

October 28, 2020

Fairfax County Delegation to the 2021 Virginia General Assembly
Fairfax County Board of Supervisors

Dear Fairfax Delegation Member and Board Supervisor,

The Fairfax County Federation of Citizens Associations forwards to you its 2021 Legislative Issues for your consideration and action. We will assist you on any Issue.

Each Issue pertains to a Commonwealth-wide or County-specific issue and is well researched by a Federation Committee. Please note that each Issue is directed either to the Fairfax Delegation to the General Assembly, to the Fairfax Board of Supervisors, or to both.

All issues are approved by the Federation Board of Directors and by the Federation Members, who speak for their community associations and households throughout Fairfax County.

We appreciate you representing our Fairfax communities. In spite of today's difficult leadership and financing times, we know you understand our concerns about the enclosed issues and will give them your qualified attention while communicating their status back to the Federation.

Queries regarding a specific Issue may be emailed to the respective preparer listed on the bottom of each Issue or to either of us below.

Respectively submitted,



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Enclosures:

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2021 Legislative Issues

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21C01	Virginia Environmental Policy Act NEPA 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.	<u>3</u>
21C02	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.	<u>4</u>
21C03	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.	<u>5</u>
21E01	21E01 Free and Reduced-Price Meals Students who qualify for FRM generally costs more to educate but the state funding formulas do not include this factor.		Structure state educational support so that additional money is funded on a per student basis for FRM students.	<u>6</u>
21E02	Admission to Governor’s Schools Language in the 2020 session budget bill requires each Governor’s School to “set diversity goals for its student body and faculty,” and this session the admissions processes for Governor’s Schools may be under review		Admissions processes for Governor’s Schools must maintain robust standards that evaluate students based on their aptitude for each school, with diversity as a relevant consideration.	<u>7</u>
<i>(continued).</i>				

21P01

**Background Checks on Firearm and
Ammunition Purchased**

Assessment methods are needed on whether existing permitting, licensing, or background-check laws are being used to disarm dangerous people, including those who intend to harm themselves through suicide.

Better restrictive legislative on gun purchasing should include accurate tracking by police agencies of any weapons used in a crime and should increase public safety for communities and school students without infringing upon Constitutional 2nd Amendment protection to bear arms.

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2021 Legislative Issues

Issue ID: 21C01 Virginia Environmental Policy Act
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 22 October 2020
Issue: Not all projects get the environmental review and public engagement that will adequately protect our health or wellbeing.
Background: 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.
Existing Conditions/Impacts: There are several limitations to NEPA: <ol style="list-style-type: none"> 1. Air Quality: NEPA reviews only consider criteria pollutants which generally have regional significance, they do not include air toxins which generally have more localized impacts and can dominate health impacts locally. 2. Water Quality: NEPA does not have to take into consideration local design goals, including erosion and sediment control guidelines. 3. Gaps: NEPA does not cover actions that don't have Federal guidelines such as actions that only require State or local permits.
Preferred Position: 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.
Benefits: Better public involvement in projects that could impair the environment, our health and/or our future.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): .
Lead Federation Committee: Environment
Prepared by: Flint Webb, Chairman, Environment@FairfaxFederation.org .

2021 Legislative Issues

<u>Issue ID:</u> 21C02 Break Free From Plastic Pollution
<u>This Issue is for:</u> <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input checked="" type="checkbox"/> Fairfax County Board of Supervisors
<u>Date Approved by Federation:</u> 22 October 2020
<u>Issue:</u> Most plastic ends up in landfills or in our streams, and in the ocean where it either is eaten by fish or other sea creatures and/or sea birds, or breaks down to smaller plastic pieces which enter our food chain. We need to reduce the use of single use plastic containers. Even the plastic that is burned adds to air pollution.
<u>Background:</u> Because of the proliferation of forms of plastic, most plastics can't 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 (HR 5845) and US Senate (SB 3263) to 1) make producers fiscally responsible for collecting, managing and recycling or composting plastic containers, and 2) increases the percentage of recycled content of beverage containers. Virginia could enact similar legislation that would accomplish these goals for the Commonwealth as a natural expansion of the legislation that passed last year (SB11) and signed by the Governor giving local governments the ability to levy a 5 cents per bag..
<u>Existing Conditions/Impacts:</u> Plastic does not degrade in the environment – it only breaks down into smaller particles that can ultimately enter the food chair or causes air pollution if burned. Because of the proliferation of forms of plastic, it is not cost effective to recycle. Last year the Commonwealth permitted local governments to enact a 5-cent plastic bag tax.
<u>Preferred Position:</u> The Fairfax County delegation to Congress should support the Federal legislation (HR 5845 and SB 3263) that would make producers responsible for collecting and managing single use plastic containers and increase the percentage of recycled content. Similar legislation in Virginia could apply a tax on the sale of plastic containers in Virginia that would require producers and wholesalers in to take responsibility for the products they sell in Commonwealth. Fairfax County should also enact the 5-cent plastic bag tax that was authorized last year. This tax will reduce the plastic bag pollution and reduce the burden on residential property taxes
<u>Benefits:</u> It would reduce the plastic pollution in our streams, along our streets, in our farmland, in the oceans, and in our food.
<u>Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations):</u> 350 Fairfax, Friends of Accotink Creek, the Sierra Club, Faith Alliance for Climate Solutions.
<u>Lead Federation Committee:</u> Environment
<u>Prepared by:</u> Flint Webb, Chairman, Environment@FairfaxFederation.org .

2021 Legislative Issues

Issue ID: 21C03 Maintain and Increase Tree Canopy and Leaf Area
This Issue is for: <u> X </u> Fairfax County Delegation to the General Assembly <u> X </u> Fairfax County Board of Supervisors
Date Approved by Federation: 22 October 2020
Issue: The growth in Fairfax County has been at the expense of our tree canopy despite County goals to increase the tree canopy.
Background: Trees provide numerous benefits to our environment and our quality of life: 1) Trees sequester carbon dioxide (CO ₂), 2) Trees remove particulates and other pollutants from the air, 3) Trees help cool their environment by the transpiration of water vapor, 4) Trees help stop erosion, and 5) Trees help cool our streets and neighborhoods by providing shade. All of these advantages are achievable by planting and preserving trees and by using green, or vegetated, walls and roofs.
Existing Conditions/Impacts: It is difficult to maintain tree canopy goals and still continue the growth of the county. As a result, the tree canopy has suffered. The Environmental section of the Fairfax County Comprehensive Plan Objective 10 is to conserve and restore tree cover on developed and developing sites. The County has also developed standards for green roofs in the Public Facilities Manual (PFM) but no standards for green walls.
Preferred Position: Since many of the advantages of the trees can be realized by use of green roofs and walls, Objective 10 should be revised to include a new policy for maintaining the pre-construction leaf area. This would require that the tree inventory include a calculation of the pre-construction leaf area. Developers could use green roofs and green walls to attain the goal of maintaining the same leaf area post-construction. The County should also ensure that green roofs and walls are maintained similarly as storm-water improvements are maintained. The Public Facilities Manual should be revised to include specifications for green walls. The Federation encourages other organizations to review and engage these two issues.
Benefits: 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 ₂ sequestration that has been occurring historically.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): 350 Fairfax, Friends of Accotink Creek, the Sierra Club, Faith Alliance for Climate Solutions.
Lead Federation Committee: Environment
Prepared by: Flint Webb, Chairman, Environment@FairfaxFederation.org

2021 Legislative Issues

Issue ID: 21E01 Free and Reduced-Price Meals
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 22 October 2020
Issue: Providing educational funding from the Commonwealth to help defray the higher costs associated with educating students who receive Free and Reduced-Price Meals (FRM).
Background: Students who receive FRM are among those who are most at risk of educational failure. Low-income students often require additional instruction and remediation, and their lack of at-home resources and support place them at a well-documented disadvantage when they enter the classroom. Data show that these disadvantages grow into an achievement gap which has proven difficult to narrow, let alone close. Meeting these children’s needs requires schools to spend extra time, attention, and other resources above and beyond what is needed for children who do not receive FRM. (Ref 20E01, 19E02, 18E02, 17E02)
Existing Conditions/Impacts: Fairfax County Public Schools (FCPS) serve a diverse student population, in which approximately 59,000 children (or about 31% of the total student population) are eligible for FRM. This percentage has grown significantly since the most recent recession, while overall state funding levels for K-12 education have declined in real terms. Title I Federal funds (for children in poverty) make up little of the difference between children’s needs and the funding required to meet those needs.
Preferred Position: The Federation supports legislation to create educational funding that addresses the higher needs of FRM students. Per-student funding can help provide these children with the resources they need to be successful, and would help similarly situated children throughout the Commonwealth.
Benefits: Targeting educational funding for students who receive FRM will help address the achievement gap that has long existed among students whose demographic characteristics vary. In addition, by basing funding on a per-student basis, we direct these funds to at-risk children in all communities.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Educational organizations and county governments, particularly in areas with large percentages of FRM-eligible students.
Lead Federation Committee: Education
Prepared by: Nancy Trainer and Ed Saperstein, Co-chairs, Education@FairfaxFederation.org

2021 Legislative Issues

Issue ID: 21E02 Admission to Governor’s Schools
This Issue is for: <input checked="" type="checkbox"/> Fairfax County Delegation to the General Assembly <input type="checkbox"/> Fairfax County Board of Supervisors
Date Approved by Federation: 22 October 2020
Issue: Potential changes in admission processes at Governor’s Schools to promote access for historically underserved students.
Background: Language in the 2020 session budget bill requires each Governor’s School to “set diversity goals for its student body and faculty, and develop a plan to meet said goals in collaboration with community partners at public meetings.” Virginia Secretary of Education Atif Qarni formed a task force to evaluate diversity issues at Governor’s Schools, and will provide his recommendations to Governor Northam this winter. Secretary Qarni has indicated that he will propose changing the existing admissions processes in order to change the racial and socioeconomic composition of future Governor’s School classes.
Existing Conditions/Impacts: According to the Department of Education, Governor’s Schools are created to “provide some of the state’s most able students academically... challenging programs beyond those offered in their home schools.” They form an “important component” of Virginia’s mandate to “provide differentiated instructional opportunities for gifted students.” The racial and socioeconomic composition of these schools has remained unrepresentative of their surrounding communities for many years, despite efforts to ensure equitable access to gifted education.
Preferred Position: Regardless of the particular methodology, admissions processes for Governor’s Schools must maintain robust standards that evaluate students on an individual basis, identifying students based on their suitability for the unique challenges and benefits offered by that particular school. Diversity can be one of the relevant considerations, in helping to identify the “small population of students whose learning levels are remarkably different from their age-level peers,” which is the language describing the purpose of the Governor’s School Programs.
Benefits: Governor’s Schools are a valuable asset to the communities in which they sit, providing a nurturing environment not only to gifted students themselves but as an investment in tomorrow’s leaders. When these schools are successful, they help retain and attract economic business investment as well. Local businesses and industries are designed to play an important role in Governor’s Schools by providing mentors, equipment and supplies, facilities, and expert advice.
Potential Supporters (Community leaders, Public/Private Partnership Opportunities, Organizations): Regional and local Economic Development Authorities, gifted organizations, county governments.
Lead Federation Committee: Education
Prepared by: Nancy Trainer and Ed Saperstein, Co-chairs, Education@FairfaxFederation.org

