

January 14, 2011

The Honorable Chairman Scott York and
Loudoun County Board of Supervisors
1 Harrison St.
Leesburg, VA 20175

Dear Chairman York and Members of the Board:

Water quality protection serves a public interest that also benefits private citizens and businesses. The report you received from the recently completed Chesapeake Bay Preservation Ordinance (CBPO) Stakeholder Group does not reflect this. The public health, safety, and welfare benefits of the Ordinance are integral to its value to the Loudoun community, but you received proposals to alter or eliminate its major features, without practical or flexible solutions to preserve its water quality protections. Yet the State Statute which provides the local authority for the Ordinance asserts that "balanced economic development and water quality protection are not mutually exclusive." We are confident that Loudoun can have economic development and water quality protection while also ensuring that landowners are not unduly burdened.

Therefore we ask that you retain the following technical components and performance standards in the draft CBPO as you provide equitable solutions for affected landowners (see attached appendix):

- **100 foot buffers with waivers and exemptions as provided in the proposed Ordinance** to maximize the multiple objectives of forested buffers including stabilizing stream banks and supplying the aquatic food web, moderating water temperature, removing nutrients, controlling sediment, controlling flooding, and providing wildlife habitat;
- **Protection of wetlands contiguous to 100 foot buffers** to reap the filtering benefits of wetlands;
- **5 year septic pump-out** to reduce nitrogen pollution of ground and surface waters;
- **Require erosion and sediment control measures at the 2,500 square feet area threshold** to minimize sediment runoff and reduce need for costly chemical processes to filter drinking water;
- **Minimize impervious cover and preserve indigenous vegetation to the maximum extent possible** during the land development process to reduce nutrient and sediment runoff from new development.

Stream protection must begin at the headwaters to be most effective. The Ordinance should ensure enhanced safeguards at the pristine, fragile beginning of streams.

The suite of water quality protections above is needed today to prevent further destruction of existing forested buffers, minimize ground and surface water pollution from septic systems and reduce the impact on streams from new development. As a case in point, had it been in place, the Ordinance would have prevented the recent clear-cutting of the tree buffer along the Potomac at Trump National Golf Course. When streamside forests are removed, pollution controls are lost and the Loudoun community suffers. Even with revegetation, it would take decades to match the level of benefit provided by mature trees.

Further, implementing the CBPO is a means of achieving the goals of the Virginia Watershed Implementation Plan (WIP). Delaying the CBPO while waiting for subsequent versions of the WIP will end up costing the County more. By acting now, Loudoun secures an early advantage in achieving improved water quality called for in the WIP. Fairfax County didn't act soon enough, and it will cost taxpayers tens of millions to restore their streams.

We are committed to helping you adopt the CBPO for the public water quality benefits it provides to all of the thousands of residents and businesses in Loudoun as well as providing equitable solutions to minimize

the burden on affected landowners. In addition, we are committed to reaching out to homeowners and landowners countywide to explain how the regulation will affect and benefit them and the need for all residents and businesses to share the challenge of improving water quality.

Sincerely,

Audubon Naturalist Society

Clean Water Action

Friends of the Blue Ridge Mountains

Goose Creek Association

Loudoun Wildlife Conservancy

Northern Virginia Chapter of Trout Unlimited

Piedmont Environmental Council

Potomac Conservancy

Potomac Riverkeeper

Sustainable Loudoun

Village of Waxpool HOA