

**FAIRFAX COUNTY PLANNING COMMISSION  
ENVIRONMENT COMMITTEE/  
ENVIRONMENTAL QUALITY ADVISORY COUNCIL MEETING  
THURSDAY, SEPTEMBER 18, 2008**

COMMITTEE MEMBERS PRESENT:

Frank A. de la Fe, Hunter Mill District  
Jay P. Donahue, Dranesville District  
Earl L. Flanagan, Mount Vernon District  
James R. Hart, Commissioner At-Large, Chairman  
Kenneth A. Lawrence, Providence District  
Timothy J. Sargeant, At-Large

COMMITTEE MEMBERS ABSENT:

Walter L. Alcorn, At-Large  
Rodney L. Lusk, Lee District

ENVIRONMENTAL QUALITY ADVISORY COUNCIL MEMBER PRESENT:

Stella Koch, At-Large, Chairman

PLANNING COMMISSION STAFF PRESENT:

Sara Robin Hardy, Assistant Director, Planning Commission Office  
Linda B. Rodeffer, Clerk to the Planning Commission

OTHER STAFF PRESENT:

James Patteson, Director, Land Development Services, Department of Public Works  
and Environment Services (DPWES)  
Michelle Brickner, Director, Site Development Services, DPWES  
John Friedman, Director, Code Analysis, Land Development Services, DPWES  
Judith Cronauer, Code Analysis, Land Development Services, DPWES  
Noel Kaplan, Planning Division, Department of Planning and Zoning

OTHERS PRESENT:

Inda Stagg, Walsh, Colucci, Lubeley, Emrich and Walsh, PC  
Mark Headly, Wetlands Studies and Solutions, Inc.  
Eileen Watson, Williamsburg Environmental Group  
Stephanie Perez, Dewberry

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Chairman James R. Hart called the meeting to order at 7:02 p.m.

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Chairman Hart noted that Sally Ormsby, a citizen activist, who had made significant contributions to the County's environmental initiatives, had passed away on

September 15, 2008. He said she would be sorely missed and called for a moment of silence in her honor.

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Commissioner Flanagan MOVED THAT ENVIRONMENT COMMITTEE MINUTES OF JULY 23, 2008, JULY 30, 2008, AND JULY 31, 2008, BE APPROVED.

Commissioner Sargeant seconded the motion which carried unanimously.

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Chairman Hart announced that tonight the committee would discuss the workgroup process for developing criteria for proposed regulations to extend riparian buffers upstream of Resource Protection Areas (RPAs).

Judith Cronauer, Code Analysis, Land Development Services, Department of Public Works and Environmental Services, said the goal of the workgroup process was to develop criteria around which regulations might be constructed. She noted that a handout, a copy of which is in the date file, had been distributed with criteria staff recommended the workgroup address:

- Concerns or reservations about establishing a regulatory approach.
- What will trigger the regulations?
- How far upstream should the buffers extend?
- Mapping of the buffers.
- Should alternatives be established in lieu of a buffer?
- What allowed uses, exceptions, and exemptions should be established?
- Preservation and reforestation.
- Should the buffer width be fixed or variable?

Ms. Cronauer said the following issues about the process needed to be clarified:

- EQAC's participation in group meetings.
- Number and length of sessions.
- Interrelated criteria to be addressed at each session:
  - Concerns and triggers
  - How far upstream and mapping
  - Alternatives and allowed uses
  - Preservation/reforestation and buffer width.

Ms. Cronauer presented two options for workgroup involvement:

(1) Staff would present information on the stakeholder feedback and research and the workgroup would establish a list of options and narrow it down to a list of recommended criteria.

(2) Staff would evaluate research and stakeholder feedback and establish a list of options for the workgroup to narrow down.

Ms. Cronauer noted that Option 1 would take longer but would allow the workgroup to consider a wider range of possibilities and while Option 2 would take less time, it would limit options for the workgroup to consider.

Following discussion, the Committee expressed its support for Option 2 and scheduled the workgroup sessions from 7:00 – 9:00 p.m. on October 15 and 23, with a third meeting on October 29, if necessary, at locations to be determined. The stakeholder information sharing meeting would be held on November 13 or 18, also at a location to be determined.

In response to a question from Chairman Hart, Ms. Cronauer said that Pam Pelto, County Attorney's Office, had been assigned to this project.

After a brief discussion concerning EQAC participation, Chairman Hart said EQAC members were welcome to participate equally with Committee members. Ms. Koch said that she thought participation of one or two members would be adequate.

Responding to a question from Ms. Cronauer, Chairman Hart said stakeholders would be welcome to attend the workgroup sessions but that he did not think they had to be notified individually. He said the meetings would be posted on the Public Meetings Calendar.

Commissioner Sargeant commented that it would be helpful for property owners to know what was hoped to be accomplished by this initiative and that legal issues could be raised about requiring them to preserve and restore of buffers. Chairman Hart agreed and said the County Attorney's Office would review this issue. He also said that most likely those owners who were not making any changes to their property would not be required to do anything unless they applied for a building permit.

Commissioner de la Fe expressed concern about establishing alternatives in lieu of buffers because it could be construed as granting waivers. Ms. Koch said this concern could be more easily addressed if clear goals were set. After discussion, Chairman Hart suggested that staff reflect on the use of the word "alternatives."

Commissioner Flanagan said that if mapping was not specific, errors could occur. Ms. Koch said budgetary constraints might affect what type of mapping would be done. Chairman Hart said that was an issue for the Board of Supervisors to address.

Commissioner Lawrence raised the possibility of addressing this issue at the State, not the County, level.

Commissioner Flanagan suggested that ample time be given for reestablishing buffers, such as 5 to 10 years.

Ms. Cronauer briefly summarized the stakeholder feedback as shown in her handout, a copy of which is in the date file.

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The meeting was adjourned at 8:00 p.m.  
James R. Hart, Chairman

An audio recording of this meeting is available in the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Linda B. Rodeffer

Approved: October 15, 2008

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Linda B. Rodeffer, Clerk  
Fairfax County Planning Commission