My name is Joe Sestak.

When the Mayor said some time ago, “You are opposed to Natural Channel Design,” I replied “no, I’m agnostic; I just want the facts.” Tonight, 10 Alexandrian citizens will respond to what is missing or incorrectly presented within the City Manager’s memorandum to City Council last week on Strawberry Run, including:

1. (**First**) Three residents living adjacent to Strawberry Run and the “waterfall” that each of you saw, state:
	1. The Natural Channel Design failed within two to three years of completion, and
	2. the “waterfall” – called a head cut – has been there years prior to the 2018 date in the memo.
2. (**Second**) 13 formal requests to 10 city officials to obtain the BANCS model assessments – including to see if there was a waterfall -- were unsuccessful, although they included page number and verbatim wording of the required assessments from the Expert Panel’s guidance.
3. (**Third**) Now agreeing that the waterfall is present, the memo states it must be prevented from seriously incising and eroding the stream bed and banks of the proposed Natural Channel Design upstream, otherwise the upstream work will fail. If we had not pushed for this assessment, the city wouldn’t have assessed the waterfall and would have wasted $1.6 million, and the VDEQ grant.
4. (**Fourth**) The city now agrees that the stream’s failure must be repaired, as well as preventing the waterfall’s erosion damage in conjunction with the proposed upstream restoration – but both are of unknown cost, scope, time, design as well as damage from heavy equipment to forest and private property for access to the stream.
5. (**Fifth**) An extension of the public comment period was requested because six formal requests for the 38 missing engineering plans of the proposed Natural Channel Design were not provided until after the comment period was closed. Nor were numerous requests for the Expert Panel assessments, the 2010 design plans and copies of the 2018 letters to residents.
6. (**Sixth**) While the staff provided [QUOTE] “several explanations” to our requests for these documents, it never provided the *actual* documents until last week’s memo.
7. (**Seventh**) That instead of documented Expert Panel assessments done for the Stream Assessment Study of 2018-19, the memo provided only [QUOTE] “responses” recently written by the consultant at the staff’s request or, as a staff member said, “a large number of them were eyeballed.”
8. (**Eighth**) No one adjacent to Strawberry Run ever received a letter or met with staff in 2018, including the two residents cited in the memo.
9. (**Ninth**) The memo is incorrect that Strawberry Run’s stream restoration project is “grandfathered” from new Expert Panel guidance because a design contract was signed prior to January 1, 2021. VDEQ has confirmed in writing that no decision has been made whether the word “contract” means a design, or a construction. contract. If it’s construction contract, the city will have to redo its pollution credits for Strawberry Run and two consultants would have to redo the BANCS model assessments for accuracy.

Because of the above and what you will hear tonight, I have come to have serious doubt that the Natural Channel Design can work in Strawberry Run. This became particularly concerning as staff long delayed providing requested documents or gave less than accurate or a changing rationale when presented with a contrarian fact -- such as its denial that a stream restoration had ever been done in Strawberry Run; then that the damage was minor; then that it was caused by the 2020 floods as well as the waterfall.

I felt like I did when I returned home from Iraq and was asked to have dinner with former Speaker Newt Gingrich, who had been a voice for the war. During dinner, I asked him: now that the weapons of mass destruction haven’t been found, what will our leaders say to the American people? He replied, “we’ll give them, another reason.”

And then there is how I feel about the process I observed that is best captured in the staffer’s description to me how a number of the extremely important Expert Panel assessments were done: “eyeballed, much like you do before you get into a plane.” When I climbed into an F-14 to launch from an aircraft carrier to fly upside down a few hundred feet above the desert for low ingress, we would never have “eyeballed” those pre-flight checks.

The issue before you is: will the city do what is professionally needed and ethically correct? We now know the pollution credits are inaccurate for Strawberry Run; we know the 2010 Natural Channel Design failed, but not why. We know the waterfall must be prevented from eroding the upstream restoration, but not its cost nor that of repairing the 2010 failed stream – nor the consequences of the designs chosen.

It is why we have requested the City Council pass a resolution to delay awarding the contract for a year in order to conduct a comprehensive review to get the right option -- for the entire stream – so we get it right this time.

Thank you.

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I’m Jeanne Jacob, President of the Seminary Ridge Civic Association. Residents asked our Board to review the Natural Channel Design being proposed for Strawberry Run. When meeting with the Mayor, he stated that he thought we were opposed to this method. Our reply was, “No, we are agnostic. We just want the facts.”

We asked the Mayor to intervene because, after repeated requests to City staff, we never received copies of the: assessments the Expert Panel requires be done when using the BANCS model; the design plans for the failed 2010 Strawberry Run restoration; and the letters supposedly sent in 2018 to residents adjacent to Strawberry Run. We **never** received any of these requested documents.

When we met the Mayor, he told us he was “just a policymaker” and, if the BANCS assessments had **not** been provided, then they likely were **not** done in the 2018-19 stream assessment study.

Therefore, we wrote City Manager Jinks who had Deputy City Manager Baker do a review. We received her review, but again, **NOT** the requested documents.

Then, last week, **you,** the City Council, were the **first** to receive this material in the City Manager’s memo on Strawberry Run -- **after we had requested them 13 times. Shortly before that**, a staffer had called a Board member to “ascertain” the page numbers for the Expert Panel’s assessments. This staffer had received our request **8 times** **with these page numbers** **and the verbatim wording of the assessments**.

When our Board member told him the pages, the staffer replied, “a number were probably “eyeballed” much like you do before you get into a plane.” Councilman Seifeldein, your father was a Colonel and decorated fighter pilot. You know there is **no way** your father would have “eyeballed” a pre-flight checklist before taking off. So, do you think these assessments were actually “eyeballed” or just not done at all?

Documented assessments are **not** available for 2018-19 and were apparently “eyeballed.” The memo **admits** that what you were given are **“responses**” recently done by the consultant **– not assessments or analysis.**

The consultant who did the 2010 Natural Channel Design was not required to do the assessments, and the restoration failed. In 2014 the assessments became a requirement, yet now they are being “eyeballed.” And, as of this July, the Expert’s Panel **is** mandating that **two different consultants** **are required to do the assessments, to get it right.**

We showed Council the waterfall or “head cut” in the failed Strawberry Run that staff did not know existed. Residents living alongside Strawberry Run **emphatically** state that it has long been there and didn’t just appear after 2018 as the memo says. The Expert Panel **flatly** states that such a “head cut” will make the BANCS model ineffective, and the memo admits the waterfall will erode and incise the proposed Natural Channel Design upstream. **It will waste $1.6 million dollars.** The cost to remove this “head cut” and repair other damage on lower Strawberry Run is an unknown.

**We cannot afford a second failed Natural Channel Design**. All we ask is a Council resolution requesting **one year** to review and assess the cost and impact of restoring and repairing **both** segments of Strawberry Run, without losing the grant**.**

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I am Carol Kocot. I live immediately adjacent to Strawberry Run, a stone’s throw away from the stream. The road the city will construct for trucks and heavy equipment will run a few yards from our backyard fence. The noise was deafening as they cut a few trees this summer – not the 89 they soon will, as heavy vehicles come and go, hauling boulders and tons of sediment over a year, beginning at 7:00 am.

I am extremely disappointed that we had no meeting with the city on this until November 2019 -- after the grant was approved – even though the City Manager had informed Council the staff had sent letters and met with the residents “immediately adjacent” to the stream before applying for it. After repeated requests for these letters, the City Manager wrote us in January that two residents had received letters and met with staff. Yet in his memo to you last week, he now says the staff did not meet with the two residents, as they never responded. They only received letters in 2019.

A staffer recently asked a board member, “how did it impact you” in not receiving the letters or having a meeting in 2018. If one assumes – as I do – that the City Manager meant what he wrote to you: [QUOTE] "If the City receives negative stakeholder feedback, the City **may rescind** **the [grant] application,**” we lost the opportunity to do so – or perhaps shape it differently. Nor did we receive the stream’s 39 design plans we requested six times until December 2020 -- **after** the public comment period was closed. Understandably, trust has become an issue.

The City Manager’s memo states that the City started asking for a meeting in late November and still has not received an affirmative response. Actually, after four emails to TES over 18 days requesting to speak to someone, a staffer called a Board member on November 11 and the staffer sent a follow-up email[QUOTE]: “We will propose some dates/times to meet onsite.” We never heard from him again -- until he called a week before you received the City Manager’s memo. As a result, we sent a joint email to the Mayor and City Manager on January 4 asking their intervention because of the staff’s non-responsiveness. The Mayor did offer us a meeting.

After a board member spoke at Council three weeks ago, two staffers asked for a meeting. We replied: absolutely, but first please send us the material we have been requesting since last September so we can review them and then meet to discuss the material.

We are asking Council to support a resolution to delay awarding the contract for Strawberry Run until June 2022 without risk of losing the grant. We are asking for “time back” lost before the grant was approved, and for waiting seven months for documents we had requested thirteen times.

The 2010 Natural Channel Design failed. The City Manager’s memo admits it must be rehabbed, including fixing the waterfall that threatens the erosion of the restoration to be done upstream. Using a thorough professional and transparent review, now determine if the Natural Channel Design could really work upstream or what is the better alternative, with the full cost and impact of doing both segments simultaneously. Thank you.

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I’m Larry Kocot, living immediately adjacent to Strawberry Run. I work in promoting health equity in the COVID-19 pandemic, ensuring the most advanced antibody treatments are available in our vulnerable communities.

I have found -- as Councilman Aguirre knows from his work in Medicaid -- the hardest issue is ensuring these communities are aware of the resources available to them, and we need to do better.

I’ve found it to be the reverse, however, in our efforts to obtain from the city specific answers and documents we requested when we know they have -- or should have -- them.

 Left out of the City Manager’s memo to you last week was why we requested an extension of the public comment period: we were unsuccessful in six requests – spread among 11 city officials – for Strawberry Run’s 39 engineering plans until December, after the public comment period closed.

The City Manager also omitted out our 13 unsuccessful requests for the assessments which Chesapeake Bay’s Expert Panel says to do to ensure the BANCS model is not ineffective for Natural Channel Design. The assessments should have been done in 2018, particularly since the two pages listing the assessments were placed by staff in the City’s grant application to show VDEQ they followed the Panel’s methodology for pollution credit using the BANCS model.

That – and because 10 of the 13 requests to the city had both page numbers and the actual wording of the required assessments -- makes disingenuous, at best, the statement in the City Manager’s memo that it was difficult to [QUOTE] ascertain what we were asking for.

As the City Manager’s memo states, staff provided “explanations” several times. But they were links to the Panel’s guidance or justifications for using the BANCS model – which we already knew.

For the first time the City Manager’s memo provides short, recently written responses for the assessments. One identifies a head cut – the waterfall we showed each of you -- downstream of the city’s proposed Natural Channel Design. The memo now makes clear that the head cut will cause future erosion of the banks, and incisions in the streambed, of the proposed restoration upstream. This means it will lose its pollution credits as it erodes – and the memo says it must be fixed now or it will harm the upper project.

Citizen persistence has saved the City from wasting $1.6 million in stream restoration. But what is the construction cost, the best design plans to both address the head cut and do the “rehabilitative maintenance” the memo cites to repair the erosive damage you saw in the 2010 Natural Channel Design failure – all in conjunction with the proposed upstream restoration.

This is why we have requested a year’s delay – without losing the grant -- to determine how best; how much; what best designs will work this time; and what heavy equipment will now need to used that will impact all home-owners along the stream.

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I am Lyn Allen and I live “immediately adjacent” to Strawberry Run. In September 2018 the City Manager informed you that residents “immediately adjacent” to the stream were sent letters and were met with to “explain the project and identify concerns” before requesting your approval of its grant application. He assured you that if he received negative feedback, the City may rescind the application.

I never had that opportunity as I never received a letter or had a meeting until a year later -- after the state had approved the grant – nor did anyone else. We therefore wrote the City’s officials 13 times for copies of these missing 2018 letters -- without success.

The City Manager’s memorandum last week finally had the two letters attached – but both unsigned. Only two letters, he said, because TES staff defines “immediately adjacent” as “abut.” Please tell me, Council Woman Pepper, what is the difference, as I’m not a politician?

My property line is only five feet from the large tributary of the stream. Don’t I abut it? They will cut down trees four feet from my property to clear a huge area; why didn’t I receive a letter to “identify concerns?”

Amazingly when you read the unsigned letters they provided you, they don’t explain the project; they only request authorization to access the properties – and both residents state they never received the letters.

In March 2020, I asked for engineering design plans and was given one. Our association then requested the remaining 38 plans, six more times without success. Nor did we ever receive the Expert Panel assessments and other material we also repeatedly requested. When the City Manager’s memo to you points out that we asked to extend the public comment period in November 2020, it doesn’t mention why. Only after the period closed, did the staff finally put up the 38 plans, and the head of TES emailed that he did not see why not having the assessments and other material we had requested prevented us from submitting our public comments. We never saw those documents until the City Manager sent them to you.

Councilwoman Pepper, I have watched you with admiration, perhaps because we are near in age and you are still out there fighting. I watched you tell the owner of M&B Auto Sales, “For heaven’s sake, get your act together,” and took his permit away. All we’re asking is a year to review why and how Natural Channel Design didn’t work before in Strawberry Run – which you came to see – and are there better alternatives? And with the state having approved the grant’s extension a year, the staff can ensure that its act is together on how best to restore our stream.

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I’m Susan Gould and I want to speak tonight about the new guidance from the Expert Panel of Chesapeake Bay that takes effect July 1, 2021.

The City will now have to do on-site measurements to determine the actual amount of phosphorus and other nutrients in a stream. The “default rate” used for the BANCS model has proved far too inaccurate to predict pollution credits for Virginia streams. Actual measurements show the pollution credits the City has claimed may be about 300% too high.

Second, the BANCS model’s assessments are now to be done by two qualified consultants because the results have varied so widely when using the Natural Channel Design. We requested from staff the key assessments needed when using the BANCS model 13 times until one staffer informed us a number of them had been “eyeballed.” Such practices may have also contributed to the failure of the 2010 Natural Channel Design done in Strawberry Run.

The City Manager’s memo was not correct that Strawberry Run is “grandfathered” from following these new requirements. The city claims that because the city has been “under contract” with its design consultant before January 1, 2021, it “grandfathers” the Strawberry Run project. However, the state confirmed in writing that [QUOTE] “we are aiming to define the meaning of "under contract" in the expert panel update in the next 4 weeks.” As of now, it is wrong to say the design contract qualifies the City for grandfathering. It may actually be the pending construction contract that is the determinant.

But perhaps the bigger point is: shouldn’t we do the right thing?

Councilman Chapman you are a career educator, as am I. I believe we are both passionate about its civic purpose. What would you teach your students?

We now know from the Expert Panel that the pollution credits the City gave the state are probably highly inaccurate since we used the default rate. We also know the BANCS model assessments have proven so inaccurate that now two qualified consultants must do the assessments for stream restoration.

The Mayor told us he “needs the pollution credits.” But, respectfully, it is not about his need; it is about the need to clean up Chesapeake Bay.

Councilman, would you teach a child to do the right thing – take a year to do a transparent review, actually using the new, accurate rules of science and determine the true pollution credits? A review that determines why the 2010 restoration failed, before we do it again; that determines if a different, less expensive design is better; and one that determines the additional cost for the “rehabilitation” of the 2010 failure?

We ought to do it right this time since the failed effort in 2010 meant tons of sediment put into the stream by the City are now polluting the Chesapeake Bay.

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This is a statement on behalf of David Cheney, resident of 6 Ft Williams Parkway:

I have asked Rick Gould to read this due to a previous commitment.

I’ve lived for 22 years on the corner of Ft Williams and Duke Street and our house backs up to Strawberry Run. We raised our children there as I served 22 years as a naval flight officer, including the first Gulf war.

The beauty and enjoyment of having Strawberry Run alongside our home is a highlight of living there, and that, along with the flowering trees on Fort Williams, were some of the reasons my wife first purchased the home 25 years ago.

We’ve enjoyed the stream throughout each of the four seasons, having played with our kids and strolled along it hundreds of times. We watched the City do a stream restoration in 2010. It was beautiful upon completion with built up slopes covered with grass and trees planted. Unfortunately, as a consequence of Hurricane Lee in 2011 and other storms, Strawberry Run eroded back to its previous state within 2 to 3 years, with large boulders strewn about the stream. If you have ever seen the creek at full capacity and volume after a storm you would understand the damage it can do.

I am a member of the Seminary Ridge Civic Association comprised of some 300 households. As someone who watched the stream restoration be quickly destroyed, I agree with the Association: find out how and why the Natural Channel Design failed before you do it again in Strawberry Run. Reading the Association’s monthly newsletters and now zooming into its Board meetings, I’ve kept apprised of its persistent efforts to ask for City documents and assessments to help them, unsuccessfully.

I know the city initially responded there was not a stream restoration done in Strawberry in 2010. Then, the City said that the damage was minor. Then, that the failure occurred in 2020 with flash floods; and finally, in a City Manager memorandum to you, that the waterfall in it occurred after 2018.

I can tell you the waterfall has been there as long as I can remember, and was enhanced by the 2010 restoration with silt built up in front of it. But it looked like it does today, years before 2018 because of earlier storms.

Councilwoman Bennett-Parker, both your parents were naval officers, so you’ll understand what I am talking about this evening. A Captain of a ship is given responsibility and authority above any other, but with them both goes accountability. And if that ship or crew comes to harm, the Commanding Officer must answer for what was done. The choice is that, or an end to the trust in those who lead. Because sailors – and citizens -- will not long trust leaders who feel themselves beyond accountability for what they do.

Accountability calls for a year’s delay to permit a transparent review of what is really the stream’s best option for restoration, and it will not cause the city to lose the grant. The Natural Channel Design option has already failed once. Let’s not make the same unaccountable mistake again.

Thank you.

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Christine Walika who lives at 3739 Taft Avenue asked me, Fran Vogel, to read her statement:

I’m Christine Walika and would be here if I didn’t have a personal schedule conflict.

I feel very strongly about the City’s misstatements regarding me and Strawberry Run.

I agree something needs to be done with Strawberry Run, but the city needs to take a closer look at the possible solutions.

Last week, the City Manager’s memo on Strawberry Run informed you I was one of two residents on Taft Avenue that “city records indicate” a letter was sent dated February 26, 2018. He attached an unsigned letter but didn’t point out that the letter requested authorization for city and a private company to be allowed to enter my property. I have no records that I provided authorization.

I never received the February 2018 letter -- and I certainly never gave permission for any staff to enter my property. Moreover, a city employee knocked on my door September 3, 2020 -- two and a half years later – asking for access to my property. I declined. He asked if I’d received a letter from the city with a Right of Entry. I told him no (the letter arrived days later) and that no one was allowed on my property without permission. I then called Alex311.

Additionally, the City Manager informed Fran Vogel in a January 2021 memorandum that “city records indicate” staff had met with me on-site in 2018. However, in last week’s memo to you he states differently: that I did not meet with staff because I hadn’t responded to the letter.

The City Manager’s story may change, mine does not: I did not receive any letter from the City until June 2019. Moreover, the other home next door to me that the City Manager claims received the unsigned letter, did not either according to a conversation with them and an email Fran Vogel received from them.

My house is adjacent to Strawberry Run and will be greatly impacted by the restoration, including perhaps property value. I have therefore closely followed the project since first informed of it in the June 2019 letter. I have a timeline of everything in my records since then. You can see why I’m concerned about the lack of transparency and of community input into the project. While COVID has caused a disruption, that is no reason to move forward in haste.

I have questions about solving a problem that may not exist and possibly using the wrong methodology. Natural Channel Design was done in Strawberry Run in 2010 only 50 feet from my property and has failed. This time it could possibly make the environmental impact irreversible. Transparency in what is said and done is most important, and hopefully, we can find an acceptable solution for all parties.

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I am David Mowry and I was born and raised in Alexandria. I have lived at 32 Fort Williams Parkway, five houses up from Duke Street, since 2000, and Strawberry Run is right behind my home. I have worked in construction my entire life and am a construction project manager.

My kids enjoyed the stream as a place to play, walk and wade in, as well as sitting on our porch overlooking it and hear the waterfall that is just behind us.

I watched the stream restoration done in 2010. It looked great upon completion and we enjoyed it two or three years before all the silt placed into the stream had washed away and the large boulders were pulled out by the rushing water during the early storms after it was done. The banks have become seriously eroded again as the design just didn’t work. My recommendation is that the city comes back at least every few years to see if the money it invested was worth or did the restoration construction fail, and to have a maintenance plan as needed.

I also saw in 2010 in that the city had to take down a lot of trees to get the large trucks in through the woods with the dirt they used to raise the streambed. They tried to replace the trees but in the first year or so they still had to come back and again replace quite a number of them that didn’t take, but they stopped doing that after a while.

The waterfall has always been there. The 2010 restoration augmented it with stones and raised the bed stream a bit in front of it with sediment. But it all quickly washed away and the waterfall has been just like it is today for about seven or eight years. It is far from a recent creation.

I know the city wants to do the right thing. And I hope the city has come to see that the design they used in 2010 did not work out as they expected. Before you do it again upstream or here again behind my house a few hundred feet further downstream, see if the entire stream needs to be looked at as a whole.

I know that can be hard because I work in construction and realize there are several designs for any job, and each contractor has their favorite. But I would be cautious in believing what I gather is called the Natural Channel Design could work again in Strawberry Run, particularly as I watched the water rush through it during the flash floods from storms we had right after the 2010 effort ended.

Thank you.

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I am Steve Tuttle and I live at 8 Fort Williams Parkway, backing up to the beauty of Strawberry Run, one house up from Duke Street. I am a photographer and it’s why Betty and I are so fortunate to live alongside this wonderful stream and walk along it most days among it trees and wild flowers.

I am a long-time environmentalist that began within my Unitarian church and am aware of the dangers of climate change and what we must do about it. I have watched it affect the stream behind my home, particularly after a stream restoration was done there in 2010.

I watched them restore the stream in what I’m told was a Natural Channel Design. It looked beautiful upon completion, but I did have some concerns. For example, I know the council members have walked it, and you may remember the right turn the stream takes about 25 yards from Duke Street walking toward it from the wooden bridge. There’s a large maple there, its bank and roots now eroded. Large boulders had been placed there when the tree was still set back from the bank. As storms blew them away within a few years, the bank and roots eroded.

You may have seen another tree trunk had fallen and lays in front of the Maple’s roots. It has slowed, if not stopped, the bank’s erosion. More natural placement of logs might do better.

After the 2010 stream restoration, there were at least 6 storms that created flash floods equal to or worse in inches per hour than those in 2020, four of them before 2018. I watched the silt used to raise the bed stream being washed away. Boulders placed along it were pulled out as the banks eroded back to, and beyond, where they’d been before.

There was a memo to you last week with a question about the waterfall in our stream. I watched the 2010 stream restoration augment the waterfall as they built up the stream in front of it with soil, and some of the waterfall remained. But within 4, at the most 5, years, the waterfall became what you see today.

Besides fixing the waterfall issue somehow, the memo says “rehabilitative maintenance” needs to be done on the failed stream restoration. I don’t know the extent planned, its cost or how it will impact our properties. In 2010, all the houses across the stream had first been torn down by the builder. It was simple to bring in heavy equipment because there was no homeowners’ property to worry about.

I agree with the recommendation to delay for a year for a review before doing any restoration anywhere along the stream. We have to do it right this time, with the right design plans. What was done previously, did not do that.