

**COUNTY OF FAIRFAX
ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

MEETING MINUTES

DATE: July 12, 2023

TIME: 7:17 p.m. – 10:28 p.m.

**LOCATION: 12000 Government Center Parkway
Fairfax, VA 22035
Conference Room 4/5**

EQAC Member Attendance

Name	Present/ Absent*	Name	Present/ Absent*
Larry Zaragoza (Chair, Mount Vernon)	P	Renee Grebe (Vice-Chair, At-Large)	P
Johna Gagnon (Franconia)	P	Stella Koch (At-Large)	P
Richard Healy (Mason)	P	Oaklen Kalinichenko (Student Member)	P
Ken Gubin (Dranesville)	P	George Lamb (At-Large)	P
Ken Lanfear (Hunter Mill)	P	Bryan Campbell (Braddock)	P
<i>Vacant</i> (Providence)		Eric Goplerud (At-Large)	V
Rich Weisman (Sully)	P	Clyde Wilber (Springfield)	P

* P indicates present; A indicates absent; V indicates attended virtually

Staff Attendance

Matthew Meyers, Office of Environmental and Energy Coordination (OEEC)
Neely Law (OEEC)
Sara Girello (OEEC)
Kelly Zitzer (OEEC)
Kathleen Daley (OEEC) Maiya Justice (OEEC)
Katie Hermann, Department of Planning and Development (DPD)

Visitor Attendance

Morgane Grand
Jared Schools
Kerri Schools

Call to Order/Remote Participation

Chair Zaragoza called the meeting to order at 7:17 p.m. and announced that Mr. Goplerud had requested to participate in the meeting remotely. Chair Zaragoza read the remote participation language requirements and asked Mr. Goplerud to state his name, location, and reason for remote attendance. Mr. Goplerud shared that he was participating remotely from Massachusetts for personal travel, his first personal remote participation of the year. Ms. Koch moved to allow Mr. Goplerud to participate remotely. Mr. Lanfear seconded the motion, and it carried by a vote of 12-0-0, with Mr. Goplerud not yet able to vote.

Agenda Items, Discussion, Decisions and Votes

1. Landscaping and Screening Zoning Ordinance Amendment (ZOA) Memo

- a. Mr. Goplerud briefed members on the proposed Landscaping and Screening ZOA Memo. He highlighted the recommendation for 30% canopy coverage instead of the staff recommended 5-10% canopy. The recommendation offers an alternative consideration of focusing this requirement on the 24 census tracts where there are high heat vulnerability and low tree canopy.
- b. Mr. Goplerud moved that EQAC approve and send the memo to the Board of Supervisors. Mr. Wilber seconded the motion. During discussion, Mr. Wilber suggested, as a friendly amendment, that the 30% recommendation be included in the summary section of the memo's attachment. Mr. Goplerud accepted Mr. Wilber's friendly amendment. Dr. Weisman noted that it would be helpful if Mr. Goplerud could add context to the memo in relation to the map located in the memo's attachment section. Mr. Goplerud agreed. The motion was called, and it carried by a vote of 13-0-0.

2. Annual Report on the Environment Chapter Presentations

- a. Mr. Healy presented the Air Quality Chapter.
 - i. The region has made progress in regulated pollutants over the past thirty years. A new concern is wildfire smoke. Air quality is difficult to address at a county level but is more affected by regional behaviors and cyclical weather patterns. However, Fairfax County can promote less vehicle use, and more public transit on high bad air quality days. Recommendations for future consideration about air quality monitoring and the Covanta plant was discussed,

Mr. Healy moved adoption of the Air Quality Chapter. Dr. Weisman seconded the motion, and it carried by a vote of 13-0-0. No further discussion was conducted on the motion.

- b. Dr. Weisman shared the Transportation Chapter and the Fairfax County Public Schools (FCPS) Spotlight.
 - i. The focus of the Transportation chapter discussion was around Community-wide Energy and Climate Action Plan (CECAP) recommendations. The chapter has complementary recommendations with the climate chapter. There was discussion of a recommendation to continue to support CECAP goals regarding electric vehicle policy and continue to complete and implement of the Active Fairfax Transportation Plan.

Dr. Weisman moved adoption of the Transportation Chapter. Mr. Wilber seconded the motion. Discussion was had by members regarding Metro funding shortfalls and whether Council should include the issue in the

chapter and provide a recommendation or comments. The motion was carried by a vote of 13-0-0.

- ii. The FCPS Spotlight section highlights the increase in Get2Green staff, schools have reduced energy use per square foot despite shortfalls in solar purchasing power, moving towards its goal set for electric vehicle buses, and schools have received results from lead testing in water drinking fountains.

Dr. Weisman moved adoption of the FCPS Spotlight section. Ms. Gagnon seconded the motion, and it carried by a vote of 13-0-0. No further discussion was conducted on the motion.

- c. Mr. Lanfear presented the Technology Chapter and highlighted that Fairfax County has had greater access to data. Two issues were discussed. The first issue is that data is outdated and needs to keep current, with LIDAR and PLANARMETRY data as example. The second issue is the use of GIS data should be encouraged for staff via adequate training. Both recommendations from last year were accomplished. A recommendation for this year is to increase customer service capacity.

Mr. Lanfear moved adoption of the Technology Chapter. Dr. Weisman seconded the motion, and it carried by a vote of 13-0-0. No further discussion was conducted on the motion.

3. Environmental Excellence Award Recommendations

- a. Ms. Koch and Mr. Lanfear discussed nominations selected for this year's Environmental Excellence Awards. Three county employees were recommended for the award, Hugh Whitehead from the Department of Public Works and Environmental Services' Urban Forestry Team within the Stormwater Management Division, Joe Gorney from the Department of Planning and Development, Planning Division, and Craig Carinci from the Department of Public Works and Environmental Services' Stormwater Planning Division. In the Individuals category, a student at Langley High School, Mei Torrey was recommended for the award. In the Organizations category, Vienna's Trace Zero Waste Store and the Montebello Condominium Unit Owners Association Grounds Committee were recommended for the awards.

Mr. Lanfear moved the nominations. Ms. Koch seconded the motion, and it carried by a vote of 13-0-0. No further discussion was conducted on the motion.

4. Approval of June 14, 2023 Meeting Minutes

- a. Ms. Gagnon moved adoption of the June 14, 2023, EQAC Meeting Minutes. Ms. Grebe seconded the motion, and it carried by a vote of 11-0-2, with Ms. Koch and Ms. Kalinichenko abstaining from the vote.

5. 2023 Legislative Proposals

EQAC brought forward several legislative proposals for discussion.

- a. Mr. Wilber brought forward a proposal to preserve tidal wetlands protection.
 - i. Mr. Wilber gave a presentation on tidal wetland board origin and living shoreline law. He then presented an example on a proposed project to demonstrate issues with allowing grandfathering. Staff stated that the Board of Supervisors did not include EQAC's Living Shoreline proposal in the 2023 legislative package and recommended that staff monitor the current legislation.

Ms. Grebe moved adoption of the proposed position statement. Ms. Koch seconded the motion, and it carried by a vote of 10-1-2, with Chair Zaragoza voting in opposition and Dr. Weisman and Mr. Lamb abstaining from the vote.

Chair Zaragoza stated that he had planned to bring forward a recommendation on living shorelines. He shared that county staff had reported at the June EQAC meeting that the Office of the County Attorney would not discuss legal opinion at a public meeting and that if such a discussion were desired a Supervisor could arrange for such a meeting. Chair Zaragoza reached out to Supervisor Storck to hold a meeting. Supervisor Storck had agreed to a meeting to discuss the law and Chair Zaragoza had informed staff that he had planned to wait until after the meeting with Supervisor Storck to present his proposal on living shorelines. Chair Zaragoza further noted that he thinks the approach he plans to discuss will be more effective over the long-term in protecting and promoting wetlands than the current law.

- b. Chair Zaragoza brought forward a position statement to strengthen the current proposed state law to require electric vehicle (EV) charging in new building or allow localities the ability to make laws.

Mr. Wilber moved to adopt the position statement amendment. Ms. Koch seconded the motion, and it carried by a vote of 11-1-1, with Ms. Gagnon voting in opposition and Ms. Kalinichenko abstaining from the vote.

- c. Two similar proposals were brought forward by council members for adopting a state-wide mandate for the most current International Energy Construction Code or for local jurisdictions to have the authority to mandate a more stringent code than a uniform state-wide building code.
 - i. Mr. Gubin's proposal called that the adoption of the mandate be applied to all new construction.
 - ii. Mr. Goplerud's proposal limited the mandate to new or major renovation of commercial and multi-unit residential buildings.

- iii. Mr. Goplerud described the history of HB2227 and its relationship to both versions of the proposals brought to EQAC for adoption.
 - iv. Mr. Wilber made a motion to convert the proposed legislation into a position statement. Ms. Koch moved the position statement seconded the motion. Mr. Healy motioned to amend Mr. Wilber 's motion in the form of a friendly substitute to reaffirm EQAC's support of the position statement on record in the 2023 Legislative Program. Dr. Weisman seconded the motion, and it carried by a vote of 12-0-1, with Ms. Kalinichenko abstaining from the vote.
- d. Ms. Grebe brought forward a proposal related to restricting Homeowners Associations (HOA)/Condominium Association's from disallowing homeowners to implement low impact landscaping.
 - i. Ms. Grebe described history of a Maryland law and legislative work to advocate and lobby to local elected officials.
 - ii. Following several questions from EQAC members, Ms. Grebe withdrew the submission.

6. Chair's Items

Chair Zaragoza shared the following:

- a. EQAC sent the data center memo, which was voted on in the June meeting, to the Board of Supervisors. Chair Zaragoza suggested to communicate the series of questions from discussion as an appendix and to ask the county to consider robust community engagement as efforts continue to develop a policy on this issue.
- b. Noel Kaplan's email requesting EQAC members consider applying to be Co-Chair for the Partnership for a Healthier Fairfax.

7. Council Member Items

- a. Mr. Wilber provided a briefing on the ARE Waste Chapter and extending the Zero Waste Plan will require additional legislative authority.
- b. Ms. Koch spoke of the Interstate Commission on the Potomac River Basin (ICPRB) which is investigating resilience concerns and issues of Potomac River nutrient loads. Mike Nardolilli, Director of ICPRB, will present in September to EQAC. Ms. Koch also commented on the Lake Accotink Task Force meetings she attended to date.
- c. Mr. Campbell reflected on his experience of the recent Task Force Meetings and its objective.
- d. Mr. Gubin raised a concern about the overwhelming amount of material he received within 24 hours of the EQAC meeting. He requested more time to review the material prior to discussion at meetings.
- e. Ms. Kalinichenko offered greetings, gratitude and stated a desire to learn more about and advancing recycling implementation and enhancement in the public schools.
- f. Mr. Lamb introduced his French exchange student to the Council.
- g. Dr. Weisman shared that the Bike to Farmers Market Week is July 16-22, 2023.

- h. Ms. Gagnon conveyed appreciation for the civility of discussion despite differences of opinion on issues. She also displayed her first five ARE reports to council members.
- i. Mr. Healy announced that the draft of EQAC's bylaws will be on the agenda for September.
- j. Mr. Goplerud –inquired about the length of a typical EQAC meeting.

8. Staff Items

Dr. Law shared the following with EQAC:

- a. Staff would like one to two EQAC representatives to participate in one to four focus groups associated with One Fairfax. Mr. Wilbur volunteered for August 24th; Ms. Koch volunteered for September 14th.
- b. The Board of Supervisors Environmental Committee on July 18th at 3pm
- c. Mr. Keightley asked for Friends of Trees awards nominations by end of July.
- d. Council forwarded change in Landscaping Meeting dates; and
- e. Staff will not be submitting any legislative submittals.

9. Adjournment

- a. Meeting ended at 10:28 p.m. following a motion for adjournment by Chair Zaragoza, which was seconded by Mr. Lanfear and carried by a vote of 12-0-0, with Mr. Goplerud not present for the vote.