



## **The Mount Vernon Council of Citizens Associations, Inc.**

P.O. Box 203, Mount Vernon, VA 22121-9998

<http://www.mvcca.org>

Mr. Bryan Hill  
Fairfax County Executive  
12000 Government Center Parkway  
Fairfax Virginia 22035

Dear Mr. Hill,

November 9, 2021

Thank you for providing a copy of the proposed guidance “*Localized Flooding Mitigation Policy for Residential Infill Development-Detention Requirements*” for our review.

After careful consideration, we find the proposed guidance falls short in addressing current and steadily increasing stormwater problems resulting from infill development in the Mount Vernon District. The technical bulletin’s proposed guidance (1) does not address existing stormwater problems caused by previous infill development, (2) minimally improves what is required for stormwater problems caused by current infill projects, (3) does not require future infill projects to retain/absorb all stormwater it generates, and (4) does not consider contributing factors that will likely increase the severity of stormwater-caused problems, e.g. changes to historical climate patterns, increasing losses of pervious surfaces, and lack of a resilient stormwater infrastructure. The proposed guidance continues to approach stormwater management on a lot-by-lot basis failing to recognize the need for an integrated, systemic approach focusing on areas larger than a specific project on an individual lot.

We instead recommend that the County decision-makers and staff develop requirements for treating stormwater on infill development that address all current, and reasonably considered, future issues, to include changes to applicable ordinances (stormwater, zoning, Chesapeake Bay, erosion & sediment control, tree conservation) along with underlying guidance, including the Public Facility Manual, best management practices and building permit requirements. A detailed evaluation and upgrade to current shortfalls in stormwater infrastructure is also required.

The Mount Vernon Council of Citizens Association chartered a committee to address an increasing number of reported stormwater issues facing homeowners in the Mount Vernon District. Its Action Plan, dated April 19, 2021, established three goals: fix existing stormwater

problems, examine current activities with a view to reduce/eliminate stormwater issues, and pursue changes to laws, regulations, best management practices, etc. to eliminate future SW problems. To this end, the focus has been on infrastructure, infill, and enforcement.

Through its work, the committee found an infrastructure that is aging, inadequate, and under-maintained and an enforcement mechanism for existing rules that is spotty at best. They also found infill projects continue to increase impervious surfaces burdening the infrastructure and enforcement activities. They believe increases in impervious surfaces will likely accelerate with current and future infill projects, and in addition, will further increase when existing homes are renovated under a county-issued permit or when permits are not required. Both of these - infill and renovation - require attention and the addition of adequate safeguards.

The committee firmly believes that any policy addressing infill related stormwater issues must address all aspects contributing to the stormwater problems facing property owners. The policy must address past, near-term, and long-term negative effects stormwater has on our neighbors, neighborhoods, and waterways.

Regarding the proposed guidance, the committee's concerns are:

1. There are no requirements to capture, contain, and absorb all stormwater generated at an infill site within that site's property boundaries.
2. Grading plan requirements for new construction, especially when infill grades are raised above the pre-existing grade, are not being changed to assure stormwater will not flow to adjacent properties.
3. Poor soils composition and low water absorption rates of those poor soils has not been addressed.
4. Inadequate consideration has been given to district-wide increases in density with attendant increases in impervious surfaces, and its effect on existing neighboring properties, neighborhoods, and waterways.
5. Costs incurred by property-owners to fix stormwater problems caused by adjacent or nearby infill projects has been given no consideration.
6. Defined requirements for long-term maintenance of stormwater detention devices installed at infill sites, including notice to new homeowners of the device's maintenance requirements and enforcement of the maintenance requirement, is not addressed. Homeowners are not aware of the requirement.
7. Non-infill projects that increase impervious surfaces, e.g. new driveways, patios, and other impervious surfaces causing stormwater issues for neighboring property owners is not addressed.

Overarching these concerns is the effect of climate change. In its "Resilient Fairfax" briefing on October 14, 2021, the County's Office of Environmental and Energy Coordination portrayed future rainfall increases nearing 27%, and storm durations increasing by 8 to 20%.

With projected increases in storm durations and frequency, stormwater will increase in the future. The draft policy falls short in solving current stormwater problems and its inadequacy is more noteworthy given generally accepted future stormwater projections and the increasing amount of impervious surface being added.

By itself, the proposed guidance to install individual detention devices on infill lots does not represent an integrated, systemic solution to existing or future stormwater problems. As stated above, MVCCA recommends that a county-wide effort be undertaken to evaluate and update its stormwater management regulations and procedures in view of current shortfalls and in the context of projected climate impacts.

Please forward questions regarding this letter to the committee through Leo Milanowski.  
specialcommittee@mvcca.org

We look forward to continuing the dialogue to develop and implement solutions to stormwater problems that will best serve the residents of the Mount Vernon District and the entire County.

Sincerely,

*Katherine Ward*

Katherine Ward  
Co-Chair  
Mount Vernon Council of  
of Citizens Association

cc: Chairman McKay  
Supervisor Storck  
Deputy County Executive Flynn