

*Approved by EQAC, January 11, 2006*

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

**DATE: December 14, 2005**

**TIME: 7:30-10:05 PM**

**LOCATION: Board Auditorium, Fairfax County Government Center**

**MEMBERS PRESENT**

Stella Koch (Chairman, At-Large)  
George Lamb (Vice Chairman, Providence)  
Allison Anderson (Mount Vernon)  
Frank Crandall (Dranesville)  
John Foust (At-Large)  
Johna Gagnon (Lee)

Diana Handy (Hunter Mill)  
Chet McLaren (Braddock)  
Robert McLaren (At-Large)  
Eleni Orphanides (Student Member)  
Rachel Rifkind (Mason)

**MEMBERS ABSENT**

Roland Davis Gunn (Springfield)

Terrell Spence, AICP (Sully)

**STAFF**

Kambiz Agazi

Noel Kaplan

**SPEAKERS**

1. Maura Yasin (Informal group of Walnut Hill Hill Community neighbors)
2. Joe Chudzik
3. Cathy Saunders
4. Sally Ormsby (Citizens Committee on Land Use and Transportation)
5. Deborah Reyher (Friends of Accotink; Wedderburn Neighbors; Oakdale Park Civic Association)
6. Susan Taylor
7. Janice Lynch

**OTHERS PRESENT**

Duane Murphy (Friends of Accotink Creek)  
Khaled Falah  
Barbara Tuset  
Emad Yasin

The meeting was convened at 7:30 P.M. in the Board Auditorium of the Government Center. The Annual Public Hearing portion of the meeting was televised live on Cable channel 16.

### **2005 Annual Public Hearing**

#### Matters discussed:

Chairman Koch welcomed all those in attendance, provided introductory remarks, and asked EQAC members to introduce themselves. Mr. Kaplan provided a few procedural comments and noted that the 2005 Annual Report on the Environment would be available on CD; he referenced a sign-up sheet for CD copies.

There were seven speakers, some of whom submitted written materials. A summary of the public hearing is attached and included in these minutes by reference.

#### Motions made:

None

#### Follow-up actions:

A number of issues were identified for follow-up review by Council members. See the attached summary of the public hearing.

### **Report and recommendations from the search committee for EQAC officers for 2006**

#### Matters discussed:

- Report and recommendations from the search committee: Stella Koch for Chairman; George Lamb for Vice Chairman

#### Motions made:

- Mr. McLaren moved acceptance of the search committee's recommendations. Ms. Rifkind seconded the motion.

#### Record of the vote:

- The motion passed by a unanimous vote of members present.

#### Follow-up actions:

- Mr. Kaplan to notify the Clerk to the Board of Supervisors

### **Chairman's Items**

Matters discussed:

- Adequate outfall legislation to be proposed by the building industry
- Summary of presentation of the 2005 Annual Report on the Environment to the Board of Supervisors
- Summary of key items from the December 12 meeting of the Board of Supervisors' Environmental Committee

Motions made:

- None.

Follow-up actions:

- Mr. Kaplan to provide Ms. Gagnon with a copy of a handout from the December 12 Environmental Committee meeting regarding water quality protection publicity efforts

### **Council Member Items**

Matters discussed:

- Bob McLaren: Bob will miss the January meeting.
- Johna Gagnon: Notes experiences from the annual plan exercise of the Fairfax Joint Local Emergency Planning Committee
- John Foust: Notes announcement by Governor Warner regarding a \$200,000,000 allocation by Virginia for efforts to clean up the Chesapeake Bay; notes need for permanent funding for Bay pollution reduction efforts.
- Diana Handy: Fairfax Watershed Network meeting
- Diana Handy: Potomac Watershed Cleanup on April 1 or April 8—Suggestion for EQAC to adopt a stream to clean up

Motions made:

None

Follow-up actions:

- None

**Staff Items**

Matters discussed:

- Noel Kaplan: January agenda item—residential parking study—need guidance from EQAC
- Noel Kaplan: January agenda item—Fairfax County Park Authority athletic field lighting study—need guidance from EQAC
- Noel Kaplan: January agenda item—discussion of the FY 2007 Environmental Improvement Program
- Noel Kaplan: January agenda item—discussion of the 2006 Environmental Excellence Awards
- Noel Kaplan: Staff follow-up to the Tree Commission's Tree Action Plan
- Noel Kaplan: Offer from the Director of the Enterprise Systems Services Division to provide a demonstration of the County's Geographic Information System
- Noel Kaplan: Future meeting agendas
- General discussion: Status of the Engineering Standards Review Committee review of stream reclassification recommendations
- Kambiz Agazi: Clean Air Interstate Rule

Motions made:

None

Follow-up actions:

- Mr. Kaplan to coordinate with Chairman Koch regarding issues associated with the residential parking study.
- Mr. Kaplan to notify Harry Glasgow of the January discussion on the athletic field lighting study.
- Mr. Kaplan to coordinate with Mr. Crandall regarding athletic field lighting issues for discussion in January.
- Dr. Agazi to provide a briefing on the FY 2007 Environmental Improvement Program at the January EQAC meeting.
- Dr. Agazi to draft a letter, for EQAC's review in January, to the Fairfax County Chamber of Commerce regarding the Environmental Excellence Awards.
- EQAC members to identify contact points to enhance private sector participation in the Environmental Excellence Awards (for discussion in January).
- EQAC to consider the Tree Commission's Action Plan in March.
- EQAC to ask for a demonstration of the County's Geographic Information System in March.

- Mr. Kaplan to obtain a copy of the draft list of Tree Action Plan implementation actions when this document is available.
- Mr. Kaplan to check on the status of the proposed Public Facilities Manual changes regarding perennial stream reclassifications.

**Adjournment**

The meeting adjourned at 10:05 PM.

*Approved by EQAC, January 11, 2006*

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

**DATE: DECEMBER 14, 2005**

The public hearing commenced at 7:30 P.M. in the Board of Supervisors' Auditorium in the Fairfax County Government Center and was televised live on Cable channel 16.

There were seven speakers, four of whom provided written testimony and/or background information either during or after the public hearing. The speakers were:

1. Maura Yasin (Informal group of Walnut Hill Community neighbors)
2. Joe Chudzik
3. Cathy Saunders
4. Sally Ormsby (Citizens Committee on Land Use and Transportation)
5. Deborah Reyher (Friends of Accotink; Wedderburn Neighbors; Oakdale Park Civic Association)
6. Susan Taylor
7. Janice Lynch

Unless otherwise noted, the speakers spoke as individuals rather than for a group.

Written testimony from Ms. Yasin, Mr. Chudzik, and Ms. Ormsby is attached to this summary. In addition, background information related to Ms. Reyher's testimony is attached. Written materials will not be posted with this meeting summary on EQAC's Web site, but the information is available for review in the office of the Fairfax County Department of Planning and Zoning (contact Noel Kaplan at 703-324-1380).

**1. Maura Yasin (informal group of Walnut Hill Community neighbors)**

Ms. Yasin, who lives in a house on Annandale Road in the Walnut Hill area, read from a written statement submitted by both Maura and Emad Yasin. The written statement is attached. Her comments focused on:

- Concerns regarding a proposed by-right residential subdivision near Walnut Hill;
- Proposed encroachments into a Resource Protection Area/Environmental Quality Corridor;
- Impacts to trees and wildlife associated with the proposed development;
- Rejection of preliminary plans by the Department of Public Works and Environmental Services for a variety of reasons; and
- Traffic and well water contamination concerns.

After Ms. Yasin presented her testimony, Council members engaged her in conversation regarding her concerns. Chairman Koch suggested that the plan review process appeared to be working well but advised Ms. Yasin to contact the Council if she feels that the process is failing at some time in the future. Bob McLaren echoed Chairman Koch's comments and noted that the developer has a right to pursue development in accordance with County ordinances. He advised Ms. Yasin to contact her Supervisor if problems arise. Mr. Crandall echoed the comments of Chairman Koch and Mr. McLaren and made note of a common strategy of developers to initially propose more dwelling units than they expect to get approval for.

## **2. Joe Chudzik**

Mr. Chudzik read from a written statement, which is attached. His comments focused on two topics: (1) A program to mark storm drains to highlight their connection to surface water resources and the Chesapeake Bay; and (2) the funding of Transportation Enhancement Program projects.

Mr. Chudzik reviewed existing storm drain marking projects and recommended that Fairfax County directly support such projects in order to ensure that the opportunity for storm drain marking is available countywide. Specifically, he recommended that the County provide funding for permanent markers and for the printing of educational flyers. With respect to Transportation Enhancement Program projects, Mr. Chudzik noted that the Board of Supervisors has endorsed a number of such projects (involving federal grant funds for construction of trails, sidewalks, bicycle paths, bus shelters, and other non-motorized transportation facilities) but has not provided any matching funds for these projects (there is a 20% matching fund requirement). He criticized the County for not providing such funding.

In response to questions from Council members, Mr. Chudzik recommended that the County provide better promotion and funding to support storm drain marking programs. Dr. Agazi noted that a storm drain marking program had been incorporated into the FY 2007 Environmental Improvement Program. Dr. Agazi also noted a regional stormwater/water quality education campaign, noting that Fairfax County has contributed more money than any other jurisdiction for this regional awareness program. Ms. Gagnon noted a reference to storm drain stenciling in the Hazardous Materials chapter of the EQAC Annual Report and asked for guidance on how this program can be improved. Mr. Crandall noted that inappropriate dumping into storm drains has been brought up in watershed management planning efforts and that there is a recognition of the need for heightened outreach and education efforts.

With respect to Transportation Enhancement Program projects, Mr. Chudzik stressed the need for the County to earmark funding for endorsed projects, noting that citizens groups would otherwise need to raise the matching funds. There was discussion among Council members regarding what the source of funds might be and the relationship of Mr. Chudzik's concerns to funding that has been allocated by the Board of Supervisors for trail and sidewalk projects. Chet

McLaren noted the role of the County's Nonmotorized Transportation (Trails) Committee in the disposition of these funds. Mr. McLaren and Mr. Lamb agreed to look into this issue further.

### **3. Cathy Saunders**

Ms. Saunders identified herself as a member of Friends of Burke's Spring Branch but indicated that she was not speaking for that group. Her comments focused on a number of issues, including the identification of perennial streams, tree preservation, protection of intermittent streams, adequate outfall, and rip-rapping of streams. She commended EQAC for addressing a number of these issues but highlighted a number of concerns regarding adequate outfall and erosion and sediment control. She referenced a major sedimentation event in Burke's Spring Branch, noting that County enforcement staff responded appropriately and that the developer responsible for the event took corrective action. She noted, however, that the damage was done, and she questioned whether this could have been avoided with a more complete adequate outfall study up-front.

Ms. Saunders also expressed concern with the use of riprap for adequate outfall, noting that riprap is often applied in areas that were not identified on development plans or special exception plats. She expressed concern over what she viewed as a disconnect between unanticipated rip-rapping and the Stormwater Planning Division's focus on environmentally-sensitive methods supporting stream protection. She commended the Department of Public Works and Environmental Services for its recent Letter to Industry addressing adequate outfall during construction, but she indicated that she continues to be concerned about the use of riprap.

Ms. Saunders expressed her support for a dedicated funding source for stormwater management, particularly if incentives are included for landowners to apply on-site management techniques.

Alluding to Ms. Saunders' reference to tree preservation, Bob McLaren noted EQAC support of tree preservation legislation. With respect to streambank stabilization and stream restoration, he noted the availability of natural techniques (recognizing that some restoration efforts may result in tree loss), and he suggested coordination with the Northern Virginia Soil and Water Conservation District.

There was further discussion regarding erosion and sediment control issues; Bob McLaren expressed interest in knowing if any of the concerns raised by Ms. Saunders were related to enforcement. Ms. Koch questioned whether the owners of properties affected by rip-rapping were notified of this issue prior to decisions leading to the rip-rapping. She indicated that this was an issue for which there should be some follow-up.

#### **4. Sally Ormsby (Citizens Committee on Land Use and Transportation)**

Ms. Ormsby read from a written statement, which is attached. Her comments addressed land use, transportation, and environmental issues associated with continued growth and redevelopment in Fairfax County. Specifically, she stressed the need to consider redevelopment within the broad Comprehensive Plan context, as opposed to an emphasis on individual cases where large areas of land have been assembled. She also stressed the need for tree preservation and low impact development (LID) techniques.

With respect to transportation, Ms. Ormsby highlighted issues related to rail along the Dulles Corridor (e.g., noise, feeder bus service; impacts to surrounding neighborhoods) and the need for pedestrian facilities in all built-up areas (and particularly in revitalization districts). She also discussed the need for the integration of land use and transportation planning and implementation of the transportation plan; she referenced the desirability of legislation that would enable the County to adopt an adequate public facilities ordinance.

Ms. Ormsby concluded her comments by stressing the need for the continued protection of green buffers between developed areas and by identifying stream protection as one of the County's greatest challenges. She highlighted and commended recent efforts that support stream protection and expressed support for dedicated funding for the County's stormwater management program (whether through the dedication of a portion of the tax rate or the establishment of a utility fee).

After reading her prepared comments, Ms. Ormsby noted that a neighbor of hers had referenced a current effort by the City of Fairfax to address the issue of large infill projects ("McMansions") through lot coverage limits; she noted a similar discussion in Arlington County. She noted the environmental implications of this issue.

Mr. Lamb noted the cumulative, macro effects of small developments. Mr. Crandall expressed interest in the idea of building size/lot size ratios and noted an example of a community in California that had established a limit on building coverage/impervious surface, thereby ensuring retention of a significant amount of green space. Ms. Ormsby referenced the County's Infill and Residential Development study and suggested a continued need for consideration of these ideas. She noted that compatibility was a key concern that was addressed in that study but that the idea of impervious cover caps was not considered in the study.

**5. Deborah Reyher (Friends of Accotink; Wedderburn Neighbors; Oakdale Park Civic Association)**

Ms. Reyher commended EQAC for its work and focused her comments on environmental implications of continued growth in Fairfax County, with a particular emphasis on impacts to streams. She noted that a new volunteer citizens group called "Friends of Accotink" had been formed and that she would be discussing this group in her testimony. She provided a copy of a related news release, which is included as an attachment to this summary.

Ms. Reyher expressed disappointment about the reclassification of a stream on the Wedderburn property and about the ability to reclassify streams from perennial to intermittent based solely on visual evidence that could be obtained (as it was in the Wedderburn example) during a long, hot, dry period. She commended EQAC for its recent resolution addressing the stream reclassification process and again stressed her concerns about the need for a more rigorous process. She also expressed concerns about the impacts of impervious cover, particularly in light of development of large houses in headwaters areas of watersheds. She stressed the need for additional rules to protect headwaters streams.

Ms. Reyher noted that the Friends of Accotink group is an outgrowth of a number of recent land use issues that have arisen in and near the watershed; she indicated that a goal of the group is to use much of the expertise that coalesced around these land use issues in support of watershed improvement goals. She stressed the long term commitment of this group and asked for EQAC's support and guidance in this endeavor, noting that she had sent e-mail messages to a number of EQAC members for guidance on setting up a citizens network. She expressed interest in EQAC's guidance in identifying a network of citizens, particularly those who can provide scientific support, which can assist in this effort. She provided references to an e-mail address ([FriendsofAccotink@yahoo.com](mailto:FriendsofAccotink@yahoo.com)) and a Web site containing a link for Friends of Accotink ([www.FairGrowthNetwork.org](http://www.FairGrowthNetwork.org)).

Ms. Reyher concluded her comments by referencing a number of current land use-related issues under consideration (e.g., Metro West; a proposed development at the Dunn Loring Metro station) and by referencing and providing EQAC with materials from Dr. Cate Jenkins regarding naturally-occurring asbestos. These materials are included as attachments to this summary.

Bob McLaren advised the Friends of Accotink group to pay attention to Base Realignment and Closure (BRAC) activities, particularly as they may affect the Engineer Proving Ground site in Springfield. He stressed the need to protect the entirety of the Environmental Quality Corridor (EQC) on this site as mapped out in the mid-1990s, as the EQC includes both the main stem of Accotink Creek and a number of tributaries.

Mr. Lamb noted that the Wedderburn case highlighted the need to shift the focus of the discussion from perennial streams to the protection of intermittent streams. Ms. Reyher agreed

that there is a need to protect intermittent streams but also stressed her concern about the perennial stream reclassification process as it was applied to the Wedderburn site. Mr. Lamb encouraged coordination with the Board of Supervisors on the reclassification issue and expressed his view that the Board is concerned about this issue. Ms. Reyher expressed her view that the Board had not been responsive to concerns that had been raised regarding the Wedderburn site.

#### **6. Susan Taylor**

Ms. Taylor identified herself as a resident of Annandale Road. She expressed concern about the same development project that was discussed earlier in the evening by Ms. Yasin, with a particular concern about the potential for the proposed development to contaminate her drinking water well. She expressed concerns about toxins used in herbicides and pesticides and the potential for these toxins to contaminate her well. She also expressed dismay about pressures that have been exerted on her by the developer to sell her property. She noted the historic and ecological resources on her property and asked that the County not allow variances to developers. She stressed the need to maintain open space and to protect the environment.

#### **7. Janice Lynch**

Ms. Lynch identified herself as a 50-year resident of Fairfax County and a 30-year resident of a house on Annandale Road that is located near the property on which the aforementioned development project is being proposed. She indicated that, like Ms. Taylor, her house is served by well water. She expressed concern with what she sees as a willingness of the County to maximize density and with what she sees as the County's view that the natural environment only needs to exist in parks. She stated that development occurring near drinking water wells will inevitably contaminate those wells and that it is the obligation of the County to provide relief from hookup fees (for County water) to those homeowners whose wells will be endangered by development. She asked EQAC to look into the issue of what forms of relief are available to individuals who are on well water that may be contaminated through no fault of their own.

Chairman Koch asked Ms. Lynch if she has asked, as a condition of the proposed development, that the wells in question be tested. Ms. Lynch stated that a petition had been circulated expressing concern about this issue. Chairman Koch suggested that she request such testing.

Mr. Crandall noted that there is a County regulation addressing separation distances between buildings and drinking water wells, but he also expressed his view that this is a very real issue that needs attention. He stated that one problem is getting lawn care companies to reduce applications of fertilizers.

Chairman Koch noted that groundwater is one of the least studied and monitored of the County's natural resources.

**Closing**

Ms. Koch thanked everyone for coming out and participating.

The public hearing was adjourned at approximately 9:00 P.M.