



## INOVA Meeting Memo

January 8, 2019

The Friends of Accotink Creek, represented by Kris Unger, Philip Latasa, and Sandy Collins, had a productive first meeting on January 8, 2019 at Inova's Center for Personalized Health, to discuss the concerns raised about construction-related erosion and sediment control onsite, first reported on October 6, 2018. Michael Wing, aide to Supervisor Smyth, helped bring together representatives from Fairfax County Land Development Services (LDS), and Site Development and Inspections Division (SDID), as well as Inova, and related contractors, including Clark Construction, who was responsible for maintaining the site. This was a large meeting, with over 25 people, and a lot of experts (including 5 lawyers!). Participants agreed on the importance of good stewardship of the property, responsible maintenance and oversight of land disturbances associated with construction, and good communication.

I'm reassured that Inova takes its responsibilities as stewards of this property seriously, and that LDS/SDID is committed to their role of oversight and enforcement. I appreciated the opportunity to have a respectful, constructive discussion about my concerns and observations, and I now have a better understanding of the dynamics in play on this issue, and how it was handled.

I opened the meeting with the analogy of a passenger getting onto an airplane who notices something wrong, and steps out onto the tarmac to confirm that one of the tires on the plane is flat. After reporting the issue, they are reassured that the tire has been fixed, and everything is now fine. But if a layperson identifies a problem, that raises serious questions about the oversight process. Fixing the tire addresses the immediate issue, but to regain trust, there need to be reassurances about the oversight and maintenance process. The starting point for that is a clear understanding of what went wrong and who's responsible. I approached the issue at Inova not as an incident that needed to be fixed, but as an opportunity to gain insight into the process of managing construction-related erosion and sediment control issues in Fairfax County.

Participants in the meeting made the argument that this was a "perfect storm" - the site had been stable, and then was going through a transition during which there were several significant rain events, and that my observations on October 6th documented a short period of time when there were serious issues at the site, before they could be addressed by the responsible parties. I appreciated being able to talk with some of the people who had maintenance and oversight responsibility for the site, but I'm still not able to reconcile the information presented with my observations. I'm willing to continue that conversation in a more appropriate setting. There's only so much ground that can be covered in a 1-hour meeting with a large group of people.

Representatives from Fairfax County Lands Development Services (LDS - responsible for inspecting construction sites) affirmed their commitment to their oversight role, and their appreciation for community members reporting their concerns. We look forward to working more closely and constructively with them in the future. Looking back at this incident, if we'd been invited to participate as informal observers when LDS did their onsite inspection in response to our initial report, that would have significantly improved communications. This would address the issues of access, site safety, and effective communication, all of which played a strong role in our discussion at the meeting. I appreciate their good work, and intend to follow up with LDS with this suggestion.

Representatives from Inova affirmed their commitment to being a good community member, and a responsible steward of the property. I appreciate their willingness to meet with us, and believe that there is strong potential for constructive collaboration on conservation-oriented initiatives at this site. I intend to propose a follow-up meeting with Inova, County representatives, and conservation-minded partners like the Northern Virginia Conservation Trust, to walk the site and have a friendly conversation about how we can work together.

From the beginning, I tried to approach this issue as a concerned community member who had identified an apparent problem. When I observed the initial problems, I went to FACC's "Watershed 911" page - <http://accotink.org/EmergencyContacts.htm>, and reported the issue to DEQ's 24-hour hotline:

"STREAM POLLUTION:

- Virginia Department of Environmental Quality, 703-583-3800 or 24-hour hotline: 800-468-8892 or ONLINE REPORT FORM. Call DEQ when you observe suspicious discharges being drained into storm drains/streams, including untreated swimming pool water, and when you observe fish kills.

More at <http://www.deq.virginia.gov/Programs/PollutionResponsePreparedness/MakingaReport.aspx>"

A representative from LDS followed up with me to report the actions taken. I engaged in an ongoing discussion with them about the issues identified, looking at things from a process perspective - who's responsible, what went wrong, what can we do to avoid similar issues in the future?

Construction-related erosion and sediment control issues are complicated. They require some background and experience to effectively observe, document and report. Understanding the relevant standards and requirements requires research. Even a perfectly-managed site that follows all the current requirements can end up releasing large amounts of sediment into the watershed. As discussed during the meeting, apparently the current measures are only expected to retain 60-80% of sediment released. Speaking from experience, the responsible parties are often resistant to "outsiders" questioning the status quo. This is a challenging issue to address, with a variety of accessibility issues.

As things stand now, the costs associated with failures are often "paid" by downstream watersheds, which is why it's our responsibility as the Friends of Accotink Creek to get involved. The big-picture questions remain:

-Is the current process adequately protecting our watersheds?

-How can we work together to improve this process?

While engagements like this on watershed impacts often have a strong oppositional dynamic, FACC is always committed to finding paths to more constructive conversations and collaborative relationships. Speaking personally, my work on this issue is strongly grounded in my love and appreciation of nature, and my commitment to protecting and restoring Accotink Creek. FACC volunteers dedicate thousands of hours every year to benefit the Accotink watershed and Fairfax County through stream cleanups, invasive removals, educational programming, community outreach, and environmental advocacy. We have earned strong respect in Fairfax County for our work. We will continue to speak truth to power, and work with our many partners on watershed and environmental issues in the County. Join us!

- Kris Unger

## Friends of Accotink Creek

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