

BOARD OF SUPERVISORS ENVIRONMENTAL COMMITTEE

July 26, 2022

11:00 A.M.

Government Center Board Room

Board of Supervisors Members Present:

Board Chair Jeffrey C. McKay

Committee Chair Daniel G. Storck, Mount Vernon District

Supervisor Walter L. Alcorn, Hunter Mill District

Supervisor John W. Foust, Dranesville District

Supervisor Penelope A. Gross, Mason District

Supervisor Pat Herrity, Springfield District

Supervisor Rodney L. Lusk, Lee District

Supervisor Dalia A. Palchik, Providence District

Supervisor Kathy L. Smith, Sully District

Supervisor James R. Walkinshaw, Braddock District

Others Present:

Bryan J. Hill, County Executive

Beth Teare, County Attorney

July 26, 2022, Meeting Agenda:

[july26-environmental-agenda.pdf \(fairfaxcounty.gov\)](https://www.fairfaxcounty.gov/boardsandcommissions/environmentalcommittee/2022/07/26/Agenda)

July 26, 2022, Meeting Materials:

[Board of Supervisors Environmental Committee Meeting: July 26, 2022 | Board Of Supervisors \(fairfaxcounty.gov\)](https://www.fairfaxcounty.gov/boardsandcommissions/environmentalcommittee/2022/07/26/BoardOfSupervisors)

The following is a summary of the discussion from the July 26, 2022, Environmental Committee meeting.

The meeting was called to order at 11:20 A.M.

Item I Opening Remarks

After a brief introduction from Supervisor Storck, Committee Chair, the Environmental Committee was asked if there were any changes to the minutes of May 17, 2022. With no changes, the meeting minutes were accepted.

Supervisor Storck asked if there were any updates or outstanding items that were owed to the Board members. Hearing none, he moved to the next item.

Item II Fairfax Green Initiatives Update

The second item on the agenda was an update on Fairfax Green Initiatives, presented by Kate Daley, Environmental Analyst, Office of Environmental and Energy Coordination (OEEC).

Kate shared progress on several action items from the Fairfax Green Initiatives #1 and #2 Board Matters, since the Board was last updated in February 2022.

Kate began with several updates pertinent to Fairfax Green Initiatives #1. To advance item 4c. and the county's renewable energy goals, since the last Green Initiatives update, House Bill 396, a county legislative priority introduced by Delegate Sullivan, passed the 2022 General Assembly and was signed into law. The bill amends the municipal net metering pilot with provisions friendly to Fairfax County and other localities. Item 4e. calls for the expedited consideration of R-PACE, although it has still not been enabled in Virginia. In late 2021, Virginia Energy released a Work Group report to assess feasibility of a program in the state. It looked at the three states that have active programs, California, Florida, and Missouri, and due to a number of concerns with consumer protections, impacts on mortgage lenders and other issues, the Work Group ultimately did not reach a consensus to move forward with R-PACE in Virginia. Virginia Energy included a recommendation in the report to await further developments from these R-PACE states. Finally, under item 5a., which addresses tree canopy goals, the Department of Public Works and Environmental Services (DPWES) reported the results of a pilot project it undertook in the Route 1 Corridor. Working with a non-profit, 139 trees were planted at residential properties in the area.

Kate also shared a number of updates from Fairfax Green Initiatives #2. DPWES reported progress under item 1a., which addresses community composting. It is conducting two pilot projects, including a food scraps drop-off pilot at the I-95 Landfill and I-66 Transfer Station. Between November 2020 and May 2022, the program diverted 98 tons of waste. The second pilot continues at area farmers markets where residents can drop off food waste during regular market hours. A fifth location was recently added, with drop-offs located at the Mount Vernon, Herndon, Kingstowne, Burke and Mosaic markets. Between June 2021, when the program started, and May 2022, the program has diverted 32 tons of waste. To advance item 2c., which calls for finding solutions to charging infrastructure, electric vehicle (EV) chargers have now been installed at the parking garages at the Government Center, Herrity and Pennino Buildings, Public Safety Headquarters and Sharon Bulova Center for Community Health, covering over 40 spaces. Since the last Green Initiatives update, the Fairfax County Park Authority gained the ability to install fee-based EV chargers at its facilities through the passage of HB 433 in the 2022 session of the Virginia General Assembly.

Kate concluded her update with a note that, of the thirty-three total Fairfax Green Initiatives action items, twenty items are considered complete, eleven are ongoing, and two are being addressed through the Community-wide Energy and Climate Action Plan (CECAP).

Board Discussion:

Supervisor Storck highlighted the work of Delegate Sullivan on HB 396 in the 2022 session of the Virginia General Assembly.

Item III

Recommended Levels of Service for the County Flood Risk Reduction Plan

The third item on the agenda was a presentation on Recommended Levels of Service for the County Flood Risk Reduction Plan by Chris Herrington, Director, DPWES, Ellie Coddling, Deputy Director, DPWES, and Bill Hicks, Director, Land Development Services (LDS).

Ellie Coddling began the presentation by showing examples of flooding events in Fairfax County's recent history. The county cannot eliminate flood risk, but it can

reduce risk to life and property. Three strategies for flood risk reduction are developing regulations, programs, and projects. These strategies are linked. Without participation from residents and businesses, the county cannot achieve a meaningful level of flood risk reduction. Flooding is a shared public and private responsibility.

The objective of the presentation is to bring back a strategic plan for the level of service for existing and future development regarding flood risk. DPWES would work to mitigate flooding for existing structures during a 100-year storm event adjusted for climate change. DPWES would require future development to provide adequate drainage and safely convey the 100-year storm event adjusted for climate change, for both individual and larger developments. Finally, it would modify the design criteria to account for future changes to rainfall amount and sea level rise due to climate change. A risk-based approach would prioritize projects based on frequency and impact of flooding. Ellie noted that each strategy has costs and limitations. Project success depends on funding, staff resources, feasibility, and compliance/enforcement.

Bill Hicks continued the presentation by discussing how LDS will develop a list of potential regulatory and design criteria enhancements. It will develop a “proof-of-concept” study to determine the effectiveness and associated benefits and costs to bring before the Board in spring 2023.

Ellie Coddling concluded the presentation by sharing potential next steps, including the Board approving the proposed levels of service and staff presenting the draft flood mitigation plan.

Board Discussion:

Chairman McKay commented on infill development and its impact on flooding. He is increasingly concerned about the lack of information and oversight provided to homeowners’ associations (HOAs) to maintain their stormwater facilities. He suggested new regulations but asked if the current rules for these communities are being enforced.

Ellie Coddling replied that DPWES will be presenting some options to assist existing owners of stormwater facilities at the October 2022 Environmental Committee meeting. Bill Hicks added that another key item that they will be bringing back to the Board is a cost benefit analysis, expected in spring 2023.

Supervisor Foust supports the 100-year standard of reducing flood damage. On overland relief, he asked if we would design infrastructure for 100-year storms.

Bill responded yes.

Supervisor Foust asked about the easements for overland relief and if the owner has some recourse when they are flooded due to lack of an easement. He suggested we need to look at adding an easement for water flowing over people's properties. He also commented on stream restoration and stormwater management projects, saying that we need to make the infrastructure the priority.

Supervisor Gross complimented the presentation. She appreciated the proposal and would like to see it fleshed out. She asked if the proposal includes FEMA funds to buy out properties that flood frequently.

Ellie responded that yes, this is a way for them to include the buyouts in context with the FEMA program.

Supervisor Gross commented on the need to educate property owners. She suggested a conversation with Northern Virginia Realtors (NVAR). The property owners need to look at the history of their property.

Supervisor Walkinshaw appreciates the direction we are going in. From personal experience, small, medium, and large contractors go by the 2,500 square foot land disturbance threshold. Education of the contractor community is in order.

Bill Hicks responded that he would add that to the list of things to consider.

Supervisor Alcorn asked about the existing structures affected by the 100-year storm events. He asked how many properties are involved and about the estimated costs to mitigate.

Ellie Coddington responded that the information was not known at this time, but they would bring it back before the Board at a later date.

Supervisor Alcorn said that he would endorse the plan based on that information. He would like to know more about the types of buildings involved. On slide 9,

regarding the prioritization of projects, he would like to know the geographic distribution of the types of properties affected.

Ellie confirmed that they would bring that information back before the Board.

Item IV

Resilient Fairfax Public Comments and Next Steps

The fourth item on the agenda was a presentation on Resilient Fairfax Public Comments and Next Steps by Allison Homer, Senior Community Specialist, OEEC.

Allison began with the background of the Resilient Fairfax plan. She showed an overview of the timeline, leading to completion of the plan this October. She also showed a slide of the key players, including the Planning Team, Infrastructure Advisory Group, and Community Advisory Group. The draft plan was made available for public comment between May 16 and June 15, 2022. The plan includes the background information on the plan and process, summaries of the major technical analyses, strategies and implementation roadmaps.

The Resilient Fairfax draft plan includes strategies categorized into four major pillars: Integrated Action Planning, Climate Ready Communities, Resilient Infrastructure & Buildings, and Adaptive Environment. The Integrated Action Planning pillar provides the foundation for long-term success through interagency coordination, data, funding, and plan alignment. The Climate Ready Communities pillar includes promoting county services and aid, public education and outreach, and updates to our codes to encourage climate-ready development. The Resilient Infrastructure & Buildings pillar includes both internal and external infrastructure, such as reliability of the grid. The Adaptive Environments pillar includes both protection and restoration of our natural resources.

The public comment period for the draft plan was held between May 16 and June 15, 2022. Comment options included Konveio (an interactive PDF platform), through a public meeting, or via email or phone. On Konveio alone, the plan received over 2,000 views and over 453 comments. Prior to the public comment period, the project team conducted robust stakeholder and public engagement.

The comments have a few key themes. Twenty-five percent of respondents were concerned about climate-ready and environmentally friendly development, 16 percent commented on community, equity, and partnerships, and 16 percent of the comments related to logistics, technical edits, and funding.

Next steps in the planning process include the final Advisory Group meetings and plan revisions based on public comment. The final plan is expected to be presented to the Board in fall 2022.

Board Discussion:

Supervisor Gross commented that it is an excellent report. She complimented Allison Homer's presentation on the plan at a recent Northern Virginia Regional Commission meeting, which covered community, military, and federal partnerships. She noted that Fort Belvoir, Quantico, and Meyer-Henderson Hall are all working on resiliency. There is a lot of opportunity to collaborate with their plans, as well as with Arlington and Prince William Counties. It's a regional piece; we need to make sure the fence lines of our installations don't get in the way of progress.

Supervisor Storck thanked Supervisor Gross for her regional work over the years.

Supervisor Palchik asked about outreach and how other climate plans can get confused. She asked how we can avoid overlap, if we are communicating and thinking strategically across the board, and if we have a clear roadmap of everything we are doing as a county.

Kambiz Agazi, Director, OEEC, responded that all of this work is viewed as Climate Action. The OEEC is developing a dashboard that will cover education and outreach, community involvement, incentives, programs, activities, and metrics across the realm of Climate Action, covering the various plans, programs and initiatives that fall under this umbrella.

Supervisor Palchik said that she is looking forward to seeing the dashboard Kambiz mentioned.

Supervisor Storck added that it will be good to see it on the whole, rather than the individual plans.

Supervisor Foust asked if C-PACE has been incorporated into the Resilient Fairfax plan.

Allison responded that C-PACE is listed as one of the strategies in the plan, although it has low awareness. The office plans to increase awareness of the program.

Item V Fairfax County Green Bank Proposal and Next Steps

The fifth item on the agenda was a presentation on a Fairfax County Green Bank Proposal and Next Steps, by John Morrill, Division Manager, OEEC.

John first noted that a Green Bank in Fairfax County would require participation of the entire community and substantial investments by all in energy efficiency, renewable energy, and electrification. Green Banks have emerged as an effective tool for cities and counties. Also known as clean energy financing organizations, a Green Bank can act as a program sponsor, trusted advisor, and a clearinghouse of information for residents in the private sector.

He then presented on the background of the Green Bank efforts. Last year, the OEEC hired consulting firm ICF International to conduct a feasibility study. The project team included staff from OEEC, Department of Finance, Department of Economic Initiatives, and the Office of the County Attorney. Staff from the Economic Development Authority and the Department of Housing and Community Development participated in stakeholder interviews. The ICF analysis included a market assessment of clean energy potential in Fairfax County. It identified cost-effective improvements of over \$650 million worth of investments over a five-year period. The most attractive programs could include residential energy efficiency, rooftop solar, and assistance to private fleet operators to electrify their fleets. The role of a Green Bank would be to encourage and facilitate these private investments through targeted programs, direct incentives, and partnerships with private financial institutions and utilities.

County staff and consultants conducted interviews with two dozen stakeholders. There was great interest and curiosity for these efforts. A Green Bank would not compete with any private lending institutions, rather, it would complement and bolster these institutions.

A Fairfax Green Bank could fill some gaps in the technical and financial deployment of clean energy. From stakeholder interviews, it is clear that many potential customers cannot afford to make the investments needed or are overwhelmed by the options available. A Green Bank can act as a guide to financial options and enhance the credit worthiness of customers with compelling opportunities. A Green Bank would have a strong emphasis on ensuring that clean energy improvements are available to residents in low- and moderate-income households, who can most benefit from the potential savings.

Although it is possible to establish a Green Bank as a county agency, staff and consultants agree that it would be best set up as a 501(c)(3) to provide it the most flexibility for its mission. The county would still be involved in its governance through a Board of Directors and the organization's charter can define the role of the county government. A 501(c)(3) can also accept contributions from corporations, individuals, and foundations, reducing its reliance on county funding. It will also make it easier to structure the entity to include neighboring jurisdictions in the future.

The project team explored the funding needs to launch a Green Bank. With too little funding, it would focus too much on its own financial sustainability. With adequate funding, it would be able to develop programs and be active in the community with those programs. An attractive model of adequate funding would be the Montgomery County Green Bank. High-end examples may be found in Delaware and Connecticut. A mid-range investment from the county would allow a Green Bank to be established and programs and services to be operationalized, while expanding its partnerships and ability to leverage private capital.

Next steps include additional pre-development work, additional stakeholder engagement, and the development of a draft ordinance. If the Board supports this effort, staff will return later in 2022 with the draft ordinance and further recommendations.

Board Discussion:

Supervisor Palchik likes the idea of the 501(c)(3) approach. She asked how we ensure that we incorporate equity and target low- and moderate-income households.

John Morrill responded that it can be incorporated into the charter of the organization.

Supervisor Walkinshaw thanked his colleagues, county staff, and Delegate Kory for turning this legislative effort into a reality. The key with a Green Bank is that it be structured, and the programs be targeted to not crowd out private business.

Supervisor Gross asked if we have ever done anything like a Green Bank in the past.

Susan Timoner, Office of the County Attorney, responded that she has not seen anything like this in the recent past.

Supervisor Gross asked about the credit unions mentioned on slide 5 and why it did not include NextMark Credit Union.

John responded that the consultant wanted to reach out to familiar entities that have experience in this area. In the fall, they plan to explore other stakeholder outreach.

Chairman McKay asked if staff and the consultant ruled out the possibility of partnering with other jurisdictions in Northern Virginia for a Green Bank.

Susan responded that staff looked at Virginia Code and believe there is a way to coordinate regionally.

Chairman McKay asked that, if a legislative fix needs to be made, staff bring it to the Board's attention before the next General Assembly session.

Susan responded that they will be taking a deeper dive into the legislation.

Supervisor Storck commented that this brings opportunities to benefit our residents and those in neighboring jurisdictions to reduce emissions and greenhouse gases.

Item VI CECAP Legislative Initiative

The sixth item on the agenda was a presentation on a CECAP Legislative Initiative, by John Morrill, Division Manager, OEEC.

John Morrill began his presentation with a proposal to gain local authority to require the benchmarking of energy use in large commercial buildings. The benchmarking of energy is a proven method of energy education and a vital tool to understand where opportunities lie for cost effective improvements in existing buildings. Over 40 states and localities use energy benchmarking to drive energy efficiency. While raising building codes is helpful to reduce energy use in new construction, the vast majority of energy use occurs in buildings that are already built. Energy benchmarking provides useful information to the private sector and could guide county programming to better assist building owners and managers to improve energy efficiency.

Staff's recommendation is to amend the Virginia Code to give localities the authority to require energy benchmarking of large commercial buildings, subject to statewide guidelines from the Virginia Department of Energy.

Board Discussion:

Supervisor Walkinshaw referred to the addition of supportive language in the 2022 Legislative Program in support of this and whether it should be elevated as a county initiative. He would like to see this succeed and he supports it. In terms of climate and environmental issues, he would like to make sure they put forward initiatives that will succeed. He asked about the option of voluntary benchmarking and if it has been considered.

John replied that there is not a voluntary program at this time. Owners and operators of buildings that are in most need of energy efficiency improvements are often the least likely to participate in voluntary programs.

Supervisor Storck added that he feels that education would be an important component of this initiative.

Item VII Review of Environment and Energy Staff Reports and Not in Board Packages (NIPs)

Supervisor Storck reminded the Board of the Staff Reports and NIPs included in the Environmental Committee Board package, including the Fairfax Green Initiatives Update, Residential Tree Planting Pilot Project, Resilient Fairfax: Public

Comments on the Draft Plan, Fairfax Green Bank Update, Climate and Energy Legislative Proposals for 2023 General Assembly Session, and Plastic Bag Tax Revenue.

Board Discussion:

Supervisor Storck noted that the revenue from the plastic bag tax would likely amount to \$1.2 million in the first year of implementation. Staff recommends the development of a formal project selection process, like the Environmental Improvement Program, to allocate the revenue from this tax.

The meeting adjourned at 12:30 P.M.