

**SECOND REPORT and COMMENTS**  
**of the**  
**GOOSE CREEK SCENIC RIVER ADVISORY COMMITTEE**  
**Academies of Loudoun Service Center**  
**CMPT-2022-0003**

The GOOSE CREEK SCENIC RIVER ADVISORY COMMITTEE (GCSRAC) received the second referral of this application and has reviewed the submissions. The GCSRAC is charged by the Commonwealth of Virginia to advise and comment on matters that affect the natural, scenic, historic and recreational values of Goose Creek as an officially designated Scenic River. The comments that follow are made in execution of those duties.

**CONTINUED FOCUS OF THE GCSRAC**

The GCSRAC commented that: **The proposals by the School Board will introduce hazardous substances that are harmful to the health of the waters of the creek and surrounding vegetation.** The Applicant's detailed response to us, and as mostly set out in the Responses to Department of Planning and Zoning-Community Planning ("Community Planning") are noted and appreciated. The systems proposed for containment of hazardous substances on the site for capture and removal (oil and salt) are extensive and detailed. If they work as expected, then perhaps contamination is not an issue. On the other hand it has to be considered that the systems may be overwhelmed, simply fail, or their efficacy not fully considered. The GCSRAC is convinced that the systems are approved for the intended use, but is concerned that they are more appropriate for less sensitive sites where and failure or overload is not so threatening.

**Further, removing and disturbing the existing natural resources of the site will erode the ecological vitality of the corridor; and Loss of Ecosystem Vital to Creek Corridor**

In regard to these two comments previously raised by the GCSRAC, the committee echoes the Comments by Department of Building and Development-Natural Resources Team ("Natural Resources Team") numbers 4 thru 7, Department of Planning and Zoning-Zoning Administration (Zoning Administration) numbers 19 and 21, and Community Planning number 1.

Despite the Applicant's proposals to maintain much of the natural vegetation, tree canopy, and specimen trees, the GCSRAC remains concerned about the effects on the creek through the natural drains emanating from the site if it is partially denuded for this type of development. Further, the loss remains irreplaceable.

Along these lines the members of the GCSRAC have specific comments. Principal among these are the proposed replacement of 30" diameter trees with 1" trees. The suggestion is for larger trees that would grow faster. Another question is how much "wobble room" is permitted for limits of clearing. Lastly, the GCSRAC notes that Virginia native species would be the replacements as well compose all

natural buffers. Red Cedars, White Spruce and Virginia Holly have been found by GCSRAC experience to be more successful than White Pines, Loblolly, and Eastern Hemlock.

The GCSRAC joins in Community Planning Comment 3, and emphasizes that the loss of tree cover contributes to the degradation of water quality due to lack of natural filters for drainage from the site. Further, the proposed screening is not a substitute for loss of over.

Focusing on Natural Resources Comment 4, the GCSRAC is also concerned with degradation of the Ecological Core. The Applicant has provided specific responses about disturbances, but this committee remains concerned that disturbances are neither minimal nor minor. For long periods during the year, the Applicant will introduce heavy truck traffic and noise, as well as related activities, which will have as out-sized impact on the Ecological Core in relation to the relative footprint of the site. Put another way, a passive building such as storage for the school would be much less damaging to the Ecological Core.

Further, it is not just the improvements to the site that would have a negative impact but also the introduction of hazardous activities to the surrounding area. At present the only such activity is the routine maintenance of the school and nearby roads. With the addition of operations on the site, the surrounding roads and general area would be burdened with the transport of materials which, if released by accident or inadvertence, would compromise the Ecological Core and the drainage into Goose Creek. A truck accident outside the site where none of the proposed controls exist is a concern to the GCSRAC. Without the development of this site, that risk virtually disappears.

#### **Reservoir Overlay District Concerns and Necessity of the Improvements**

The GCSRAC maintains its concerns about locating these improvements in the Reservoir Overlay District. Natural Resources Comment 7 succinctly states the problem: Goose Creek is a DEQ-designated impaired water. It is in need of greater protection and not greater threat. Despite the Applicants detailed proposals to control contaminants on the site, the fact remains that there will be contaminants on the site and any failures in control could result in further impairment of Goose Creek and the reservoir.

This raises the continuing question of any necessity of improvements on the site. The GCSRAC has carefully reviewed the Applicants response to Community Planning Comment 1. While the committee is cognizant of the reasoning to respond to growth in the county, the GCSRAC still finds that this site is still more convenient and desirable for the Applicant, rather and necessary and wise for the county. The reasons given for selection of the site: location, access, physical development suitability and size, and that it is already owned, are all descriptive of any desirable project. The Applicant states that 23 other sites were considered but rejected for a variety of factors.

Absent from this response is any over-arching or urgent need for this facility (the county operates over 100 such facilities) and that it is so critical that it should be located in a sensitive overlay district and Ecological Core. The GCSRAC is aware that grounds and inclement weather operations are necessary, but in reading the responses it cannot find the great weight of necessity for such a facility on this site that tips the balance from safety and protection of the creek and the general surrounding environment. The heightened burden of justification does not appear to be met in the responses.

## CONCLUSIONS AND FINAL REMARKS

As stated above, introduction of intensive operations of this nature to the site extend risks beyond the site itself to the point of posing great risks to detrimental drainage into Goose Creek. The GCSRAC finds the responses regarding safety on the site admirable, but overall there is a failure to meet the high threshold for introducing an operation of this nature and magnitude into this sensitive area. These operations are more appropriate to less sensitive sites and their surroundings.

**Staff is urged to continue to consider these observations and subject the proposal to stringent analysis.**

The GCSRAC reserves the right to make further comments and is also open to consultation with the Applicant and other parties to the re-zoning.

*Respectfully submitted for consideration this January 19, 2023.*

Benjamin Winn, Chairman  
Contact: GooseCreekSRAC@gmail.com