John Marshall Soil & Water Conservation District

Commonwealth of Virginia

VIRGINIA SOIL & WATER CONSERVATION

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* Renee to add as agenda item backup
RW 7/14

98 Alexandria Pike, Suite 31, Warrenton, VA 20186-2849
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July 10, 2003

Paul S. McCulla
Fauquier County Attorney
40 Culpeper Street
Warrenton, Virginia 20186

Re: Proposed "Aquifer Protection Overlay District" and "Watershed Management and Protection Area Overlay District"

Dear Mr. McCulla:

The John Marshall Soil and Water Conservation District appreciates the opportunity to comment on these proposed amendments to the Fauquier County Zoning Ordinance. We compliment you on taking these positive actions to better protect our public water supplies.

Comments regarding the proposed "Aquifer Protection Overlay District" (APOD).

07.0 **General Exemptions:**
We recommend that agricultural activities conducted under appropriate Virginia Agricultural Best Management Practices (BMPs) Cost-Share Program be exempt without a special use permit. This would include the use of nitrogen fertilizer under an approved nutrient management plan.

Comments regarding the proposed "Watershed Management and Protection Overlay District" (WMPAOD).

07.0 Special Requirements
- Established stream protection buffers seldom exceed 100 feet in width under Virginia Agricultural BMPs Cost-Share Program, federal Natural Resources Conservation Services (NRCS) conservation programs, and Chesapeake Bay Local Assistance Department (CBLAD) ordinances. We are not aware of justification for a 200 foot wide buffer.

AFW 7/14/03

- Item 5 – We recommend that the following be added to the sentence: "in addition to effective herbaceous ground cover".
- Item 7 (4) – Requiring a 700 foot buffer width for properly designed and installed septic tanks and drainfields may be excessive.
- Item 7(4) – Most all, if not all dairies in the county would be seriously impacted by a 700 foot buffer requirement within a designated WMP area.

Permitted uses:

- Agricultural activities should be specifically addressed. We recommend that agricultural activities conducted under appropriate Virginia Agricultural BMP Program be permitted without a special use permit or other assurance.

Sincerely,

Nicolaas A. Kortlandt

Nicolaas A. Kortlandt
Chairman

cc: Board of Supervisors