

# **BOARD OF SUPERVISORS ENVIRONMENTAL COMMITTEE**

**October 8, 2019**

**11:00 A.M.**

**Government Center Conference Room 11**

## **Board of Supervisors Members Present:**

Board Chair Sharon Bulova

Committee Chair Penelope A. Gross, Mason District

Supervisor John Cook, Braddock District

Supervisor John Foust, Dranesville District

Supervisor Pat Herrity, Springfield District

Supervisor Cathy Hudgins, Hunter Mill District

Supervisor Jeff McKay, Lee District

Supervisor Kathy Smith, Sully District

Supervisor Linda Smyth, Providence District

Supervisor Dan Storck, Mount Vernon District

## **Others Present:**

Drew Budelis, Versar, Inc.

Craig Herwig, UFMD

Hugh Whitehead, UFMD

Cathy Ledec, FC Tree Commission

Cindy Speas, FACS

Karlee Copeland, DPWES

Tiya Raju, DPWES

Vrushali Oak, DPWES

Meg Mall, FACS

Donald Craig, FACS

October 8, 2019 Meeting Agenda:

<https://www.fairfaxcounty.gov/boardofsupervisors/sites/boardofsupervisors/files/assets/meeting-materials/2019/oct08-environmental-agenda.pdf>

October 8, 2019 Meeting Materials:

<https://www.fairfaxcounty.gov/boardofsupervisors/board-supervisors-environmental-committee-meeting-oct-8-2019>

The following is a summary of the highlights of the discussion from the October 8, 2019 meeting.

Today's meeting was called to order at 11:00 AM.

### **Item I Opening Remarks**

After a brief introduction from Supervisor Gross, Committee Chair, the Environmental Committee accepted the minutes of June 18, 2019. With no further changes, the meeting minutes were accepted into the record.

Kambiz Agazi was introduced by Chairman Gross and he began with general announcements.

The Request for Proposal (RFP) for a C-PACE Program Administrator closed on August 15, 2019. The RFP for the solar power purchase agreement closed on September 12, 2019. A memo was issued on September 30, 2019 from the County Executive to allocate a portion of the FY 2019 Carryover Funds to Operational Energy Strategy projects to pilot the state's DMME ESCO contract. The CECAP (Community-Wide Energy and Climate Action Plan) is underway; Kambiz thanked Board Offices for assisting with the organization of the Focus Group members.

### **Item II Flooding**

The second topic on the agenda was a presentation on county flood mitigation activities by Randy Bartlett, Director, Department of Public Works and Environmental Services (DPWES).

Mr. Bartlett began the presentation with an overview of significant rainfall events in Fairfax County, the history of stormwater management and the impact of climate change on stormwater management. He also showed examples of how redevelopment of land impacts the stormwater management in addition to climate change. He gave options on how to address flooding concerns. He went into detail on overland relief protection, stormwater conveyance systems, upgrades to existing

road culverts, property acquisition, the adoption of more stringent requirements for infill development and administrative and financial provisions. He outlined the stormwater management project priorities from the 1997 policy for prioritizing stormwater control projects for funding consideration. He then gave examples of the various sizes of the storms that create flooding challenges and inform the county's stormwater design standards. He introduced an outline for policy discussion, including reviewing and defining the county's role, priorities, and risk management strategies. Mr. Bartlett's recommendations were to enhance overland relief protection, review design recommendations, review the cost versus provided protection of policy options, and encourage the use of flood insurance.

Chairman Gross thanked Mr. Bartlett and noted the challenges in the individual districts from the July 8<sup>th</sup> storm, especially the Dranesville, Mason, and Mt. Vernon districts. Chairman Gross suggested reviewing the 2006 policy that road projects not related to the protection of the stream beds and banks or water quality not be funded out of the stormwater budget, as they were prior to the introduction of the stormwater fee.

Chairman Bulova recommended upsizing pipes for a 100-year storm and increasing the sizing with new development. She recommended education of landowners about overland sheet flow and what to expect on their individual properties, including that if they put things on their property in the way of the stormwater flow, it creates flooding challenges.

Chairman Gross noted the challenge that water runs downhill. Many complaints from constituents include that they would like stormwater to remain in a channel or a pipe, not overland, which is a misunderstanding on how these systems work.

Supervisor Smyth asked Mr. Bartlett what authority the Board has to implement the stormwater management options presented.

Mr. Bartlett responded that he intends to look into the authority with the state. Whatever is recommended may have to go before the State Water Control Board.

Supervisor Smyth addressed the infill development challenges for stormwater. She also discussed low-impact development practices from years past.

Mr. Bartlett responded that the low-impact development does impact regular stormwater flow; it does not address the larger storms.

Chairman Gross reminded Mr. Bartlett about possible changes that could be made by making recommendations through the Stakeholder Advisory Group for Phase III of the Chesapeake Bay Watershed Implementation Plan.

Supervisor McKay asked that the County Attorney review these policy options for what authority the county has versus the state's authority over stormwater and flooding management. He also directed that the Legislative team be involved to address concerns before the General Assembly. He recommended that we educate the drainage solution companies and industry about the stormwater systems to avoid high velocity problems downstream. He noted that HOA-maintained stormwater management systems are a burden on the HOA and suggested we use stormwater funds for taking over some of these facilities.

Chairman Gross agreed that the Board needs to discuss solutions to these challenges with industries.

Supervisor Foust brought up the overland relief option discussed and commented that it wasn't without consequences. He put forth the example of a child stepping off a curb into a road during one of these flooding events and how it creates a dangerous situation. He suggested we get more of this water into a conveyance system that is not free-flowing through the neighborhoods. The county offers constituents options to make investments to limit the ability of the sewer system to back up into basements when the sewer systems overflow.

Mr. Bartlett responded that Supervisor Foust was thinking of backflow valves. If a resident experiences a sanitary sewer backup, the county installs a backflow valve, but it's the resident's responsibility to maintain it. In addition to the backflow valve, they must disconnect all drains from the storm sewer.

Supervisor Foust stated that the county must keep stormwater out of its sewer systems or ensure that it doesn't get into the constituents' basements. State funding has been good. They have been dealing with minor fixes, but the county needs more money from the state. Regarding stormwater easements, they are located on private property, where the owner is responsible for taking care of it. Can the county get an easement on the property so that the county is responsible for maintaining it?

Chairman Gross directed that his question should be reviewed by the County Attorney.

Supervisor Storck commented that he needs to know about the best practices or preparedness level that the county should have as a minimum standard. Does it vary across Fairfax County? He also asked about the focus on impact per dollar, on whether the county has an expectation to ensure property owners meet those standards.

Mr. Bartlett responded that the standards are the same across the county. He explained that he didn't do a cost analysis at this stage because he wanted direction from the Board before doing so.

Supervisor Storck asked if there is an order of magnitude in public versus private responsibility for the cost.

Mr. Bartlett responded that they are still in the beginning phases of these standards.

Supervisor Storck also suggested that we have an outcomes-based approach.

Mr. Bartlett commented that there isn't just one solution and not all those solutions are buildable.

Supervisor Smith wanted to discuss the nuances and consequences of designating overland relief paths on plats. She stated that education of the homeowners is key.

Chairman Gross returned to the slide that discusses the stormwater management project priorities, regarding the policy from 1997. She asked if this policy could be changed with additional discussion. She asked that County Executive Bryan Hill look at the Board discussion back at that time. A number of things have changed since that discussion. Fairfax County partners with VDOT for these efforts, but the funding required will be significant. Chairman Gross asked the County Attorney to do legal research on the matter and the County Executive to update the Board in a memo within a few weeks.

Supervisor Smith commented that the most difficult part is weighing the effectiveness of the policy changes.

Chairman Gross commented that regarding roads, it is VDOT's responsibility. The county's concern is the infrastructure around the roads.

Supervisor McKay asked if the county has enough funds from the stormwater fee to do streambed protection and water quality projects where stormwater funds are used if funds are opened to other projects.

Chairman Gross responded that, no, the county does not have enough funds from the stormwater fee. That's why the Board seeks potential partners in these efforts.

Supervisor Hudgins commented that an equity lens needs to be applied when examining potential policy changes.

Supervisor Foust commented that, in terms of prioritizing funding, the county is responsible for stormwater management and it isn't happening in many of the neighborhoods. There are neighborhoods that are literally being destroyed when it rains. It's time to take a look at it.

### **Item III**

#### **Overview of Policy Plan Amendment for the County's Green Building Policy**

The third item on the agenda was a presentation given by Joe Gorney, Senior Environmental Planner, Department of Planning and Development.

Mr. Gorney began with the background on the Comprehensive Plan Amendment related to Green Building. He presented the proposed language to update the policy and presented next steps.

Supervisor Foust asked how it could take three Planning Commission hearings to come to this recommendation. He supported the change. He directed staff to take a serious look at what can be done with the Comprehensive Plan and the regulatory documents to improve energy efficiency and conservation.

Supervisor McKay asked what began the conversation for the Board recommendation in 2017.

Mr. Gorney responded that it began in 2011 and 2013 from two reports from the MITRE Corporation regarding electric vehicle charging and green building technologies in the Tysons area. Work was done in 2014 to change the Green Building policy.

Supervisor McKay commented that it seems like it took 10 years to make this change, so the county needs to consider the time it takes to make these changes and not take as much time, going forward.

Supervisor Linda Smyth commented that things change quickly, and the county needs to keep up, particularly with electric vehicles.

Chairman Gross responded that CECAP efforts will focus on that.

#### **Item IV Strengthening Green Building Policies for County Facilities**

The fourth item on the agenda was a presentation given by Carey Needham, Director, Building Design & Construction Division, DPWES.

Mr. Needham began with an overview of the Building Design and Construction Division's (BDCD) Sustainability Program, then showed the timeline of the Sustainability Program for buildings. He gave an overview of the Sustainable Development Policy for Capital Projects, adopted in 2008. He gave an update on projects and outlined the department's future plans, including examining pathways to LEED Gold, Net Zero and Optimized Energy Performance. Mr. Needham stated that he would be back to give an update to the Board in early 2020.

Chairman Bulova thanked Mr. Needham and confirmed that BDCD will be coming back to the Board in early 2020.

Supervisor Foust commented that we set the example for the county and we should strive to have LEED Gold certification for our projects.

Supervisor Hudgins commented that a challenge in her district is to replace buildings that are 20 years old, for example the Reston Library.

Supervisor Storck commented that private industry is doing well in terms of LEED certification, and the county needs to keep up. He feels that Fairfax County should also be looking at energy efficiency standards, in addition to LEED standards.

Mr. Needham responded that BDCD are looking into benchmarking standards for occupied building performance over time. LEED provides a strong framework, but they plan to propose a target goal for pilot projects for energy efficiency and sustainability.

Supervisor Storck directed staff to bring to the Board those targets for ongoing energy use and efficiency.

Supervisor McKay directed staff to bring back a draft update for a policy change, data, and a recommendation.

### **Item V Tree Planting**

The fifth item on the agenda was a presentation given by Brian Keightley, Director, Urban Forest Management Division, DPWES.

Mr. Keightley presented the results of a tree planting survey. UFMD gained respondent insight from the survey. He outlined the Conceptual Work Plan for FY 2020.

Supervisor Storck commented that he is looking forward to tree planting and implementation that goes with it. He asked if the Tree Action Plan was being worked on.

Mr. Keightley responded that the Tree Commission met in September 2019 and made a motion to provide a draft Tree Action Plan to submit to the Board for consideration.

Supervisor Storck also commented that the community groups should be engaged while implementing the plan.

Mr. Keightley responded that implementing the Tree Action Plan will require partnerships with private property owners.

The meeting adjourned at 12:36 P.M.