

*Approved by EQAC, February 13, 2013*

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

**DATE: JANUARY 7, 2013**

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.

The following EQAC members were present:

Stella Koch (Chairman, At-Large)	George Lamb (At-Large)
Larry Zaragoza (Vice Chairman, Mount Vernon)	Robert McLaren (At-Large)
Linda Burchfiel (At-Large)	Talia Schmitt (Student Member)
Frank Crandall (Dranesville)	Rich Weisman (Sully)
Frank Divita (Braddock)	Glen White (Mason)
Johna Gagnon (Lee)	

In addition to several members of staff from the Department of Cable and Consumer Services, the following members of county staff were present:

Kambiz Agazi	Noel Kaplan
Scott Brown (South County)	

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

Jerry Peters (Government Center)	Gretchen Giannelli (South County)
Betsy Martin (South County)	Frank Vajda (Government Center)
Tom Fleury (Government Center)	Clara Elias (Government Center)
Glenda Booth (South County)	Alan Ford (Government Center)
Phil Keipper (Government Center)	

In addition, Sheila Dunheimer, who was not able to attend the public hearing, provided written testimony.

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

**1. Jerry Peters (Green Fire)**

Mr. Peters presented comments based on his written comments, which are attached. He provided a Power Point presentation, copies of which are available upon request (requests should be made to [EQAC@fairfaxcounty.gov](mailto:EQAC@fairfaxcounty.gov) or to Noel Kaplan at 703-324-1369).

Mr. Peters identified himself as the founding Director of Green Fire, a non-profit organized to increase the values that people place on healthy wildlife habitats. He described the organization's near-term mission as focusing on control of over-abundant deer populations in Fairfax County and commended the efforts of both the county's deer management program (and the efforts of Vicky Monroe in particular) and the Virginia Department of Game and Inland Fisheries. Mr. Peters also commended EQAC's support for the deer management program and the efforts of Frank Crandall in particular. He highlighted an EQAC recommendation from 2008 calling for the reorganization of the wildlife management program.

While lauding the successes of the deer management program, Mr. Peters stressed that the efforts to date have not been sufficient, citing the continued over-abundance of deer, particularly within areas outside of the parkland within which deer hunting efforts have been concentrated. He recommended that the following goal be adopted for the program:

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

In regard to "all practical means," he stressed the need to make full use of archery. With respect to "on a landscape scale," he stressed a need to expand deer hunting efforts across the county, increasing the extent of land available for hunting. His focus on "monitoring data" was the collection of information about damages caused by deer in order to better guide hunting efforts.

Mr. Peters presented a series of more detailed recommendations outlining efforts that he felt should be taken in support of his recommended goal. These are identified within his written statement. To implement these improvements, Mr. Peters stated his strong support for renewing EQAC's 2008 resolution: ". . . 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; . . ."

Mr. Crandall reinforced Mr. Peters' comments regarding the need for an active deer management program, noting the scale of this task in Fairfax County. He concurred

with Mr. Peters' stress on the use of archery. Ms. Gagnon referenced the Wildlife Management chapter of the EQAC report and asked for Mr. Peters' thoughts about it. Mr. Peters reiterated his view that the county's program has made significant accomplishments but that more needs to be done. Chairman Koch stated that this issue needs to go back on EQAC's agenda.

## **2. Betsy Martin (Friends of Little Hunting Creek)**

Ms. Martin read from prepared comments, which are included as an attachment to this summary. Her comments focused on trash and litter, with an emphasis on her experiences with cleanup events along Little Hunting Creek. She expressed disappointment that the issue of litter had not received more prominence in EQAC's 2012 *Annual Report on the Environment* and offered the following three suggestions:

1. EQAC should recommend that Fairfax County adopt a recycling goal comparable to that of Montgomery County, Maryland (a goal to recycle 70% of all waste by 2020) and then meet it.
2. EQAC should consider a report from the Environment and Recreation Committee of the Mount Vernon Council of Citizens' Associations entitled *Citizens' Action Plan for Litter Prevention* and the 10 actions recommended in this document.
3. EQAC should strongly urge Fairfax County to participate in this year's Litter Enforcement Month (sponsored by the Alice Ferguson Foundation and held in April). In preparation, the county should enroll some of its police officers in the litter enforcement training that will be conducted by the Prince Georges County Police Litter Enforcement unit.

She characterized litter prevention as low-hanging fruit and urged progress on this issue.

## **3. Tom Fleury (Cityline Partners)**

Mr. Fleury addressed environmental guidance in the Comprehensive Plan language for Tysons Corner, and, in particular, an expectation established through this guidance that hotel proposals in Tysons Corner will include commitments to LEED<sup>®</sup> certification at the Silver level or better. He also raised concerns about the \$2 per square foot escrow that is typically tied to proffers to LEED certification. He stated that, in his discussions with hotel chain operators, it became clear to him that Fairfax County is the only locality that has a LEED Silver expectation for hotels and the only locality that imposes a \$2 per square foot penalty for failure to attain LEED Silver certification.

Mr. Fleury expressed his view that a good portion of the expense associated with LEED goes for fees and paperwork rather than substantive gains and that name brand hotels do not get anything from the certification. He noted that such hotels are limited by the General Service Administration's rack rate. He also noted many other proffer expectations in Tysons Corner and expressed his view that the LEED Silver expectation for hotels is a strong deterrent to hotels locating in Tysons Corner. He referenced a LEED Gold hotel at George Mason University but expressed his view that this was not relevant to hotels in Tysons Corner, particularly in light of other proffer expectations such as stormwater management. He requested that EQAC put this issue on its agenda.

Chairman Koch asked Mr. Fleury to clarify his objections to the LEED Silver expectation. In response to this question, Mr. Fleury indicated that the main concern was not the basic level of LEED certification but the expectation for certification at the silver level.

Mr. Lamb noted that a fair number of office buildings have had no difficulty attaining higher levels of LEED certification and asked what the differences were that made this more difficult for hotels. Mr. Fleury stated that he would defer to Mr. Keipper (the next speaker at the Government Center) for specifics, but he noted that extended stay hotels, with mini-refrigerators and kitchens, and with room occupants who controlled their own levels of heating and cooling, made it more difficult, even though the energy systems in hotels are designed to be just as energy efficient.

Dr. White asked if Mr. Fleury was asserting that hotels are achieving the overall goals of LEED and if a large part of the problem is the LEED certification process. Mr. Fleury replied that hotels are achieving the overall goals of LEED. Dr. White followed-up by asking if there were examples of where other hotels had used alternative approaches in a more streamlined manner than LEED. Mr. Fleury indicated that guidance on this question would be provided. After further discussion, Mr. Fleury expressed particular concern about the penalty inherent in the LEED escrow commitments and expressed his view that it is disproportionately punitive to ask hotels to commit to the same penalty provision as builders of high rise offices or residences.

Mr. Fleury closed his comments by noting an agreement to be flexible in implementation of the Plan guidance for Tysons Corner. He asked that EQAC assist in this dialog.

**4. Glenda Booth (Friends of Dyke Marsh and the Audubon Society of Northern Virginia)**

Ms. Booth thanked EQAC for providing the opportunity to testify at the South County Center—she noted savings in energy, time, money and carbon emissions.

Ms. Booth read from notes she had prepared prior to the meeting—she typed and submitted her notes subsequent to the public hearing, and the notes are included as an attachment to this summary.

Ms. Booth focused her comments on six topics:

- Land use—She expressed concern that the 2012 *Annual Report on the Environment* did not provide more attention to redevelopment and mass transit along the Richmond Highway corridor.
- Climate change—She commended the county for its community-wide greenhouse gas inventory as well as its energy outreach efforts. She stressed a need for the county to prepare for adaptation, noting rising water levels in the tidal Potomac and Occoquan Rivers. She also encouraged efforts to reduce vehicle miles traveled, to reduce parking supply, to support legislation for energy sources emitting less carbon and to encourage more smart growth efforts.
- Ecological resources—She thanked EQAC for including a summary of activities of the county’s Wetlands Board. She urged more emphasis on restoration of degraded areas and management of open space for ecological purposes, and also stressed a need for a natural resource inventory and related plan. She also called for efforts to reduce turf cover in Fairfax County in favor of more sustainable landscaping approaches. She expressed concern about what she viewed as an imbalance in the Fairfax County Park Authority in regard to natural resource protection—She followed up her testimony by providing the following budget figures:
  - Of FCPA’s FY 2013 general fund expenditures of \$22.6 million, \$4.3 million (19.3%) is spent on natural and cultural resources.
  - Out of the FY 2013 revenue fund total for FCPA of \$41.4 million, natural and cultural resources receives \$1.8 million (4.7%).
  - There are four full-time and one part-time natural resources staff out of FCPA’s total 601 positions.
  - The budget for FPCA’s Resource Management Division is less than one percent (0.00123) of the entire FY 2013 Fairfax County budget.
- Fall Cankerworms—She commended monitoring efforts and asked for implementation of a control strategy that does not kill all caterpillars of moths and butterflies in treated areas.
- Waste/Litter—She echoed Ms. Martin’s request for support of the litter prevention recommendations of the Mount Vernon Council of Citizens’ Associations.
- Pesticides and herbicides on school and park property—She expressed concern about potential impacts to children from the use of pesticides and herbicides and raised concern about the use of chemicals that kill all butterfly and moth larvae in treated areas—she recommended an evaluation of alternatives.

She concluded by noting that, while there are many good county initiatives, much more remains to be done in light of the numerous environmental metrics highlighting our degradation of the environment.

Dr. Zaragoza thanked Ms. Booth for her comments.

#### **5. Phil Keipper (Hilton Hotels)**

Mr. Keipper, head of Design and Construction at Hilton Worldwide, read from prepared notes, which are included as an attachment to this summary. He noted that Hilton Hotels does not mandate LEED certification at their properties, although owners are free to pursue such certification if they wish to. He noted that there are over 30 LEED certified hotels in the chain, and indicated that owners who have chosen to pursue LEED certification have reported additional project costs of between 2.5 and 10 percent.

Mr. Keipper stated that LEED certification does not equate to improved performance. He indicated, though, that Hilton has developed the proprietary LightStay™ program to focus on environmental performance.

Chairman Koch noted that it is reasonable to look at equivalent approaches to LEED.

Mr. Lamb noted that LEED is a design-related system and that it does not necessarily guarantee operational performance. He supported Hilton's efforts to operate its hotels efficiently but noted that there is a need to incorporate sustainability into building design as well.

Dr. Zaragoza stated that it would be instructive to get Mr. Keipper's thoughts on what EQAC might want to look at that may be more across-the-board than Hilton's proprietary system.

#### **6. Gretchen Giannelli**

Ms. Giannelli read from a prepared statement, which is included as an attachment to this summary. Her comments supported more active promotion by the county of backyard composting of leaves and grass clippings.

Ms. Giannelli noted that county residents currently are provided with curbside pickup of leaves and grass clippings but that this effort has considerable economic, environmental and health costs. She noted the resources needed to support the effort (e.g., costs of contractors, fuel, vehicle maintenance, wear and tear on roads and pollutant emissions) as well as the removal of a valuable organic resource that can be

used in gardens and on lawns to replenish nutrients and to reduce the use of store-purchased mulches and fertilizers.

Ms. Giannelli noted that the county does support backyard composting and recycling of grass clippings but expressed her view that more needs to be done.

**7. Frank Vajda (Fairfax County Park Authority Board)**

Mr. Vajda read from prepared comments, which are included as an attachment to this summary. He introduced himself to EQAC as the Mason District representative to the Fairfax County Park Authority Board as well as the Chairman of the FCPA Board's Resource Management Committee. He expressed his appreciation to EQAC for its coordination with the Park Authority Board and for its advocacy for the environment. He noted that EQAC's efforts have helped gain support from the Board of Supervisors for stewardship projects.

Mr. Vajda noted the need for resources to support protection of the county's "natural capital" and noted support for this concept through a pilot Forest Management Program at Ellanor C. Lawrence Park. He also noted that the agency's Natural Resource Management Plan would be revised in 2013 and referenced a stakeholder input process. He stressed the many values that natural resources provide and noted the many stresses affecting the county's natural capital. He noted that investment of resources toward the restoration and management of the county's natural capital is critical and asked for EQAC's support, particularly in light of limited financial resources.

Mr. Vajda referenced the Park Authority's newly adopted Urban Park standards in his discussion of the redevelopment of Tysons Corner and other urbanizing portions of the county. He added that a new Needs Assessment is being developed in order to provide vital information for park planning purposes.

He stressed the need to look for new approaches to addressing old problems and thanked EQAC for its support and attention.

**8. Clara Elias (Alice Ferguson Foundation)**

Ms. Elias read from a prepared statement, which are included as an attachment to this summary. She referenced the Alice Ferguson Foundation's Trash Free Potomac Watershed Initiative and stressed that the Foundation seeks to solve the problem of litter not just through its cleanups but through actions to end litter at its source.

She highlighted the results of the 2012 Potomac River Watershed Cleanup, noting that over 178,000 pounds of trash were removed from Fairfax County. She cited an economic impact of litter of roughly \$5 million per year in taxpayer money.

She highlighted education and outreach as a key component to the strategy to reduce litter and commended the county for several of its programs. She highlighted the foundation's Regional Litter Prevention Campaign, noting that Fairfax County has used the Foundation's toolkit of communication items but lacks funds needed for full implementation. She asked that EQAC recommend a more robust budget for the Department of Public Works and Environmental Services for implementation of this campaign.

Ms. Burchfiel noted Fairfax County's support for legislation to reduce the use of disposable bags. She asked if there were any reductions in the numbers of bags or plastic bottles collected. Ms. Elias replied that they have seen a 50 to 60 percent reduction in plastic bags in jurisdictions that have passed disposable bag fees, but she did not know about plastic bottles.

Mr. Weisman expressed appreciation for Ms. Elias' comments regarding education and outreach and asked if there were any other localities with particularly noteworthy efforts. Ms. Elias cited Washington, D.C. and Montgomery County, Maryland as having strong programs. Chairman Koch suggested that EQAC should follow-up to find out more about how these localities are pursuing their education and outreach efforts.

## **9. Alan Ford**

Mr. Ford read from prepared notes—after the public hearing, he provided a written statement, which is included as an attachment to this summary. His comments focused on the state of undeveloped spaces in the county. He echoed comments from Ms. Booth regarding natural resource management planning; he commended EQAC's identification of this issue in the *Annual Report on the Environment* and urged EQAC's continued support.

Mr. Ford also echoed Mr. Peters' comments regarding deer management, noting the problems he sees in the field in his volunteer work. He also highlighted impacts of high deer populations in regard to motor vehicle collisions and the transmission of Lyme Disease.

Mr. Ford also raised concerns about the removal of trees near existing power lines. He acknowledged the need for trimming but questioned whether the clearing needs to be as aggressive as it has been. He stressed the need for actions to protect the county's tree canopy.

**Closing**

Chairman Koch thanked everyone for coming out and participating.

**Written Testimony—Sheila Dunheimer**

After the public hearing, Sheila Dunheimer submitted written testimony, which is included as an attachment to this summary. Her comments raised concerns regarding the effort under way to reconsider county restrictions on electronic signs; she stressed that EQAC should review this issue and be involved in the process through which this issue is being considered.

She highlighted several concerns potentially associated with electronic signs, including visual pollution, light trespass, urban sky glow, impacts to drivers, pedestrians and cyclists and impacts to scenic byways. She offered suggestions as to how to address these issues (e.g., day and night lumen standards; hours of operation).