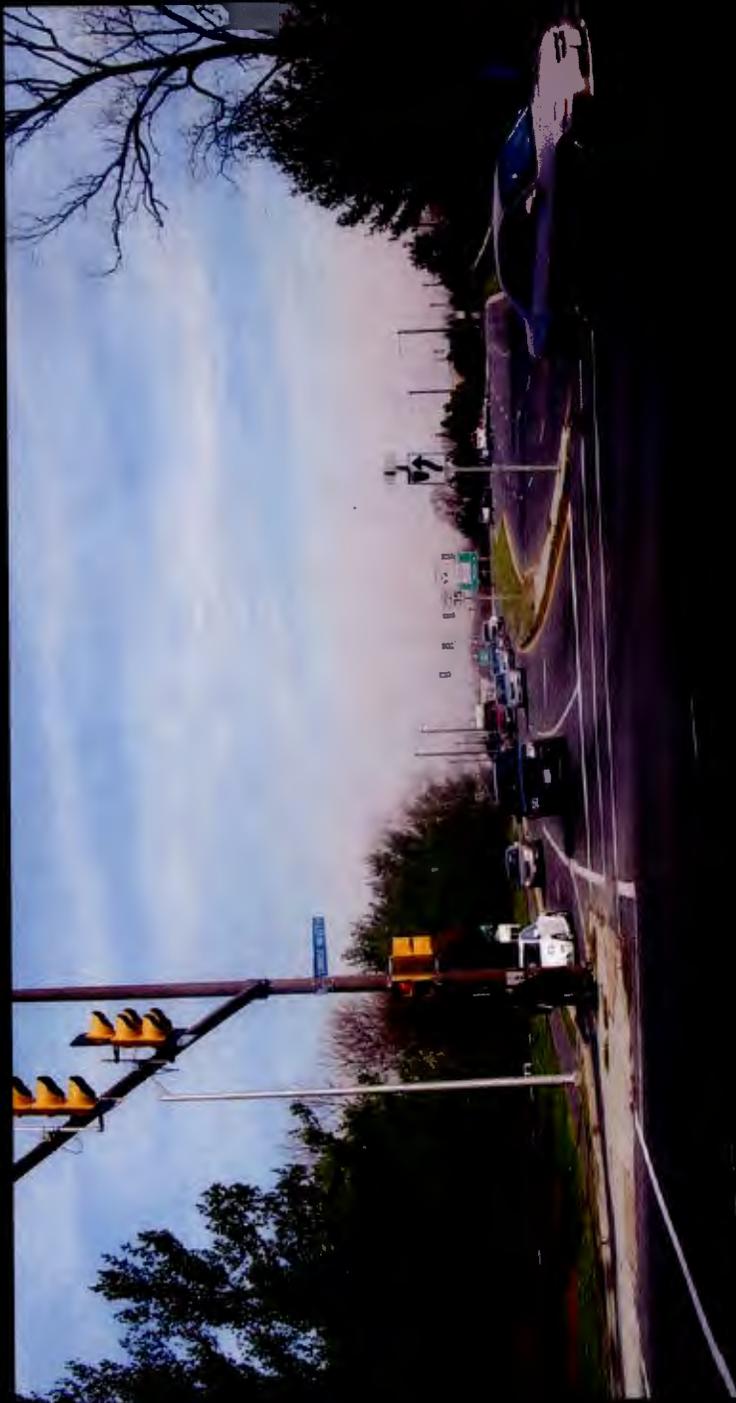
Suburban
Town Center



Planning Contexts



Current Context



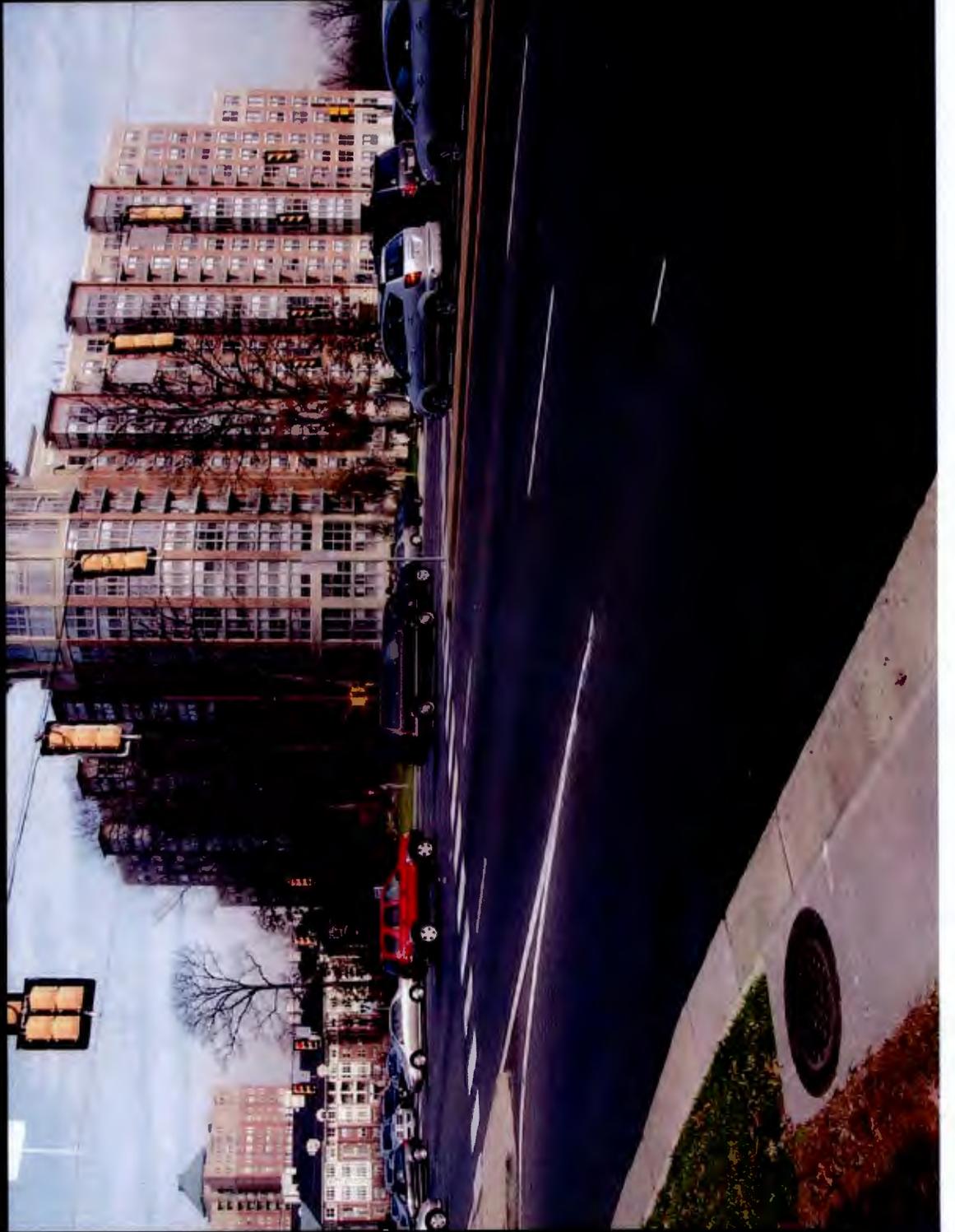
Current Context



Current Context



Current Context



1978 ZONING ORDINANCE AMENDMENT INDEX WITH GRANDFATHERING PROVISIONS

The following index contains a listing of all amendments to the current Zoning Ordinance that have been adopted by the Board of Supervisors since the effective date of the Ordinance on August 14, 1978. This listing contains a brief summary of each amendment and should not be construed as being a complete summary. The index also contains the adoption date of each amendment and the effective date of most amendments. More detailed information on any amendment may be obtained by contacting the Zoning Administration Division of the Department of Planning and Zoning at (703) 324-1314. 1

ADOPTION OF ORDINANCE - The Zoning Ordinance was adopted on June 12, 1978 and became effective on August 14, 1978 with grandfather provisions.

The following grandfather provisions apply to Sect. 2-103 of the Zoning Ordinance (Chapter 112 of the Code of the County of Fairfax), as adopted and amended on August 14, 1978 and also apply to the Subdivision Ordinance (Chapter 101) and the Public Facilities Manual as follows:

Grandfather Provisions

Amendments to the Subdivision Ordinance (Chapter 101 of the Code of the County of Fairfax), the Zoning Ordinance (Chapter 112), and the Public Facilities Manual shall become effective upon adoption unless otherwise specified; provided however, that unless otherwise specified, the following will be grandfathered for the features shown thereon under prior ordinance and provisions so long as the due diligence standards set forth below are met:

- a) an approved preliminary subdivision plat or bona fide preliminary plat submitted and accepted for at least sixty (60) days;
- b) an approved final subdivision plat;
- c) a bona fide public facility construction plan submitted and accepted for review;
- d) a bona fide site plan submitted and accepted for review;
- e) an approved grading plan;
- f) provisions of an approved special exception or special permit; provided however, that amended provisions shall govern to the extent that they do not preclude the use and the approved features; and
- g) approved site plan waivers and exceptions and subdivision waivers.

Due Diligence Standards

Grandfather status shall be retained only as long as the following deadlines are met:

1. Subdivision construction plans, submitted pursuant to an approved preliminary plat, shall be filed within twelve (12) months of preliminary plat approval. If corrections are deemed necessary by the reviewing authority, revised plans shall be filed within six (6) months of return to the developer or his authorized agent; provided however, that the Director may extend the time period when due diligence has been evidenced but a problem beyond the developer's control prevented correction and resubmission. A resubmission necessitated solely by a previously noted correction shall not extend the time limitations. The first section of a preliminary plat to be developed as a multi-section project showing more than one section shall meet these requirements. Additional sections shall be filed for review within at least twenty-four (24)- month intervals; provided however, that all sections must be of record within five (5) years of the original date of preliminary plat approval unless an extension is granted by the Board of Supervisors.

Executed agreements and bonds, escrows, easements and fees shall be submitted within six (6) months of the date of transmission of the permit package to the developer; provided however, that any easement which the Board of Supervisors has agreed to condemn shall extend this time frame for easement acquisition only.

2. Final plats shall be filed for review within ten (10) months of approval of the subdivision construction plans and recorded within three (3) months of approval of the final plat. Final plats for subdivisions not requiring construction plans shall be filed within ten (10) months of preliminary plat approval and recorded within three (3) months of approval of the final plat.* If corrections are deemed necessary by the reviewing authority, a revised plat shall be filed within two (2) months of its return to the developer or his authorized agent; provided however that the Director may extend the time period when due diligence has been evidenced but a problem beyond the developer's control has prevented correction and resubmission.

3. If corrections are deemed necessary by the reviewing authority to a bona fide site plan submitted and accepted, a revised site plan shall be submitted within six (6) months of its return to the developer or his authorized agent; provided however, that the Director may extend the time period when due diligence has been evidenced but a problem beyond the developer's control has prevented correction and resubmission. A return necessitated solely by a previously noted correction shall not extend the time limitations.** Executed agreements and bonds, escrows, easements and fees shall be submitted within six (6) months of the date of transmission of the permit package to the developer; provided however, that any easement which the Board of Supervisors has agreed to condemn shall extend this time frame for easement acquisition only.

4. Building permits under an approved site plan must be obtained within the life of the site plan. Building permit applications or a request for extension of the site plan must be filed within eleven (11) months of the original site plan approval. If a site plan extension is granted, building permit applications must be filed at least one (1) month before it expires. Within a multi-phase site plan, building permit applications for subsequent phases shall be filed for review at least twenty-four (24) month intervals; provided however, that all building permits for all phases shall be obtained within five (5) years of the original site plan approval unless an extension is granted by the Board of Supervisors.

5. Construction shall begin within six (6) months of building permit issuance or authorized extension thereof.

6. Approved site plan or subdivision waivers and exceptions shall become void after twelve (12) months unless the appropriate subdivision plan, plat, site plan, grading plan, building permit or non-residential use permit has been approved.

* Preliminary subdivision plat approval may be extended when construction plans and final plats have been submitted and are proceeding in accordance with Paragraphs 1 and 2.

** These grandfather provisions do not affect any procedure or time limitation for the acquisition or retention of rights for sewer capacity which procedures and rights are governed by other policies, regulations and/or ordinance of the County.

Sign/Telecommunication Tower Amendments:

ZO-79-18 SIGNS – Permanent adoption of emergency amendment allowing, during periods of emergency gasoline shortage, additional signs at service stations identifying hours of operation. **Adopted 07/16/79**

Associated Amendment: See amendment to Chapter 10 of the Fairfax County Code, Consumer Protection which added new Sect.10-4-4 on gasoline availability flags. This amendment was adopted 6/18/79 and recodified into Sect. 10-4-6.

ZO-81-51 FREESTANDING SIGNS FOR FAST FOOD RESTAURANTS AND EATING ESTABLISHMENTS – Modified location requirements for freestanding signs and established provisions to permit freestanding identification signs for office parks and modified definitions of fast food restaurants and eating establishments. **Adopted 9/28/81**

ZO-82-64 SIGNS, COMPREHENSIVE – Comprehensive revision of sign provisions. **Adopted 08/02/82**

ZO-82-56 FUEL PUMP SIGNS – Repealed Motor Vehicle Fuel Price Sign Ordinance and replaced it with provisions requiring pole signs only, instead of signs on top of gas pumps. **Adopted 02/22/82**

Associated Amendment: See amendment to Chapter 10 of the Fairfax County Code, Consumer Protection

ZO-83-74 SIGNS – Allows signs posted by a service station for the purpose of identifying such station as being authorized to perform State safety and/or emission control inspections to be up to 10 square feet in size. **Adopted 01/31/83**

ZO-83-78 SIGN CONTROL OVERLAY DISTRICT – Revised the title of Central Business District Sign Control Overlay District to Sign Control Overlay District and revised provisions of Sign Control Overlay District to be applicable to signs accessory to industrial uses located in these districts. **Adopted 03/21/83**

Associated Amendment: See also revisions to Sign Control Overlay District boundaries on Zoning Map

ZO-84-95 SATELLITE COMMUNICATIONS IN I DISTRICTS – Provided more guidance and control for the location and nature of communication towers in the County. **Adopted 02/13/84**

ZO-89-174 BUILDING MOUNTED SIGNS – Permitted identification signs to be mounted on rooftop penthouse walls and rooftop screening walls in commercial and industrial districts by right. **Adopted 04/17/89; Effective 04/18/89**

ZO-89-177 SIGNS FOR HOSPITALS – Allowed off-site directional signs to hospitals and permitted an increase in the number and size of signs allowed at a hospital. **Adopted 05/01/89; Effective 05/02/89**

ZO-90-191 BINGO GAMES AND RAFFLES – Revised sign regulations for bingo games and raffles. **Adopted 06/25/90; Effective 07/01/90**

Associated Amendment: See amendment to Fairfax County Code Chapter 24, Bingo, Games and Raffles 21-90-24, adopted simultaneously on 06/25/90.

ZO-92-230 FREESTANDING SHOPPING CENTER SIGNS – Allowed the names of individual enterprises located within a shopping center to be displayed on a freestanding shopping center sign. **Adopted 10/05/92; Effective 10/06/92**

ZO-92-231 TELECOMMUNICATIONS – Established policies and guidelines to evaluate telecommunication facilities. **Adopted 12/07/92; Effective 01/02/93**

Associated Amendment: See also Out-of-Turn Comprehensive Plan Amendment S92-CW-3CP to Policy Plan, adopted 12/07/92.

Grandfather - The following are grandfathered from the provision of this amendment:

Mobile and land based telecommunication facilities which have received a favorable determination by the Planning Commission pursuant to Sect. 15.1-456 of the Code of Virginia and for which a site plan or site plan waiver request has been submitted to the County prior to the effective date of this amendment, provided however, that a building permit(s) for the structure(s) shown on the approved site plan or site plan waiver is issued within two (2) years of the date of approval of the site plan or site plan waiver, and provided further that the structure(s) containing the use is in fact constructed in accordance with such building permit(s).

ZO-93-237 SIGNS – Allowed freestanding building identification signs on commercially zoned property within industrial parks. **Adopted 01/25/93; Effective 01/26/93**

ZO-93-245 SIGN REGULATIONS – Revised building-mounted sign area and established special exception to allow increase in sign area and height and change in sign location in C and I districts. **Adopted 04/26/93; Effective 04/27/93**

ZO-95-283 SIGNS – Deleted billboards as a special exception use. **Adopted 10/30/95; Effective 10/31/95**

ZO-95-280 SIGNS – Allowed an individual enterprise not located within a shopping center and located on a major thoroughfare in a Sign Control Overlay District to have a freestanding sign. **Adopted 10/16/95; Effective 10/17/95**

ZO-96-291 TELECOMMUNICATIONS – Provided additional guidance for determining “feature shown” locations and criteria for evaluating the siting of 49 telecommunications facilities. Established siting criteria for new monopoles and towers. **Adopted 11/18/96; Effective 11/19/96**

Associated Amendment: See also amendment to the Comprehensive Plan (Policy Plan) S96-CW-3CP.

ZO-02-347 COMMERCIAL REVITALIZATION DISTRICT/AREA IDENTIFICATION SIGNS – Increases the maximum allowable sign area and sign height for geographic identification signs in the Commercial Revitalization Districts/Areas. **Adopted 12/9/02; Effective 12/10/02**

ZO-03-350 SIGNS FOR PLACES OF WORSHIP – For places of worship in all R districts subject to a special exception or special permit or in a residential area of a P district, allows a second freestanding sign when more than one congregation shares the same facility. **Adopted 4/28/03; Effective 4/29/03**