

Annual Report on the  
**ENVIRONMENT**  
2009



**DETAILED REPORT**

Fairfax County, Virginia  
**Environmental Quality Advisory Council**



A Fairfax County, Va. Publication

November 2009



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**The cover shows a portion of the Great Falls of the Potomac River; the river forms Fairfax County's border with Maryland. Photo by Ben Swanson, Student Member, Environmental Quality Advisory Council.**

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## INTRODUCTION

This year's Annual Report on the Environment has been prepared by the Environmental Quality Advisory Council. Staff support for the coordination and printing of the report has been provided by the Planning Division of the Department of Planning and Zoning.

The Annual Report on the Environment, which is an update on the state of the county's environment, serves a threefold purpose. Initially, it is intended to assist the Board of Supervisors in evaluating ongoing environmental programs and to provide the basis for proposing new programs. The document also aids public agencies in coordinating programs to jointly address environmental issues. In addition, the report is directed to residents and others who are concerned with environmental issues.

EQAC is presenting this year's Annual Report in two formats: (1) A detailed report similar to the reports that have been produced each year; and (2) A summary report providing highlights of recent activities, key issues, and comments and recommendations associated with each of the major topical areas covered in the larger report. In addition, most of the chapters of each report format include discussions of stewardship opportunities. Both report formats are provided electronically, but only the summary document is being made available in hard copy this year. It is EQAC's hope that the new approach to report formatting will provide interested readers with the level of detail or generality that they desire while saving resources associated with hard copy production.

The report continues to include chapters on major environmental topics including: global climate change as it relates to Fairfax County; land use and transportation; air quality; water resources; solid waste; hazardous materials; ecological resources; wildlife management; and noise, light, and visual pollution. An appendix addressing state legislation relating to the environment is also provided within the detailed report format, as is an appendix providing EQAC's resolutions and positions taken over the past year. Within each chapter of the detailed report format are: a discussion of environmental issues; a summary of relevant data; and a discussion of applicable government programs. Most of the chapters include information regarding stewardship opportunities and conclude with recommendations that identify additional actions that EQAC feels are necessary to address environmental issues. References are presented only in the detailed report format. As was the case in last year's report, recommendations are presented in two formats: items addressing ongoing considerations and continued support for existing programs are noted as "comments." Items addressing new considerations, significant refinements of previous recommendations, or issues that EQAC otherwise wishes to stress are presented as "recommendations."

This report covers activities affecting the environment in 2008; however, in some cases, key activities from 2009 are also included.

While the Environmental Quality Advisory Council has prepared and is responsible for this report, contributions were made by numerous organizations and individuals. Many of the summaries provided within this report were taken verbatim from materials provided by these sources. EQAC therefore extends its appreciation to the following:

Alice Ferguson Foundation  
Audubon Naturalist Society  
Clean Fairfax Council, Inc.  
Coalition for Smarter Growth  
Fairfax County Deer Management Committee

Fairfax County Department of Systems Management for Human Services  
Fairfax County Department of Planning and Zoning  
Fairfax County Department of Public Works and Environmental Services  
Fairfax County Department of Transportation  
Fairfax County Executive's Office  
Fairfax County Environmental Coordinator  
Fairfax County Fire and Rescue Department  
Fairfax County Health Department  
Fairfax County Office of Community Revitalization and Reinvestment  
Fairfax County Park Authority  
Fairfax County Police Department, Division of Animal Services  
Fairfax County Wildlife Biologist  
Fairfax Joint Local Emergency Planning Committee  
Fairfax ReLeaf  
Fairfax Water  
Illuminating Engineering Society of North America  
International Dark-Sky Association  
Interstate Commission on the Potomac River Basin  
McLean Land Conservancy  
Metropolitan Washington Airports Authority  
Metropolitan Washington Council of Governments  
Northern Virginia Conservation Trust  
Northern Virginia Regional Commission  
Northern Virginia Regional Park Authority  
Northern Virginia Soil and Water Conservation District  
Potomac Conservancy  
Reston Association  
United States Environmental Protection Agency  
United States Fish and Wildlife Service  
United States Geological Survey  
United States National Museum of Natural History  
Upper Occoquan Sewage Authority  
Virginia Department of Conservation and Recreation  
Virginia Department of Environmental Quality  
Virginia Department of Forestry  
Virginia Department of Game and Inland Fisheries  
Virginia Department of Transportation  
Virginia Outdoor Lighting Taskforce  
Virginia Outdoors Foundation

Finally, EQAC wishes to acknowledge the efforts of the county's interagency Environmental Coordinating Committee, which coordinated the staff responses to the recommendations within EQAC's 2008 *Annual Report on the Environment* and welcomes the efforts of the newly formed interagency Energy Efficiency and Conservation Coordinating Committee.



# County of Fairfax, Virginia

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To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Board of Supervisors  
County of Fairfax  
12000 Government Center Parkway  
Fairfax, VA 22035

November 16, 2009

Chairman Bulova and Members of the Board:

The Environmental Quality Advisory Council is pleased to present the 2009 Annual Report on the Environment. In this report, we discuss various environmental issues in Fairfax County and make recommendations as to what actions the county should take to resolve identified problems. This report covers 2008, but also includes significant actions from 2009 that could impact EQAC's comments and recommendations. We recognize that the report does not capture all ongoing actions; if we tried to accomplish this, the report would never be finished and would be even longer. The report consists of nine chapters – each chapter addressing a different aspect of the environment. The first and newest chapter reflects the county's leadership and efforts to address global climate change. The rest of the chapters are arranged to reflect the order of topics listed in the Board of Supervisors' Environmental Agenda. This year we have created two versions of the report; one a published summary version, and secondly, an on-line complete version with all data included. This year we have also highlighted environmental stewardship opportunities within the report chapters.

EQAC thanks the board for its continued strong support of environmental programs. We understand that budget constraints this year continue to impact all programs within the county and have resulted in some very challenging choices, including those affecting environmental services.

EQAC asks that you continue to support the environment programs you have established. The programs are important if we are to maintain the high quality of life we have in Fairfax County and the high standards we have set for ourselves. We note that for Fairfax County residents, quality of life is not just about good schools and jobs but also about having a clean and healthy environment in which to live and recreate. This support for environmental programs includes funding for the Environmental Improvement Program for the upcoming fiscal year. The EIP is a reflection of those non-stormwater programs, including implementation of the Cool Counties initiative. Funding the EIP is necessary to implement the Environmental Agenda adopted by the board for this county.

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Board of Supervisors  
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We therefore have two key requests this year among the many recommendations we have made in our report. EQAC members have also asked that two other recommendations be highlighted. The key recommendations are:

1. EQAC recommends that Fairfax County adequately fund and implement its ongoing stormwater program, which includes dam maintenance, infrastructure replacement, water resource monitoring and management, watershed restoration and educational stewardship programs. EQAC realizes the current budget constraints have removed monies available from the General Fund and that the funding for the stormwater program will come from funds generated through the Stormwater Service District rates.

**EQAC recommends that the stormwater program continue to be funded by the Service District, and that the rate be increased to a penny and a half.** This would result in the restoration of some funding for modest watershed improvement programs and some funds for infrastructure replacement. In terms of infrastructure replacement, the present level of funding is simply not acceptable. We also realize that there will likely be a need for additional increases for water quality projects to meet future permit conditions, and for infrastructure reinvestment, as the system is continually growing and aging.

2. **EQAC recommends that the Remote Hazardous Waste Events be reinstated.** In FY 2009, five of these events were conducted in Mount Vernon, Mason (there were two events in Mason), Dranesville and Springfield Districts. These events require the use of an outside contractor to augment county staff, as the events are held on Saturdays, which is the same time that county permanent sites receive maximum use. The cost of the remote events is approximately \$16,870 per event. They are provided at no cost to county residents and are, therefore, dependent upon the special funding from the Board of Supervisors. 1,450 households participated in the five events. These events removed over 90,000 pounds of materials from the waste stream and disposed of approximately 1,300 compact fluorescent lights. EQAC is concerned that if these events are not held, the materials that would have been collected there may not be properly disposed of and have the potential to create problems at a greater cost to clean up later.

The other recommendations that EQAC wishes to highlight are:

1. EQAC commends the Fairfax County Board of Supervisors for supporting Cool Counties, Energy Star and other programs to promote energy efficiency. While the county has set an example for reducing carbon dioxide emissions through energy efficiency and is encouraging LEED certification or equivalent for projects that come through the zoning process (particularly those in the county's growth centers), **EQAC encourages the county to explore whether commitments should be sought from developers to reduce their**

**greenhouse gas emissions by reducing their energy consumption or by obtaining energy from sources that do not emit greenhouse gases (e.g., energy from wind, solar, hydroelectric and/or geothermal sources).**

2. **EQAC understands that additional information could be incorporated into the Integrated Parcel Lifecycle System to make the system more useful, and EQAC recommends that this information be incorporated.** Specifically, the following are noted:

- The incorporation of new nonresidential pipeline data into IPLS would be very useful for forecasting and analyzing with existing data.
- IPLS should incorporate data regarding planned nonresidential land use intensities.

Each chapter of this year's Annual Report contains the remainder of our recommendations. We urge you to consider and act on each of these.

As previous reports have done, we would like to commend the outstanding efforts of the following groups whose actions improve and safeguard the environment in Fairfax County. The Northern Virginia Soil and Water Conservation District continues its work to provide excellent education programs, to consult with the county on innovative stream restoration work, to have a large and successful stream monitoring program and to be available to residents and developers alike for site work consultation. The Northern Virginia Conservation Trust continues to obtain easements on privately owned environmentally sensitive land. Fairfax ReLeaf continues to promote tree preservation and tree replacement programs. The Park Authority Natural Resources staff continues to provide exemplary service due to a small group of dedicated individuals, working with a very small budget, who are slowly enhancing environmental efforts in the county's parks. The members of EQAC thank all these groups, and all others who work to preserve and enhance the environment of the county.

As we do each year, EQAC would like to thank and commend the county staff for its continued outstanding work. We thank staff especially for providing the data for this report and for a continued willingness to meet with EQAC to discuss various issues. We commend the county's Environmental Coordinating Committee, which is chaired by Deputy County Executive Robert A. Stalzer, for its continued efforts at managing environmental action within the county. We appreciate the ECC's willingness to meet with EQAC twice a year and to discuss issues of environmental significance. We also commend the establishment of the county's Energy Efficiency and Conservation Coordinating Committee, which is chaired by Deputy County Executive David Molchany. We look forward to continued coordination with this new interagency committee.

As always, it gives me great pleasure as the representative of EQAC to thank and acknowledge the work of two individuals. Every year we do this and every year the

Board of Supervisors  
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members of council continue to be impressed with the work and input of these two people. First, we need to mention Noel Kaplan of the Environment and Development Review Branch, Department of Planning and Zoning. Noel provides county staff support to EQAC. Noel sets up and tapes every EQAC meeting, follows up on actions generated from the meetings, and coordinates the inputs and publication of the Annual Report. Although the members of EQAC write the Annual Report, it is Noel who makes publication of the document possible. EQAC cannot thank him enough for his hard work and long hours in our support.

Second, we thank Kambiz Agazi, Environmental Coordinator, Office of the County Executive, who also attends all of our meetings and provides helpful advice and suggestions. His insight and his overview of county environmental activities are invaluable to our work. EQAC thanks him for his assistance and valuable contributions.

Third, as I did last year, I would like to personally recognize my fellow EQAC members. They represent a diversity of views that allows for knowledgeable discussions and results in thoughtful recommendations. They spend extensive time investigating issues, write excellent resolutions and produce comprehensive chapters on subjects they have carefully researched. They are to be commended for their efforts.

In conclusion, EQAC encourages the Board of Supervisors to both support and fund all of the valuable programs designed to protect the county's environment and enhance the quality of life for its residents. We continue to urge you to take a look at how to integrate these excellent programs to maximize your efforts and returns.

The members of EQAC thank the Board of Supervisors for its leadership and look forward to continue working with you to achieve the goals of the Environmental Agenda in the coming years.

Respectfully submitted,



Stella M. Koch, Chairman  
Environmental Quality Advisory Council

# TABLE OF CONTENTS—DETAILED REPORT

<b>I. FAIRFAX COUNTY AND GLOBAL CLIMATE CHANGE</b>	<b>1</b>
<b>A. OVERVIEW</b>	<b>3</b>
1. Introduction and Background	3
2. Land Use and Transportation Solutions	4
3. Energy Efficiency Solutions	7
4. Renewable Energy Solutions	9
5. Green Vehicle Solutions	10
<b>B. FAIRFAX COUNTY’S PARTICIPATION IN REGIONAL EFFORTS</b>	<b>11</b>
<b>C. NATIONAL RECOGNITION FOR COUNTY EFFORTS</b>	<b>12</b>
<b>D. STEWARDSHIP</b>	<b>14</b>
<b>E. COMMENTS</b>	<b>14</b>
<b>F. RECOMMENDATION</b>	<b>15</b>
<b>II. LAND USE AND TRANSPORTATION</b>	<b>17</b>
<b>A. ISSUES AND OVERVIEW</b>	<b>19</b>
1. Trends and Concepts	21
2. Macro Considerations	24
<b>B. TECHNOLOGY TO UNDERSTAND THE COUNTY</b>	<b>27</b>
1. Integrated Parcel Lifecycle System	28
2. Data	29
3. Models and Visualization	32
<b>C. LAND USE</b>	<b>32</b>
1. How is Land Used in Fairfax County?	33
2. Land Use Planning	34
3. Land Use History and Buildout Projections	38
4. Plan Density Increases	39
5. Plan Density Trends	40

<b>II. LAND USE AND TRANSPORTATION (continued)</b>	41
<b>D. TRANSPORTATION</b>	41
1. How do People and Things Move About Fairfax County?	41
2. Vehicular Congestion and Volume to Capacity Ratio Maps	42
3. Residential Commuting	46
4. Transportation Options	46
5. Transportation Decision Making	48
6. Programs, Projects and Analyses	50
<b>E. THE INTERRELATIONSHIP BETWEEN LAND USE AND TRANSPORTATION</b>	56
1. Programs, Projects and Analyses	57
2. Summary	69
<b>F. STEWARDSHIP</b>	69
1. Stewardship Responsibilities and Opportunities for Individuals	70
2. Stewardship Responsibilities and Opportunities for Corporations	72
<b>G. ACCOMPLISHMENTS</b>	73
<b>H. COMMENTS AND ONGOING CONCERNS</b>	74
1. Share the County’s Knowledge and Increase Partnerships	74
2. Improve Transit Utilization	75
3. Transportation Funding and Authority	75
4. Comprehensive Understanding	76
5. Green Buildings	77
<b>I. RECOMMENDATIONS</b>	77
1. Land Use and Transportation Vision and Assessment	77
2. Data and Modeling	78
3. Economic Opportunities for Revitalization	79
<b>LIST OF REFERENCES</b>	79
 <b>III. AIR QUALITY</b>	 81
<b>A. OVERVIEW OF AIR QUALITY IN FAIRFAX COUNTY</b>	83
1. Introduction	83
2. Air Quality Status in Northern Virginia	85

<b>III. AIR QUALITY (continued)</b>	
<b>B. MAJOR PUBLIC AGENCY RESPONSIBILITIES</b>	92
1. Introduction	92
2. Commonwealth of Virginia	92
3. Region –The Metropolitan Washington Council of Governments, the Metropolitan Washington Air Quality Committee and the National Capital Region Transportation Planning Board	93
<b>C. STEWARDSHIP OPPORTUNITIES</b>	94
<b>D. COMMENTS</b>	95
<b>E. RECOMMENDATION</b>	95
<b>REFERENCES</b>	96
<b>IV. WATER RESOURCES</b>	99
<b>A. ECOLOGICAL OVERVIEW</b>	101
1. Watersheds	101
2. Streams	101
3. Riparian Buffers	103
<b>B. IMPACTS ON WATER RESOURCES</b>	103
1. Point and Nonpoint Source Pollution	103
2. The Effect of Imperviousness	104
<b>C. SURFACE WATER MONITORING AND ANALYSES</b>	104
1. Countywide Watershed and Stream Assessments	105
2. Volunteer Water Quality Monitoring Programs	106
3. Fairfax County Park Authority Stream Monitoring	107
4. Virginia Department of Environmental Quality	107
5. Metropolitan Washington Council of Governments	107
6. Update on Potomac River Water Quality	108
7. Occoquan River	108
8. Kingstowne Monitoring and Stream Restoration	109
9. Gunston Cove Aquatic Monitoring Program	110
10. Total Maximum Daily Loads	110
11. Pond and Lake Monitoring and Management	112
12. Groundwater Monitoring	114
13. Stream Restoration and Ecosystem Function	114

## IV. WATER RESOURCES (continued)

<b>D.</b>	<b>WATERSHED MANAGEMENT</b>	115
	1. Watershed Master Plans	115
	2. Restoration Efforts	116
	3. Support Programs	118
	4. Reston Storm Water Trail	119
	5. Alice Ferguson Foundation	120
<b>E.</b>	<b>STORMWATER MANAGEMENT, ENFORCEMENT AND INSPECTIONS</b>	120
	1. NPDES Municipal Separate Storm Sewer System Permit	120
	2. Regional Stormwater Management Pond Program	121
	3. Stormwater Management Facilities and Infrastructure	122
	4. Low Impact Development Techniques	122
	5. Erosion and Sediment Control	123
	6. Illicit Discharges	124
<b>F.</b>	<b>WASTEWATER TREATMENT</b>	124
	1. Treatment Facilities	124
	2. Septic System Permitting and Repairs	126
	3. Sanitary Sewer Maintenance, Repairs and Rehabilitation	127
<b>G.</b>	<b>DRINKING WATER</b>	127
	1. Wells	128
	2. Source Water Assessments	128
	3. Treatment Facilities	129
	4. Drinking Water Quality Monitoring	129
	5. Regional Cooperative Water Supply Agreements	133
<b>H.</b>	<b>REGULATIONS, LAWS AND POLICIES</b>	137
	1. Buffer Protection for Headwater and Intermittent Streams	137
	2. The Virginia Chesapeake Bay Preservation Act and Regulations	137
	3. Stormwater Legislation HB 1177	138
	4. Virginia Stormwater Management Program	138
<b>I.</b>	<b>STEWARDSHIP OPPORTUNITIES</b>	139
	1. Disposal of Household Hazardous Wastes	139
	2. Septic System Pumpouts	139
	3. Yard Management	139
	4. Volunteer Opportunities	140
	5. Reporting Violations	140
<b>J.</b>	<b>PROBLEMS</b>	141

## **IV. WATER RESOURCES (continued)**

<b>K. ACCOMPLISHMENTS</b>	142
<b>L. COMMENTS AND ONGOING CONCERNS</b>	143
<b>M. RECOMMENDATION</b>	145
<b>LIST OF REFERENCES</b>	146

## **V. SOLID WASTE**

<b>A. ISSUES AND OVERVIEW</b>	151
1. Energy/Resource Recovery Facility and Landfill Capacity	151
2. Solid Waste Management Plan Implementation	151
3. Solid Waste Disposal Fee	153
<b>B. PROGRAMS, PROJECTS AND ANALYSIS</b>	153
1. Waste Disposal Program	153
2. Waste Reduction and Recycling Programs	161
3. Clean Fairfax Council	170
4. Alice Ferguson Foundation	171
<b>C. RECOMMENDATIONS</b>	172
<b>REFERENCES</b>	172

<b>VI. HAZARDOUS MATERIALS</b>	173
<b>A. ISSUES AND OVERVIEW</b>	175
1. Overview	175
2. Hazardous Materials Incidents	176
3. Hazardous Materials in the Waste Stream	177
4. Pipelines	179
5. Rail Transport of Hazardous Materials	179
<b>B. PROGRAMS, PROJECTS, AND ANALYSES</b>	180
1. Fairfax Joint Local Emergency Planning Committee	180
2. Railroad Transportation Plan	181
3. Storm Drain Education Program	181
4. Household Hazardous Waste Program	183
5. Commercial Hazardous Wastes	184
6. Rechargeable Battery Recycling	185
7. Remote Household Hazardous Waste Events	185
8. Fluorescent Lights	186
<b>C. REPORTING ENVIRONMENTAL CONCERNS AND ISSUES</b>	189
<b>D. LEGISLATIVE UPDATE</b>	191
<b>E. STEWARDSHIP</b>	192
<b>F. COMMENT</b>	192
<b>G. RECOMMENDATION</b>	192
<b>REFERENCES</b>	193

<b>VII. ECOLOGICAL RESOURCES</b>	195
<b>A. ISSUES AND OVERVIEW</b>	197
<b>B. PROGRAMS, PROJECTS AND ANALYSES</b>	198
1. The Fairfax County Board of Supervisors	198
2. Department of Public Works and Environmental Services	200
3. Fairfax County Park Authority	201
4. Northern Virginia Regional Park Authority	208
5. Fairfax ReLeaf	210
6. Northern Virginia Conservation Trust	211
7. The Nature Conservancy	215
8. The Potomac Conservancy	215
9. The McLean Land Conservancy	215
10. The National Park Service	216
11. The Virginia Outdoors Foundation	216
12. Northern Virginia Soil and Water Conservation District	217
13. Fairfax County Wetlands Board	220
14. Virginia Department of Forestry	222
15. Virginia Department of Transportation	224
16. Urban Forestry	225
17. Agricultural and Forestal Districts	233
18. Gunston Cove Ecological Study	234
<b>C. STEWARDSHIP OPPORTUNITIES</b>	237
<b>D. COMMENTS</b>	238
<b>E. RECOMMENDATION</b>	239
<b>LIST OF REFERENCES</b>	240

<b>VIII. WILDLIFE AND THE ENVIRONMENT IN FAIRFAX COUNTY</b>	243
<b>VIII-1. IMPACTS OF DEER IN FAIRFAX COUNTY</b>	245
<b>A. OVERVIEW</b>	245
<b>B. BACKGROUND</b>	245
1. Are Deer Overabundant in Fairfax County?	245
2. A Description of the Problem	247
<b>C. ISSUES IN ADDRESSING THE PROBLEM</b>	252
1. Understanding Population Dynamics	253
2. Determining Carrying Capacity Goals	254
3. Considering Public Opinion	255
<b>D. METHODS FOR DEER POPULATION MANAGEMENT</b>	255
1. Population Reduction Approaches	255
2. Conflict Mitigation Approaches	258
<b>E. PUBLIC EDUCATION PROGRAM NEEDS</b>	259
<b>F. PUBLIC AGENCY RESPONSIBILITY</b>	261
<b>G. PROGRAM IMPLEMENTATION ACTIVITIES</b>	261
<b>H. CONCLUSIONS</b>	264
<b>I. COMMENTS</b>	266
<b>J. RECOMMENDATIONS</b>	266
<b>ACKNOWLEDGMENTS</b>	266
<b>LIST OF REFERENCES</b>	268

<b>VIII-2. IMPACTS OF GEESE IN FAIRFAX COUNTY</b>	269
<b>A. OVERVIEW</b>	269
<b>B. BACKGROUND</b>	269
1. Origins of the Goose Problem in Fairfax County	269
2. Environmental Impact of Geese	270
<b>C. ISSUES IN ADDRESSING THE PROBLEM</b>	271
1. Goose Population Biology	271
2. Considerations of Public Opinion	272
3. Federal Limitations on Remedial Action	272
<b>D. METHODS FOR POPULATION MANAGEMENT</b>	273
1. Population Stabilization	273
2. Population Exclusion	273
3. Special Foraging Areas	273
4. Landscaping Modifications	274
5. Repellents	274
6. Prohibition of Feeding	274
7. Combined Approaches	274
<b>E. PUBLIC EDUCATION PROGRAM NEEDS</b>	274
<b>F. PUBLIC AGENCY RESPONSIBILITY</b>	275
<b>G. PROGRAM IMPLEMENTATION ACTIVITIES</b>	275
<b>H. CONCLUSIONS</b>	276
<b>I. COMMENT</b>	277
<b>J. RECOMMENDATION</b>	277
<b>ACKNOWLEDGMENTS</b>	277

<b>VIII-3. COYOTES IN FAIRFAX COUNTY</b>	278
<b>A. OVERVIEW</b>	278
<b>B. BACKGROUND</b>	278
<b>C. ADDRESSING THE PROBLEM</b>	278
<b>D. PUBLIC EDUCATION PROGRAM NEEDS</b>	279
<b>E. PUBLIC AGENCY RESPONSIBILITY</b>	279
<b>F. PROGRAM IMPLEMENTATION ACTIVITIES</b>	279
<b>G. CONCLUSIONS</b>	279
<b>H. COMMENT</b>	279
<b>VIII-4. WILDLIFE BORNE DISEASES OF CONCERN IN FAIRFAX COUNTY</b>	280
<b>A. OVERVIEW</b>	280
<b>B. BACKGROUND</b>	280
1. West Nile Virus	280
2. Lyme Disease	282
3. Rabies	284
4. Fecal Coliform Bacterial Diseases	285
<b>C. PUBLIC EDUCATION PROGRAM NEEDS</b>	286
<b>D. PUBLIC AGENCY RESPONSIBILITIES</b>	287
<b>E. HEALTH DEPARTMENT REFERENCE MATERIALS</b>	287
<b>F. CONCLUSIONS</b>	288
<b>G. COMMENTS</b>	288
<b>ACKNOWLEDGMENTS</b>	288
<b>LIST OF REFERENCES</b>	289
<b>WILDLIFE AND THE ENVIRONMENT IN FAIRFAX COUNTY: SUMMARY OF RECOMMENDATIONS</b>	290

<b>IX. NOISE, LIGHT POLLUTION AND VISUAL BLIGHT</b>	291
<b>IX-1. NOISE</b>	293
<b>A. OVERVIEW</b>	293
<b>B. AIRPORT NOISE</b>	294
1. Operations and Associated Noise Impacts at Ronald Reagan Washington National Airport and Washington Dulles International Airport	294
2. Additions to Washington Dulles International Airport	296
3. Part 150 Noise Compatibility Planning for Ronald Reagan Washington National Airport	297
4. The Aviation Policy Committee	299
<b>C. HIGHWAY NOISE</b>	300
1. Background	300
2. State Policy	301
3. State Projects in Fairfax County	302
4. Other Noise Barriers	303
<b>D. METRO YARD NOISE</b>	304
<b>E. STEWARDSHIP</b>	304
<b>F. COMMENTS AND ONGOING CONCERNS</b>	304
<b>REFERENCES</b>	305
<b>IX-2. LIGHT POLLUTION</b>	307
<b>A. OVERVIEW</b>	307
<b>B. RESPONSE OF THE HUMAN EYE TO LIGHT</b>	307
<b>C. ISSUES AND PROBLEMS</b>	308
1. Glare	308
2. Light Trespass	309
3. Security	309
4. Urban Sky Glow	310
5. Energy Usage	310
<b>D. CURRENT COUNTY STANDARDS AND REGULATIONS</b>	310

**IX-2. LIGHT POLLUTION (continued)**

<b>E. ADDRESSING THE PROBLEM</b>	311
<b>F. PUBLIC AGENCY RESPONSIBILITIES</b>	315
<b>G. PUBLIC EDUCATION AND AWARENESS NEEDS</b>	316
<b>H. CONCLUSIONS</b>	317
<b>I. COMMENTS AND ONGOING CONCERNS</b>	318
<b>J. RECOMMENDATIONS</b>	319
<b>LIST OF REFERENCES</b>	320

**IX-3. VISUAL BLIGHT** 321

<b>A. OVERVIEW</b>	321
<b>B. CIGARETTE BUTTS</b>	321
<b>C. ILLEGAL SIGNS</b>	321
<b>D. COMMENTS</b>	322
<b>ATTACHMENT IX-3.1--§33.1-373</b>	323
<b>ATTACHMENT IX-3.2--§33.1-375.1</b>	324
<b>ATTACHMENT IX-3.2—Evolution of §33.1-373</b>	325

**APPENDIX A: SUMMARY OF ENVIRONMENTAL BILLS  
OF INTEREST – 2009 VIRGINIA GENERAL  
ASSEMBLY** A-1

**APPENDIX B: EQAC RESOLUTIONS AND POSITIONS  
NOVEMBER 2008 THROUGH OCTOBER 2009** B-1

**APPENDIX C: FAIRFAX COUNTY ENVIRONMENTAL  
EXCELLENCE AWARDS** C-1**APPENDIX D: ACRONYMS AND ABBREVIATIONS  
USED WITHIN THE ANNUAL REPORT** D-1**LIST OF FIGURES**

<b>Figure No.</b>	<b>Figure Title</b>	<b>Page</b>
II-1	Planimetric Information—Fairfax County Government Center	30
II-2	Oblique Imagery—Fairfax County Government Center	31
II-3	Existing Land Uses in Fairfax County	33
II-4	Concept Map for Future Development	35
II-5	Average Volume/Capacity V/C Ratios—Existing Peak Hour Conditions (2002)	44
II-6	Average 2025 Volume/Capacity (V/C) Ratios	45
II-7	Cross County Trail	51
II-8	Tyson's Land Use Task Force's Recommended Conceptual Plan for Tyson's Corner (Land Use, Parks and Open Space Network)	59
III-1	Hazardous Air Emissions in Fairfax County	86
III-2	Air Quality Trends in Relation to the Eight-Hour Ozone Standard (1997 Standard)—Ozone Exceedance Days	88
III-3	Air Quality Trends in Relation to the Eight-Hour Ozone Standard	89
IV-1	Fairfax County Watershed Map	102
V-1	Total Fairfax County Municipal Solid Waste to E/RRF FY2001-2009	158
V-2	Historical Quantities of Materials Recycled in Fairfax County	162
VIII-2-1	Sources of Fecal Coliform Pollution in Accotink Creek	271
IX-2-1	Effects of Cut-off and Non Cut-off Luminaires	313

# LIST OF TABLES

Table No.	Title	Page
II-1	Vacant Land in Fairfax County	39
II-2	Existing Land Uses	39
II-3	Comprehensive Plan “Buildout” Capacity in Fairfax County Applying a Residential Plan Option Maximization Scenario	40
II-4	Where do Residents of Fairfax County Go to Work?	47
II-5	Where do Workers in Fairfax County Come From?	47
III-1	Regional Eight-Hour Ozone Exceedances (2008 Standard)	91
IV-1	UOSA Permit Requirements and 2008 Performance	125
IV-2	NMCCPCP Permit Requirements and 2008 Performance Averages	126
IV-3	Fairfax Water - Water Supply Sources, 2008	128
V-1	Energy/Resource Recovery Facility Emissions Results: June 2008	159
VI-1	Fairfax County Household Hazardous Waste Program: Record of Fiscal Year Disposal	184
VI-2	How to Report Environmental Crimes	190
VII-1	DPWES Stream Restoration Projects in 2008	200
VII-2	Easements Obtained by the Northern Virginia Conservation Trust	213
VII-3	Fee Simple Properties Owned by the Northern Virginia Conservation Trust	214
VII-4	Land Turned Over to Local Government and Associated Acreage	214
VII-5	Easements Held by the Virginia Outdoors Foundation in Fairfax County	217
VII-6	Forest Conservation Branch Workload, 2006 through 2008	230
VII-7	Change in Local and Statewide A&F Districts from January 1, 2008 to August 31, 2009	233
VIII-1-1	Deer Density Baseline Surveys	247
VIII-1-2	Out of Season Kill Permits Issued For Deer Damage in Fairfax County, Virginia Department of Game and Inland Fisheries	249
VIII-1-3	Deer-Vehicle Collisions in Fairfax County	252
VIII-4-1	Reported Lyme Disease Cases Meeting Centers for Disease Control Case Definition Program, Fairfax County	283

**SCORECARD**  
**Progress Report on 2008 Recommendations**

**I. CLIMATE CHANGE**

<b>Climate Change Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
<p>1. EQAC continues to support the hiring of an Energy Coordinator for Fairfax County.</p>	<p>At the direction of the Board of Supervisors' Environmental Committee in October 2007, the county executive included within the fiscal year 2009 advertised budget an energy coordinator position. The Board of Supervisors adopted the FY 2009 budget with the energy coordinator position authorized in the budget. The position was to be established through the abolishment of a vacant assistant to the county executive position. In a memorandum from the county executive to the Chairman of the board, dated November 17, 2008, the county executive indicated that while he had every intention of filling the position, due to the worsening fiscal crisis in the county, the county executive concluded that filling the vacant energy coordinator position would not be fiscally prudent at this time. The county executive, after consulting with appropriate staff, believed that a viable alternative was to formally establish an Energy Efficiency and Conservation Coordinating Committee, which serves as an interagency forum for cross-organizational collaboration and coordination of energy efficiency and conservation efforts.</p>	<p>While EQAC continues to support the hiring of an energy coordinator, EQAC recognizes the budget problems. Given these problems, the EECCC appears to be a viable alternative. When future budgets permit, consideration should be given to hiring an energy coordinator.</p>	<p>No, but overtaken by events for now.</p>

## II. LAND USE AND TRANSPORTATION

Land Use & Transportation Recommendations	Action taken by Agency or Department	EQAC Comments	Completed
<p>1. EQAC recommends that the county produce an updated version of the “State of the Plan, An Evaluation of Comprehensive Plan Activities.” EQAC would like to discuss with staff what would be entailed in pursuing a complete review of the Comprehensive Plan. The evaluation and assessment would help clarify the historical lessons learned and identify areas that have proven successful at a macro level across the county and where it needs to be strengthened for a future vision. The comprehensive preparations would be timely with the significant changes happening in the county.</p>	<p>The main component of the recommendation, to comprehensively monitor Plan recommendations, is being addressed through a different method than suggested by EQAC. Although an evaluation following the <i>State of the Plan</i> approach would be possible if staff resources are available, DPZ believes that a full scale rewrite of the Comprehensive Plan would only be productive if fundamental changes in the Plan are required. At the present time, staff resources are limited due to the ongoing planning efforts. Historically, staff has initiated discussions with the Planning Commission and the community towards the end of the current APR cycles. These discussions address broader issues such as how to: update the “character” sections of the Area Plans; incorporate factual edits such as tax map changes/corrections and geographic description corrections; provide new guidance for how specific neighborhoods should be preserved or how they should develop in the future; and provide an assessment of the cumulative impacts of land use changes that have been adopted through amendments to the Comprehensive Plan. Staff still believes the current method of Plan monitoring is a more effective tool for evaluating development and growth in the county. Furthermore, the new GIS-based approach monitors Plan changes at a more detailed level than analyzed in the <i>State of the Plan</i> document.</p>	<p>EQAC continues to recommend that the county evaluate the Plan and publish an updated version of the “State of the Plan, An Evaluation of Comprehensive Plan Activities between 1990-1995 with an Assessment of Impacts through 2010” to cover plan activities between 1995-2008 and assess impacts through 2025. EQAC also continues to recommend that the county consider the process for a complete review of the Comprehensive Plan.</p>	<p>No.</p>

<p><b>Land Use &amp; Transportation Recommendations</b></p>	<p><b>Action taken by Agency or Department</b></p>	<p><b>EQAC Comments</b></p>	<p><b>Completed</b></p>
<p>2a. EQAC recommends that Geographic Information System tools and capabilities continue to be pushed out for use by the general public.</p>	<p>Staff concurs with making more data and tools available via the Web. The process of doing that will be gradual: for instance some of the key models used in transportation are not GIS-based and do not provide GIS output. The My Neighborhood application now includes links to LDSNet, to property assessment data and to watershed information. Planning for the next version of My Neighborhood is underway.</p>	<p>EQAC recommends that the county continue to expand the ability of the general public to access these tools, as appropriate and feasible. This includes the next iteration of My Neighborhood.</p>	<p>In progress.</p>
<p>2b. EQAC recommends that the county begin leveraging three-dimensional models into the planning process.</p>	<p>This recommendation is being addressed. Staff utilizes aerial imagery, oblique imagery, and three-dimensional modeling, as part of the current review process for Plan amendments and special studies. The county's three-dimensional modeling usage has been done through several different products, as the county's use is still in its pilot phase and new applications are rapidly becoming available. As a result, the most effective tool for county use has not been determined yet.</p>	<p>EQAC is impressed with the ways the county has incorporated three-dimensional models. We recommend that the county continue to enhance its investment in GIS technology and updates to the source data.</p>	<p>In progress.</p>

<b>Land Use &amp; Transportation Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
2c. EQAC recommends that the county invest in models that leverage GIS capabilities and county data.	This recommendation is being addressed. The environmental analyses relating to land cover and impervious surface require accurate planimetric data, for which the effort is ongoing with and continuously updated. Runoff modeling at the macro scale currently is being standardized countywide. With respect to transportation, the development of models that allow analysis of macro effects of land use and transportation decisions is being addressed and implemented as indicated above. Transportation demand management measures are being used in significant new development projects to reduce trips and increase transit use, and the implementation of these strategies will continue. In regards to air quality analysis, staff will continue to work with the Metropolitan Washington Council of Governments in its efforts to model emissions on a regional and sub-regional planning level.	EQAC supports the current efforts and recommends that these efforts continue. Ultimately, this can result in a Digital Comprehensive Plan that includes the Integrated Parcel Lifecycle System as a base data capability, three-dimensional representations of the county, future projections for planned changes and growth and environmental and transportation models with both local and macro impacts.	In Progress.

### III. AIR QUALITY

Air Quality Recommendation	Action taken by Agency or Department	EQAC Comments	Completed
<p>1. EQAC recommends that the county add one supervisory staff position to provide needed compliance assistance, program coordination and public outreach in order to help eliminate ozone-related air pollution violations occurring within the county, in order to reach full compliance with PM 2.5 ambient air quality standards and in order to ensure adequate participation in regional planning activities.</p>	<p>At the time of preparation of responses to the recommendations (prior to adoption of the FY 2010 budget), the Health Department concurred with the recommendation. The response noted that a key issue in the Air Quality Monitoring Program was the need for a dedicated supervisory staff to oversee the complex daily monitoring activities, provide guidance to the program staff, expand efforts in air quality planning, conduct environmental impact reviews, develop strategy, expand outreach activities and ensure the data from the monitoring network is of the highest quality so accurate ozone forecasting and daily pollution indexes are disseminated to the public.</p> <p>However, the County Executive concluded that due to the worsening fiscal crisis and budget shortfall, it was necessary for the Air Monitoring Program to be placed as a budget reduction option for the Board of Supervisors to consider. As detailed in the Air Quality chapter, county monitoring efforts are being phased out; the state will need to assume monitoring responsibilities in FY 2011.</p>	<p>EQAC supports the board for retaining, in the FY 2010 budget, the county's air quality management position. EQAC recognizes, however, that the overall budget constraints in the county that led the Board of Supervisors to make significant reductions in the budget for the Health Department could potentially affect air quality in the county.</p>	<p>No.</p>

#### IV. WATER RESOURCES

<b>Water Resources Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
<p>1. Continue to adequately fund and implement the county's ongoing water resource monitoring, management, restoration and educational stewardship programs.</p>	<p>In order to restore the full value of the original dedicated penny while continuing to absorb operating costs, Stormwater Management supported the implementation of a "service district," as authorized by Va. Code Ann. §§ 15.2-2400 to -2403.1 (2008). The district would encompass the entire county with the exception of Fort Belvoir, and it would levy its own tax rate as approved by the Board of Supervisors. The DPWES recommended tax rate was \$0.015 per \$100. The BOS did establish the service district, and set the tax rate of \$0.010 per \$100.</p>	<p>EQAC is pleased to note that the Service District has been established. However, EQAC feels that the district should be funded at a minimum rate of \$0.015 rather than the current rate of \$0.010 per \$100. EQAC recognizes that stormwater funding remains a critical problem and is inadequate. The tax rate need to increase to a penny and a half at minimum so that funding is available for needed efforts.</p>	<p>In progress.</p>

**V. SOLID WASTE**

There were no recommendations in the 2008 Annual Report

**VI. HAZARDOUS MATERIALS**

There were no recommendations in the 2008 Annual Report

**VII. ECOLOGICAL RESOURCES**

<b>Ecological Resources Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
<p>1. FCPA approved a Natural Resource Management Plan in 2004. However, most of this plan cannot be implemented without additional staff and funding. A phased funding approach will allow FCPA to begin to manage ten percent of parklands and set up the program to be phased in over time. Phase 1 would require \$650,000 and six positions. EQAC recommends funding and staff positions to implement Phase 1 and that some of the six positions be found from internal FCPA staff assets.</p>	<p>The Fairfax County Park Authority has sought funding for the Natural Resource Management Plan through the regular budget process for the last few years. In its request for the FY 2008 budget, funding was requested for Phase 1 of the NRMP (six positions and \$650,000). Additionally, FCPA did thoroughly investigate positions throughout the agency to re-align and did identify one position that could be abolished and re-established for the natural resource management program should the county provide funding and one position. However, funding and staff was not provided in the FY 2008 budget and the position is no longer available.</p> <p>At this time, FCPA is unable to reallocate staff to the natural resource management program without sacrificing other important existing programs and services for the public. However, the Park Authority will continue to work with the Department of Management and Budget to seek funding in future years. If funding is provided, FCPA will look at its positions again to see if any can be re-aligned to the natural resources program.</p>	<p>EQAC feels that the allocation of resources by FCPA is not in balance between the two primary missions of FCPA – providing resources for recreation of the citizens and protecting sensitive environmental areas. EQAC continues to stress that more resources need to be devoted to protection of sensitive environmental areas and that a better balance exists in how resources are allocated. EQAC reiterates its recommendation.</p>	<p>No.</p>

### VIII-1. IMPACTS OF DEER IN FAIRFAX COUNTY

<b>Deer Management Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
1. The authorized Assistant County Wildlife Biologist position should be filled forthwith. This position is critical to implementation of deer herd reduction goals, to attainment of public education program goals and to an appropriate level of networking with other local, state and federal agencies.	While staff concurs with EQAC's recommendation, due to various factors, efforts to fill this position were unsuccessful. Three interview processes were conducted without successfully filling the position. Before a fourth attempt could be initiated, it became clear that the position would be frozen due to budgetary constraints. Since that time, funding for the entire program has been cut. Due to the continued decline of the county's budgetary outlook, it is expected that this position will remain vacant for the foreseeable future.	It is hoped that recovery from the recession will permit reactivation of this position.	Not applicable.

### VIII-2. IMPACTS OF GEESE IN FAIRFAX COUNTY

<b>Geese Management Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
1 EQAC strongly recommends additional staffing at the earliest budgetarily feasible time for this program in the form of one full-time equivalent Assistant Wildlife Biologist, to undertake several initiatives relating to geese management.	Funding for the Goose Management Program within the Police Department was cut in early November 2008. Existing position vacancies within the Wildlife Section were frozen. This includes the full time Assistant Wildlife Biologist position. The Fairfax County Wildlife Biologist position became vacant after February 20, 2009 [EQAC notes that the position was filled after the staff response was provided]. Given the budgetary constraints and the other uncertainties associated with the future of the Wildlife Section, it is unlikely that any additional positions will be established in the near term.	It is hoped that recovery from the recession will permit authorization of this position.	Not applicable.

**VIII-3. COYOTES IN FAIRFAX COUNTY**

There were no recommendations in the 2008 Annual Report

**VIII-4. WILDLIFE BORNE DISEASES OF CONCERN IN FAIRFAX COUNTY**

There were no recommendations in the 2008 Annual Report

**IX-1. NOISE**

Noise Recommendations	Action taken by Agency or Department	EQAC Comments	Completed
<p>1. Formally request the Metropolitan Washington Airports Authority and the Federal Aviation Administration to evaluate options for the operation of the existing and new runways at Washington Dulles International Airport to identify approaches that will optimize flight operations in a manner that minimizes community noise exposure. Include an evaluation of noise impacts beginning at the time the first of the new runways is opened for use and to continue in perpetuity. The results of all such noise evaluations should be reported quarterly and should be provided to a number of stakeholders.</p>	<p>Staff has communicated with Metropolitan Washington Airports Authority and Federal Aviation Administration noise abatement staff about evaluating operational approaches that will minimize community noise exposure; concerns have been raised to staff regarding the implications of competing use of airspace, and, based on a recent FAA action in response to proposed noise abatement measures at Ronald Reagan Washington National Airport, FAA is likely to be reluctant to approve, pursuant to Part 150 of the Federal Aviation Regulations (Code of Federal Regulations, Title 14, Chapter I), any noise abatement measure that is pursued outside of the DNL 65 dBA noise impact area that does not also reduce the number of noise sensitive land uses within that contour. Staff has recommended that EQAC hold discussions with FAA, MWAA and county staff before pursuing the formal request identified in the recommendation. Staff further encourages EQAC to coordinate on this matter with the county’s Airports Advisory Committee.</p>	<p>EQAC agrees with staff comments and will follow up. (See Recommendation 2 in the Noise Chapter.)</p>	<p>Ongoing.</p>

Noise Recommendations	Action taken by Agency or Department	EQAC Comments	Completed
<p>2. EQAC is pleased that a series of Web pages have been established on the county's Web site addressing noise issues. The county should ensure that this page is kept current through regular updates.</p>	<p>The Web pages have been established, and staff plans to update them as needed.</p>	<p>EQAC encourages the county to update the Web pages. (See Comment 5 in the Noise Chapter.)</p>	<p>Ongoing.</p>

## IX-2. LIGHT POLLUTION

<b>Light Pollution Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
<p>1. EQAC recommends that the Board of Supervisors direct the Department of Planning and Zoning to move ahead as rapidly as possible on revisions to the Outdoor Lighting Ordinance. The revisions need to address glare and several minor issues.</p>	<p>Each year the Board of Supervisors adopts a Zoning Ordinance Amendment Work Program which contains a Priority 1 list of amendment items that staff will be working on during the year and a Priority 2 list of items that will be maintained for future prioritization. The 2008 Priority 1 ZOAWP list adopted by the Board on March 31, 2008 contained an item to consider revisions to the outdoor lighting standards pertaining to security lighting, outdoor sports facility lighting, automatic teller machine lighting and single family residential lighting exemptions. A major component of this effort is contingent upon ongoing coordination and input from the Fairfax County Park Authority. Staff is recommending that the outdoor lighting item remain on the Priority 1 list of the 2009 ZOAWP.</p>	<p>Needed revisions and additions have been identified. Final writing up and review needs to be completed.</p>	<p>Partially completed.</p>
<p>2. EQAC recommends that the Board of Supervisors designate EQAC to work with the Fairfax County Park Authority to review and fine tune its specifications for athletic field lighting to correct the current deficiencies.</p>	<p>This recommendation is in the process of being addressed through coordination and collaboration with key members of EQAC, the Fairfax County Park Authority and the Department of Planning and Zoning. It is the opinion of DPZ that additional discussion should occur regarding the differences between glare and light intensity, and that the white paper should be revised to more fully consider those distinctions. The white paper is currently being revised to better address the comments provided to FCPA by EQAC and DPZ.</p>	<p>The progress has been very satisfactory. The scientific study on glare is in final write-up, while the extensive engineering specifications are substantially complete. Final review needs to be completed prior to publication.</p>	<p>In progress.</p>

**IX-3. VISUAL POLLUTION AND URBAN BLIGHT**

<b>Visual Pollution Recommendations</b>	<b>Action taken by Agency or Department</b>	<b>EQAC Comments</b>	<b>Completed</b>
<p>1. EQAC recommends that the county continue negotiations with the commonwealth to enable the county to remove signs from the VDOT right-of-way and to enforce limitations and restrictions on such signage in the same manner as though the signs were covered under the Fairfax County ordinances, including the application of civil penalties.</p>	<p>Staff concurs that sign proliferation within rights-of-way detracts from community appearance and can pose a hazard to the traveling public. However, due to a significant increase in the workload related to zoning and property maintenance complaint investigations and due to the uncertain staffing levels which may occur in FY 2010, staff at this time is not in a position to undertake the implementation of a program dealing with this issue. Given the lack of resources available to address this issue, action on this will need to be deferred again.</p>	<p>EQAC believes that the county should move forward on this issue. We recommend that the county work with VDOT and empower all Fairfax County residents to remove unauthorized signs from the VDOT Right-of-Way. We also recommend that the county petition the state legislature to restore the original penalty set forth in the 1993 version of §33.1-373 and that revenue be shared equally between the state and the locality. Finally, we recommend that §33.1-375.1 be stricken from Virginia state code unless it is modified to be a “zero tolerance” law and makes no exceptions for anything other than official government business.</p>	<p>No.</p>

XXXX

<p><b>Visual Pollution Recommendations</b></p>	<p><b>Action taken by Agency or Department</b></p>	<p><b>EQAC Comments</b></p>	<p><b>Completed</b></p>
<p>2. EQAC recommends that the lack of an explicit provision <u>within</u> Article 12-300 of the present [sign] ordinance for assessment of civil penalties be rectified at the earliest opportunity (EQAC provided suggested language). It is further recommended that the modified ordinance be issued similar to a “Letter to Industry.” When an illegally posted sign is observed by an inspector, or reported by a resident, such a letter, containing the text of the ordinance, including the penalties clause, could be sent to the offending party as a means of strongly discouraging continuance or repetition of the violation.</p>	<p>Provisions of the Zoning Ordinance, adopted by the Board of Supervisors in 1985, delineated those sign violations which are regulated as a civil penalty and those regulated as a misdemeanor. Prior to this change, all violations of the sign regulations were classified as misdemeanors. With the adoption of this change 1985, it was the intent of the amendment to classify the most common types of sign violations a civil penalty, which also reduces the burden of proof in such enforcement actions. However, it had been the experience of staff that requesting injunctive relief in the Circuit Court to enforce the Sign Ordinance had proven to be more effective than either the civil penalty process or the misdemeanor process because it provided for permanent relief with the ability to seek contempt sanctions if the court’s order is violated in the future. In November 2008, the board adopted an amendment to the Zoning Ordinance which provides for a 10 day appeal period to the Board of Zoning Appeals for Notices of Violation related to the illegal placement of signs on private property as well as other types of violations. Staff notes that issuing a “Letter to Industry” as suggested by EQAC will result in further delays in enforcement. Regarding the recommendation to revise the Zoning Ordinance in Article 12 to provide for a separate penalty provision for signs, it is staff’s position that the existing format with the penalty provisions established in a single section provides for a consistent approach for all violations of the Zoning Ordinance.</p>	<p>EQAC notes that the proliferation of illegal signs continues and that present strategies don’t appear to be working. EQAC agrees that the “Letter to Industry” would result in delays in enforcement. Therefore, EQAC recommends that no warnings be given but that people be forewarned via announcements in the media.</p>	<p>No.</p>

