

**Testimony Against Comprehensive Plan Amendment, PA 2018-IV-MV2**  
**8800 Richmond Highway**  
**Planning Commission Public Hearing, July 19, 2018**

I am Betsy Martin, and my address is 8707 Stockton Parkway. I'm president of the Friends of Little Hunting Creek, and a resident of Mount Vernon district. I'm here to oppose this plan amendment because it is inconsistent with Comp Plan policy guidance and the Embark plan amendment, and would set a bad precedent for development in riparian land all across the county.

In March the Board of Supervisors directed staff to evaluate the amendment's conformance with Policy Plan guidance about disturbances to Environmental Quality Corridors.

The Comp Plan says EQC disturbances should only be considered in extraordinary circumstances. What extraordinary circumstance justifies 43 townhomes in the Dogue Creek EQC and floodplain? There is none. The concerns of neighbors, who want this former junkyard to become a community asset, are legitimate. The desires of the owner and developer to profit are understandable. And all of us want to see the corridor revitalized. However, none of these are extraordinary circumstances that justify taking the singular action of putting 43 homes in the floodplain. Since the adoption of the "extraordinary circumstance" standard by the Board of Supervisors, only twice has the guidance been applied and an EQC disturbance approved. One was the Vulcan Quarry expansion, which supports long term water supply storage needs for the region, surely an "extraordinary circumstance." The other was an access road through an EQC, approved only after the applicant explored all alternatives, created a wetland area, restored habitat, and reduced impact by building a bridge over instead of a road on top of the environmentally sensitive area. These two cases set a high bar, and this application doesn't clear it.

The Comp Plan also says disturbances to the EQC should be approved "only where mitigation/compensation measures are provided that will result in a clear and substantial net

environmental benefit” that applies to most, if not all, of the EQC purposes. Let’s examine each purpose and see how this development stacks up.

The first purpose is conservation of open space. The developers propose to donate 3 acres to the Park Authority, but the entire 8 acres is currently planned for open space. There’s no net benefit from a Comp Plan amendment allowing a residential option.

Second, protection of wildlife habitat and protection of biodiversity of species. I saw birds and wildlife and their tracks when I walked the site a few years ago. I know of no inventory of wildlife species or whether any are endangered or protected. Townhomes provide habitat for humans, not for wildlife. No net benefit there.

Third, protection of riparian corridors. The developers propose to restore 50’ of buffer. Why not the full 100’ protected under the Chesapeake Bay Preservation Ordinance? This project would encroach on 4 acres of Resource Protection Area. When asked whether it would be better to do the buffer restoration the developers propose, or leave the site alone, the County’s foremost stream restoration expert said, “leave it alone.” No net benefit here.

Fourth, protection of water quality. The developers say they will reduce impervious surface and add modern stormwater controls, which benefit water quality. However, adding 41,000 cubic feet of fill and permanently losing two acres of floodplain function harms water quality. Town houses will contribute fertilizer, animal feces, litter, and road surface runoff which harm water quality. Not a clear net benefit.

Fifth, aesthetic values. Neighbors would much rather live near townhomes than a welding shop and former junkyard. It is unfortunate that options for preserving this as open space, as the Comp Plan recommends, have never been explored. The Embark plan envisions 40,000 new residents in the corridor and says 38 additional acres of parks will be needed to serve them. This is exactly the sort of site that should be preserved and restored as open space, one of the “ecological spines” envisioned in the Embark plan.

Sixth, control of flooding and erosion. In the past, owners moved the stream channel to the west and blocked flows through the north-south main channel. The created channel has an abrupt 90 degree turn that erodes the streambank and threatens the Route 1 roadbed. The developers propose to keep this created channel, remove rubble fill from it, and eliminate flows through the main channel. This may make the stream even more unstable, move a lot of sediment downstream, and cause upstream erosion of the channel, according to staff. Increased stream velocities and erosion during large storms would threaten Richmond Highway and the new bridge. Adding 41,000 cubic feet of fill on the eastern side of the site will exacerbate these problems. Certainly no net benefit there.

Seventh, continuity of non-motorized access between parklands, residential communities, employment and commercial centers and transit areas. Access from Richmond Highway to parkland northwest of the site would be blocked by this development. No net benefit there.

Thus, there is no “net, substantial environmental benefit to most if not all of the EQC purposes.” Most would be harmed. The developers’ so-called “restoration” doesn’t restore anything to its prior, healthier state. It’s a bandaid. It would make past environmental damage permanent and preclude true restoration of the site. The developers don’t propose to restore the stream itself, which is needed to truly return the site to an environmentally healthy condition.

Please don’t ignore the Comp Plan’s guidance about disturbances in EQCs, which was emphasized in the motion directing staff to evaluate the amendment. If approved, this amendment will set a precedent that will undermine environmental protections far beyond this particular site. Some proponents of this amendment suggest that this is a “brown site” which can be developed without setting a precedent for development of other “green sites.” But many, perhaps most, riparian areas in Fairfax County are damaged. Parks we now think of as natural, and national, treasures were once industrial: Dyke Marsh was a gravel quarry. Huntley Meadows was a testing ground for asphalt road surfacing and then a radar station. According to staff, approval of residences on this site would set a precedent for development in floodplains in similar situations all over in the county.

I serve as an appointed member of the Chesapeake Bay Exception Review Committee, which reviews certain requests to disturb or build within Resource Protection Areas (not this one). Under the Chesapeake Bay Preservation Ordinance, one of the criteria that must be met to approve an exception is that “Granting the exception will not confer upon the applicant any special privileges that are denied...to other property owners who are...similarly situated.” Granting an exception opens the door to requests from other property owners who are “similarly situated,” as would approving this plan amendment.

So I hope you say “no” to this application for a plan amendment. If you do, the owners may reconsider their options and explore preserving the land as open space, taking advantage of Virginia’s generous incentives for land preservation. Or, perhaps the county can be persuaded to contribute to purchase and restore the property and truly improve water quality, reduce flood risk, and create a community amenity for passive recreation. There are reasons why this land was planned for open space. Development should not be the default option for what to do on environmentally sensitive and compromised land such as this. Options for preserving this property as open space should be explored before this plan amendment is considered. There are great possibilities here, but the Planning Commission endorsing this plan amendment is not a way to reach them.