



AUDUBON SOCIETY
NORTHERN VIRGINIA

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The Honorable Phyllis Randall, Chair-at-Large
The Honorable Geary M. Higgins, Catoctin District Supervisor
Loudoun County Board of Supervisors
1 Harrison Street, S.E., 5th Floor
Leesburg, Virginia 20177

Dear Chair Randall, Supervisor Higgins, and members of the Board:

The Audubon Society of Northern Virginia (ASNV) adds its voice to the chorus of organizations and private citizens who are concerned about the importance of adequately regulating private landfills in Loudoun County. The mission of ASNV's 4500 members is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity. The need to prevent the creation of such landfills, at least two of which have masqueraded as a personal recreational field or been approved under a rough grading permit, is significant because the failure to do so has the potential to cause significant and irreversible damage to the environment.

Based on public reports, the Gable "personal recreational field" in Hamilton, Virginia contains more than 500,000 cubic yards of waste, including liquid waste, resulting from the dumping of tens of thousands of truckloads of material. Because the County does not monitor surface water or groundwater, the landfill has the potential to cause substantial environmental damage not only to the property in question but to properties adjacent to the landfill due to runoff into the watershed. It will take years before the full extent of the damage can be determined, as surface water sinks into the landfill and potentially toxic material leaches into the watershed.

The creation of a private landfill on the Gable Farm tract is even more objectionable, given that the site may have received tax reductions under Loudoun County's Land Use assessment program, which is intended to encourage property owners to keep their land in farm-related use and preserve open space. Aerial photographs of the site clearly show that the property has been turned from farmland into a wasteland while the property owner may have received millions of dollars in revenues from allowing the dumping of waste on the site.

Published reports indicate that Hamilton Station Assembly Building group received a permit for rough grading at a site near the Gable property in 2011 and used the permit as the basis for dumping materials until they received a stop work order in 2015. The Blue Ridge Leader reports that “the property has been left idle with steep drops, high mounds and deep, water-filled pits” since that time. Evidently no attempt has been made at environmental mitigation.

Municipal and private landfills are subject to regulations. There is no reason why private landowners should be able to evade such oversight by pretending that they are not creating landfills.

ASNV understands that the Gable “personal recreational field” is subject to a Notice of Violation and a stop work order and is currently inactive, subject to an appeal; and the Hamilton Station property is also inactive. However, issuing Notices of Violation and stop work orders on an after-the-fact basis is insufficient to protect the environment in Loudoun County. The environmental damage has already been done. The County should install monitoring wells at these and other unregulated landfills to determine whether they have the potential to cause damage outside the boundaries of the property on which they are located. If these sites cannot be returned to their original topography, then they should have permanent restrictions imposed on them that a) prohibit public or commercial uses, and b) protect the health, safety, and welfare of the public.

The County also should take steps to ensure that more unregulated landfills are not created in the County. It should adopt regulations that prohibit the creation of private landfills masquerading as recreational or farm property. Failing that, the County should enact regulations that subject such operations to the same public notice and comment procedures and environmental oversight that apply to regulated private and municipal landfills. If it does not do so, western Loudoun County runs the risk of being turned from a bucolic rural paradise to an environmental disaster area.

Sincerely,



Thomas L. Blackburn
President
Audubon Society Northern Virginia

Cc: Honorable Jennifer Wexton, U.S. House of Representatives
Honorable David LaRock, Virginia House of Delegates
Mr. Dan Holmes, Piedmont Environmental Council
Ms Karen Johnson, The Nature Conservancy
Mr. Matthew Zabik, The Nature Conservancy