

**COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX**

**MINUTES OF THE WETLANDS BOARD**

**DATE: Tuesday, February 22, 2022**

**TIME: 7:00 PM – 9:00 PM**

**LOCATION: Electronic Meeting via WebEx**

**Wetlands Board Member Attendance**

<b>Name</b>	<b>Present (P)/ Absent (A)</b>	<b>Name</b>	<b>Present (P)/ Absent (A)</b>
John Collins	P	Douglas M. Kleine	P
R. Dean Costello	P	Kim Larkin	P
Bert Cramer	P	Clyde Wilber	P
Deana M. Crumbling	P	At-Large Rep - Vacant	N/A

**In Attendance**

Katie Hermann

Dept of Planning and Development, Fairfax County

Marc Gori

Office of County Attorney, Fairfax County

**Community Members in Attendance**

Glenda Booth

Larry Zaragoza

Betsy Martin

The meeting was called to order at approximately 7:00 PM.

**1. Covid-19 Pandemic Special Motions**

Given that each member of the Wetlands Board was participating in the meeting from a separate location and in order to verify that a quorum of members was participating. Each member was able to confirm that their voice was clear, audible, and at an appropriate volume for all of the other members. Clyde Wilber performed a roll call of members and asked each Wetlands Board member participating in the meeting to state their name. Kim Larkin moved that each member's voice was adequately heard by each other member of the Wetlands Board. The motion approved unanimously.

After having established that each member's voice could be heard by every other member, Clyde Wilber next established the nature of the emergency that compelled these emergency procedures, the fact that the board was meeting electronically, the type of electronic communication that was being used, and how public access to this meeting was arranged. Clyde Wilber moved that the Emergency Declaration caused by the COVID-19 pandemic makes it unsafe for the Wetlands Board to physically assemble and unsafe for the public to physically

attend any such meeting, and that as such, the Freedom of Information Act's (FOIAs) usual procedures, which require the physical assembly of the Wetlands Board and the physical presence of the public, cannot be implemented safely or practically. He further moved that the Wetlands Board may conduct this meeting electronically through a dedicated audio-conferencing line, and that the public could access the meeting by calling 1-844-621-3956 and entering the code: 2342 049 2009. The motion was seconded by Kim Larkin and approved unanimously.

Clyde Wilber further moved that each member of the public has three minutes to speak at the end of the meeting. The motion was approved unanimously.

## **2. Welcome new Board member, John Collins**

Clyde Wilber introduced new Board member, John Collins, to the Wetlands Board. John is professional in the cyber security industry and is located in the Belmont Bay area.

## **3. Election of Chair and Vice Chair**

Clyde Wilber passed the gavel to Kim Larkin who opened nominations for Chair. Deena Crumbling nominated Clyde Wilber as Chair. With no other nominations, Kim Larkin closed nominations. The motion and vote were both approved unanimously, with no abstentions.

Clyde Wilber opened nominations for Vice Chair. Clyde Wilber nominated Kim Larkin as Vice Chair. With no other nominations, Clyde Wilber closed nominations. The motion and vote were both approved unanimously, with no abstentions.

## **4. Sub-Committee Draft Revisions**

Each sub-committee was asked to provide an update on their progress for each of the revisions of the following documents. This effort that may be warranted for the following items:

- a. Board Manual – Dean discussed a few minor updates, [Katie Hermann Action Item](#): will work with Dean to finalize this document to update it with recommendations from Clyde, which included ensuring any mention of living shorelines agrees with the County Code and keeping the Bylaws for the Board stay the same.
- b. Living Shoreline Policy/Application Guide: The Board discussed the following items:
  - i. Create a title sheet that includes the disclaimer and a graphic.
  - ii. Create links for references and websites.
  - iii. Clean up the workflow
  - iv. Clarify the list of required items for a JPA
  - v. Change the “Erosion Control Structure Maintenance” to remove sentence that allows applicants to determine on their own if wetlands may be impacted by a project.
  - vi. Remove the requirement for bathymetric data for living shorelines, to help encourage the installation of living shorelines

- vii. Add references to VIMS & VMRC technical resources
- c. Supplemental information request form/checklist
  - i. Remove County Comprehensive Plan references
  - ii. This document did not have any major suggested edits.
- d. Outreach brochure
  - i. Will be revised in the future once the other policy/guidance documents are finalized.

**Katie Hermann Action Item:** Katie will collect County comments, meanwhile Board members have until March 1<sup>st</sup> to review the final comments on what was discussed tonight. Then Katie will distribute final draft versions of the documents to all members by March 11<sup>th</sup> for their review and any comments will be needed by March 18<sup>th</sup>. These final versions will be posted online to the County’s Wetlands Board webpage and distributed to Board members before the next Board meeting.

## **5. Interim Application Reviews**

Katie Hermann discussed the idea of an ‘interim application reviews’ of County projects. This relates to a future procedure that would ask that County staff to come and brief the Wetlands Board about future projects in tidal wetlands areas. Clyde recommended that this topic be discussed in the second half of 2022.

## **6. Set date for next Wetlands Board meeting**

A proposed meeting date of **Tuesday, March 30, 2022**. Clyde suggested a meeting for later in March so that the Board can come back together soon to discuss the final draft policy documents. A 30-day comment period for these document will be needed.

## **7. Meeting Minute Review and Approval**

The review and approval of the December 13, 2022 meeting minutes were discussed. Deana presented a motion to approve the December 13, 2022 Wetlands Board meeting minutes, Dean provided a second to that motion.

## **8. Board Member Time**

Property owners near a project near Little Hunting Creek that is a main sewer line replacement. Clyde proposed that he work with County staff in DPWES to discuss the project and how it address construction concerns.

## **9. Public Comment Period**

- Glenda Booth – spoke to how the Wetlands Board is trying to review the policy documents, and encouraged this Board to consider to review the living shoreline policy

that the Board already has in-place, encouraged residents to contact County Staff and mentioned that she supports the current law, include a previous Attorney General opinion on when repairs are allowed without a permit and the issues with the permit exemption that the County has, which also includes the state and federal projects as well.

- Larry Zaragoza – appreciated the work that the Wetlands Board is doing to review the Living Shoreline Policy/Application Guide and the Supplementary document and make these draft versions of the documents be made available online.
- Betsy Martin – also thanked the Wetlands Board for their work and efforts on developing and updating these policy documents.

## **10. Adjournment**

Dean Costello motioned to close the meeting, and Dean Costello seconded the motion. The vote was approved unanimously.

The meeting adjourned at 9:06pm.