

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Resolution Concerning a Proposed Policy Plan Amendment Addressing Headwater Stream Protection/Restoration

January 9, 2008

Whereas, Fairfax County has a long history of stream valley and watershed protection; and

Whereas, in 1975 Fairfax County initiated an Environmental Quality Corridor (EQC) policy that would set aside stream valley buffers for protection; and

Whereas, in 1981 Fairfax County created detailed criteria and then revised such criteria in 1990 for the implementation of the EQC policy that have been operational since then; and

Whereas, the EQC Policy has resulted in thousands of acres of stream valley land protected and remaining in a natural vegetated buffer state; and

Whereas, in 1982, Fairfax County downzoned 64 square miles of the Occoquan watershed from one acre to five acre per lot zoning to protect drinking water supplies; and

Whereas, in 1993 Fairfax County adopted a Chesapeake Bay Preservation Ordinance in which lands adjacent to the perennial portion (as delineated by USGS maps) of streams were designated as Resource Protection Areas; and

Whereas, such RPA designation resulted in 520 linear miles of stream valley buffers being protected under this ordinance; and

Whereas, in 2003 the Chesapeake Bay Preservation Ordinance was amended and strengthened; and

Whereas, in 2002 and 2003 Fairfax County DPWES staff surveyed all Fairfax County streams to ascertain perenniality and created a map showing such perennial segments; and

Whereas, in 2004, the Fairfax County Board of Supervisors adopted this map as guidance for RPA delineation, which resulted in an additional 340 miles of perennial stream buffers being protected; and

Whereas, Fairfax County now has approximately 860 miles of perennial stream segments protected under the Chesapeake Bay Preservation Ordinance; and

Whereas, the upstream intermittent and ephemeral portions of Fairfax County streams, although ecologically very important, lack such protection; and

Whereas, in 2005 subsequent to the adoption of the new Chesapeake Bay Preservation Ordinance requirements and the perennial stream map, the Planning Commission Environment Committee, EQAC, and staff began discussions on how to further protect Fairfax County streams; and

Whereas, the Planning Commission Environment Committee has focused its discussion at this time on Comprehensive Plan Policy; and

Whereas, that discussion, subsequent analysis, and work have resulted in two specific options for changes to the Policy Plan for consideration in 2008 by the Planning Commission and the Board of Supervisors as follows:

Option 1 would provide general policy support for the protection and, where applicable, restoration of stream channels and associated vegetated riparian areas upstream of Resource Protection Areas and Environmental Quality Corridors. Under this option, there would be no changes to the Environmental Quality Corridor policy. There would be no minimum buffer widths established; rather, buffer width commitments would be negotiated during the zoning process.

Option 2 would expand the Environmental Quality Corridor policy such that it would explicitly encourage the inclusion of areas upstream of floodplains and Resource Protection Areas. Under this option, minimum buffer area widths would be determined through the application of the EQC delineation criteria; criteria relating to the inclusion of steeply sloping areas adjacent to streams (slopes of 15% or greater) and to the application of a minimum buffer width formula would largely determine the EQC boundaries. There is less flexibility in this option for negotiations during the zoning process.

Whereas, EQAC supports the general goals of BOTH Options but would prefer to offer a third option;

Therefore, be it resolved that EQAC thanks the staff and Planning Commission for their work on proposals to further protect Fairfax streams these last several years.

Be it further resolved that, with respect to the Policy Plan amendment, EQAC recommends:

- 1) The formation of a parallel intermittent and ephemeral stream protection strategy with the same philosophy as the EQC policy and with clear guidelines for buffer delineation in these areas.
- 2) This policy would additionally provide for flexibility in negotiating individual lot buffer protection and restoration commitments during the zoning process.