



## Legislative Package Endorsement

Accotink Supervisors,

November 17, 2020

The Friends of Accotink Creek wish to convey their endorsement of the three environmental items proposed by the Fairfax County Federation of Citizens Associations for legislative action in 2021

**Summaries (details below):**

### **Virginia Environmental Policy Act**

- The National Environmental Policy Act requires Federal agencies to coordinate with state and local Governments to reduce adverse environmental impacts.
- Virginia needs legislation that requires coordination with local community groups to minimize environmental impacts of projects that may not require NEPA review.

### **Break Free From Plastic Pollution**

- Recycling of plastics products is not cost effective.
- Legislation is needed to put the burden of keeping plastic out of the environment on the plastic manufacturers.

### **Maintain and Increase Tree Canopy and Leaf Area**

- The growth in Fairfax County has been at the expense of our tree canopy despite County goals to increase the tree canopy. Many of the benefits of trees come from tree-provided photosynthesis.
- In addition to maintaining or improving the tree canopy, the County should incorporate into the Policy Plan the maintaining of total leaf area canopy

Additionally, [SB 849](#) now allows Virginia local governments to regulate fertilizer applications on non-agricultural lands. Fairfax County should move ahead toward implementing policies that will reduce excess nutrients polluting our streams and the Chesapeake Bay. Maryland’s regulations provide one example of how this may be done:

[https://mda.maryland.gov/resource\\_conservation/Documents/fertilizerwebpage.pdf](https://mda.maryland.gov/resource_conservation/Documents/fertilizerwebpage.pdf)

## Friends of Accotink Creek

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<b>Issue ID:</b> 21C01 Virginia Environmental Policy Act
<b>This Issue is for:</b> <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
<b>Date Approved by Federation:</b> dd month yyyy
<b>Issue:</b> Not all projects get the environmental review and public engagement that will adequately protect our health or wellbeing.
<b>Background:</b> The National Environmental Policy Act (NEPA) helps ensure that projects undertaken or approved by the Federal Government get an environmental review according to the environmental requirements set by the Federal Administration in power at the time the decision is made. Some limitations are: 1) What gets consideration is based on Federal laws and are somewhat subject to the priorities of the Federal Administration and not responsive to State and Local concerns. 2) Projects that do not involve Federal permitting do not get as rigorous environmental review.
<b>Existing Conditions/Impacts:</b> There are several limitations to NEPA: <ol style="list-style-type: none"> <li>1. Air Quality: NEPA reviews only consider criteria pollutants which generally have regional significance, they do not include air toxics which generally have more localized impacts and can dominate health impacts locally.</li> <li>2. Water Quality: NEPA does not have to take into consideration local design goals and including erosion and sediment control guidelines.</li> <li>3. Gaps: NEPA does not cover actions that don't require Federal such as actions that only require State or local permits.</li> </ol>
<b>Preferred Position:</b> Several States have state environmental policy acts that can address the shortcomings of NEPA discussed above. In California actions taken by Counties or the State are required to go through the extensive California Environmental Quality Act (CEQA) process. A Virginia Environmental Policy Act could take into consideration hazardous air pollutants, additional public engagement – particularly for smaller projects which may not hit Federal Environmental Impact Statement thresholds, and set other requirements such as climate change that are not currently incorporated into the Federal requirements.
<b>Benefits:</b> Better public involvement in projects that could impair the environment, our health and/or our future.
<b>Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations):</b>
<b>Lead Federation Committee:</b> Environment
<b>Prepared by &amp; Federation email:</b> Flint Webb, <a href="mailto:FedEnvironmentChr2020@FairfaxFederation.org">FedEnvironmentChr2020@FairfaxFederation.org</a> .

<b>Issue ID:</b> 21C02 Break Free From Plastic Pollution
<b>This Issue is for:</b> <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input checked="" type="checkbox"/> Fairfax County Board of Supervisors
<b>Date Approved by Federation:</b> dd month yyyy
<b>Issue:</b> It is not cost effective to recycle most plastics so most plastic ends up in landfills or in our streams, and in the ocean. Ultimately plastics break down to smaller plastic pieces which enter our food chain. We need to reduce the use of single use plastic containers.
<b>Background:</b> Most plastics can't really be recycled cost effectively. The whole scheme for putting the recycling symbol on plastic containers was a marketing ploy to sell more plastic. Legislation has been introduced in Congress (endorsed by Congressman Connolly) to make producers fiscally responsible for collecting, Managing and recycling or composting plastic containers (HR 5845).
<b>Existing Conditions/Impacts:</b> Plastic is: blowing around on our streets, and farmland; choking our streams, and our oceans; and getting into our food chain. Plastic does not degrade in the environment – it only breaks down into smaller particles that can ultimately enter the food chair.  Counties can enact a 5-cent plastic bag tax. Fairfax County should enact this tax not only to reduce the plastic bag pollution, but also to reduce the burden on residential property taxes.
<b>Preferred Position:</b> The Fairfax County delegation to Congress should support the Federal legislation (HR 5845 and SB 3263). Similar legislation in Virginia could apply a tax on the sale of plastic containers in Virginia.
<b>Benefits:</b> It would reduce the plastic pollution in our streams, along our streets, in our farmland, in the oceans, and in our food.
<b>Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations):</b> 350 Fairfax, Friends of Accotink Creek, the Sierra Club, Faith Alliance for Climate Solutions, ...
<b>Lead Federation Committee:</b> Environment Committee
<b>Prepared by &amp; Federation email:</b> FedEnvironmentChr2021@FairfaxFederation.org



<b>Issue ID:</b> 21C03 Maintain and Increase Tree Canopy and Leaf Area
<b>This Issue is for:</b> <input type="checkbox"/> Fairfax County Delegation to the General Assembly <input checked="" type="checkbox"/> Fairfax County Board of Supervisors
<b>Date Approved by Federation:</b> dd month yyyy
<b>Issue:</b> The growth in Fairfax County has been at the expense of our tree canopy despite County goals to increase the tree canopy.
<b>Background:</b> Trees provide numerous benefits to our environment and our quality of life: 1) they sequester carbon dioxide (CO <sub>2</sub> ), 2) they remove particulate and other pollutants from the air 3) they remove water and cool then environment by transpiring water vapor, 4) they help stop erosion, and 5) they cool our streets and neighborhoods by providing shading. All but the last two advantages can also be realized by the use of green, or vegetated, walls and roofs.
<b>Existing Conditions/Impacts:</b> It is difficult to maintain tree canopy goals and still continue the growth of the county and as a result, the tree canopy has suffered.
<b>Preferred Position:</b> Since many of the advantages of the trees can be realized by use of green roofs and walls it should be possible to require new construction maintain the preconstruction leaf area. This could be done by amending the comprehensive policy plan to require that the tree inventory include a calculation of the unconstructed leaf area and require that developers maintain the same leaf area post construction by (in order of preference), inclusion of additional tree save areas, planting of new trees, use of green walls, and the use of green roofs. The County should also ensure that leaf area is maintained or increased over time.  The Public Facilities Manual should also be revised to include specifications for green walls and updating the standards for green roofs as needed.
<b>Benefits:</b> Requiring that new construction at least provide the leaf area of the pre-construction site it will ensure that we can at least maintain the same rate of CO <sub>2</sub> sequestration that has been occurring historically.
<b>Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations):</b> 350 Fairfax, Friends of Accotink Creek, the Sierra Club, Faith Alliance for Climate Solutions, ...
<b>Lead Federation Committee:</b> Environment Committee
<b>Prepared by &amp; Federation email:</b> FedEnvironmentChr2021@FarifaxFederation.org