

the monitor



THE NEWSLETTER OF CITIZENS FOR FAUQUIER COUNTY

SUMMER 2023

2023 is a Pivotal Year for Fauquier's Future

By Kevin Ramundo
CFFC President



CFFC's mission of protecting open space, preserving historical resources and supporting agriculture has become more critical than ever. During the

past two years, interest in developing utility-scale solar (USS) facilities that could consume thousands of acres of farms and open space has increased, and the first data center in the town of Warrenton was approved.

On Fauquier's border with Prince William County, the "Rural Crescent" which encompasses thousands of acres of previously protected lands, fell to the allure of data centers and the potential tax revenues they generate.

Data center applications in our own county are now on the rise, including several that involve rezoning of agricultural, residential and industrial areas. (see page 2)

Since data centers consume extraordinary amounts of electricity, more data centers will lead to more electrical transmission lines and

more USS facilities as the data center industry seeks to meet its green energy commitments. Two USS facilities that would consume hundreds of acres of open space are already in county reviews. (see page 3)

These two development trends pose the greatest threat to Fauquier's rural character and beauty to date, and CFFC is very focused on both.

- Our legal efforts are underway to reverse the Town of Warrenton's approval of Amazon's data center and gain access to related information under Virginia's Freedom of Information Act.
- We've offered preliminary recommendations to the county that would limit approval of additional data centers to appropriate locations.
- We are discussing with county leaders our USS recommendations for how to balance the desire for green energy sources while protecting farms and open spaces based on a 20-page report CFFC completed in 2022.

Elections matter

Later this year, the five seats on the Fauquier County Board of Supervisors will be up for election including three where the incumbents

have decided not to run again. The county has been fortunate to have a board that mostly protected our rural traditions and we hope that does not change.

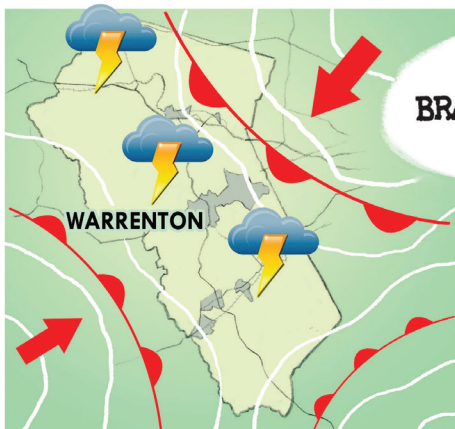
2023 will also bring a potentially pivotal election for a Warrenton Town Council seat and the outcome could result in a shift from the current pro-data center majority that ignored the interests of citizens and approved the Amazon data center. It's more important than ever that those who care about the future of our county get educated and vote this November.

Fortunately, CFFC has grown stronger

We've added five new members to the board in the last two years – individuals who are passionate about our mission and will complement our existing talented and committed board members. And through the generous contributions of our members and supporters, we've raised significant funds to help fund our legal and other financial needs. Thank you so much for your support.

If you're interested in joining our board or contributing financially to support our mission, please visit www.citizensforfauquier.org or email us at info@citizensforfauquier.org

FAUQUIER STORM ALERT



BRACE YOURSELVES!



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Effort to Oppose Amazon Data Center Continues

Amy Trotto
CFFC Board Member

In April 2022 Amazon sought approval for a 220,000 square-foot data center at the eastern gateway to the town of Warrenton on the 42-acre bluff next to Country Chevrolet. Since this project would be the most consequential and problematic land-use decision in the town's history, CFFC dedicated thousands of hours and considerable financial resources in a comprehensive effort over the past year to understand all aspects of the Amazon proposal, educate members and citizens, and attempt to work with town officials.

Together with Piedmont Environmental Council and Protect Fauquier, a grassroots citizens group formed to oppose the data center, no stone was left unturned, and thousands of citizens joined in opposition. There were small victories along the way but in the end, unswayed by nearly unanimous opposition to the data center, the majority of the town council voted to approve the project (4-3) at a public hearing attended by 800 residents that ran into the early hours of February 15, 2023.

Recognizing the potential for a legal component to the opposition effort, CFFC retained a prominent law firm, Whiteford, Taylor & Preston, last summer, and has since initiated two lawsuits against the town, one to obtain thousands of documents about the Amazon project under the Freedom of Information Act that the town has withheld, and the second to

overturn the approval of Amazon's special use permit – both of which are ongoing.


Unfortunately, the court ruled against CFFC in the FOIA case which was filed in December 2022 and CFFC has since appealed the court's decision. Regarding the special use permit, CFFC joined 10 Warrenton town residents to file a lawsuit on March 16, 2023 which seeks to reverse the town council's decision, alleging among other things, that the approval was made in violation of the town's own zoning ordinances, is noncompliant with the town's recently amended comprehensive plan, and is arbitrary and capricious. As expected, Amazon has joined the lawsuit as a defendant with the town.

This litigation is in the discovery and pleadings phase, with both defendants denying that the town's residents will be harmed by the data center and challenging the citizens' and CFFC's rights to file the lawsuit. CFFC and its lawyers believe we are on solid legal grounds.

How You Can Help

Your show of support for CFFC by contributing to the litigation efforts would be greatly appreciated.

Your tax-deductible donation may be made to:

Citizens for Fauquier County
PO Box 3486
Warrenton, VA 20188 

Data Centers Spill Over Into Fauquier County

By Dave Gibson
CFFC Board Member

The data center industry in Northern Virginia has expanded dramatically in recent years mainly due to proximity to Washington, D.C., prevalent internet connections, cheap energy, and enticing tax incentives. According to the Virginia Economic Development Partnership (VDEP), this region now boasts the highest concentration of data centers in the world with 150 facilities accounting for approximately 35% of global capacity.

However, as land availability diminishes in Loudoun and Prince William counties and electric power supply becomes more of a challenge, data centers are now spilling into neighboring jurisdictions. The approval of the Amazon data center on Blackwell Road in Warrenton is a prime example. There are now four more data centers being proposed in



see *Data Centers* page 3

Utility-Scale Solar Facility Update

By Jon Nuckles
CFFC Vice President

In 2021, CFFC began to focus on the threat of utility-scale solar facilities could pose to agriculture and open space in Fauquier County and submitted a 20-page study to county officials in 2022. As expected, applications for these facilities are now on the rise.

This April, the Fauquier County Planning Commission determined that two proposed utility-scale solar facilities in southern Fauquier did not comply with the county's comprehensive plan. CFFC agrees.

The Sowego facility in the Bristersburg area would cover more than 400 acres and the Alameda facility in Midland, another 1200 acres. These two facilities would impact more than 1600 acres of farm and forested land.

However, both applicants are appealing the planning commission's decision to the county board of supervisors who are tentatively scheduled to hold a public hearing and vote on the appeal during their August meeting.

CFFC opposes both applications for the following reasons:

- Neither project is aligned to the Rural Lands Plan, a section of the county's comprehensive plan that outlines policies and guidance for protecting the county's farmland, open space and rural lands.
- Both projects fail to meet the requirements that non-agricultural uses in the rural lands must be compatible in scale and intensity to the surrounding area; help preserve farmland and open space and continue agricultural operations; and, contribute to



Storm water run-off can be a major problem at USS facilities.

the preservation of historically significant structures and landscapes.

- Both proposed sites are surrounded by properties protected by open space easements, including land that is in the southern Fauquier Agricultural and Forrestral District and under easement with the county via the Purchase of Development Rights (PDR) program.
- The Sowego project will significantly and negatively impact multiple historic farmsteads, cemeteries, and the Blackwelltown Historic District. Moreover, the modeling used by the county's

preservation planner indicates there is a high likelihood that the proposed solar facility location has prehistoric archaeological sites that could be irreparably harmed.

CFFC plans to oppose these two projects when they are presented to the board of supervisors. We encourage all of our members and supporters to reach out to their respective supervisors and request they deny the applications. As more applications are submitted to the county, we will continue to review them and oppose those that pose a threat to our farmland, open space and rural areas. 🏡

Data Centers from page 2

Fauquier County beyond those already approved or by-right.

The scale of these additional data centers is enormous. If all four were approved, there could be 21 buildings occupying over five million square feet consuming a staggering 700 MW of power – both measures more than 20 times than that of the Warrenton Amazon facility. The appetite for additional utility-scale solar facilities to meet data center “net zero” commitments would be insatiable dooming another six to eight thousand acres of farmland and forest (see above article).

Another major concern is that these proposed facilities would be built on land currently zoned agricultural, residential and industrial, and at least one would involve the use of overhead power lines which is currently prohibited in the county but being requested by a developer.

Based on the current proposed facilities, the Route 28 corridor from Remington to Catlett has become the focal point although other sites around Warrenton and Marshall could become eligible.

To address the data center challenge, CFFC has recommended the following principles for new data center applications:

- The county should exclusively encourage data center development in areas already zoned and designated “by-right” locations within the Service Districts.
- No additional data centers should be considered until a comprehensive and impartial study on the costs and benefits of data center development has been conducted.
- Tax revenues generated by data centers should be allocated to support agricultural

and agribusiness development, expand the Purchase of Development Rights (PDR) Program, and enhance education.

- Existing zoning regulations prohibiting above-ground transmission lines to data centers should be strictly enforced.
- Detailed data center siting and design guidelines should be established, incorporated into the county's ordinances, and aligned with environmentally and socially responsible practices.

While CFFC is not categorically opposed to data centers, we believe they need to carefully sited in appropriately zoned locations taking fully into account their visual, noise, and power impacts. 🏡

John Schied Honored with CFFC's Kitty P. Smith Conservation Award

By Susan Russell
CFFC Secretary




John Schied

Late last year at an event hosted by CFFC's founder, Hope Porter, more than 80 of our supporters gathered to recognize John Schied with the 2022 Kitty P. Smith Conservation Award. While John was unable to attend the ceremony due to illness, his wife, Dolores, and daughter, Patty, were there to accept the award on behalf of John, a respected farmer and longtime Fauquier resident.

As a member of the Fauquier County Agricultural Committee, John Schied has an impressive history of dedication to conservation. He has been a longtime leader of the Property Development Rights (PDR) program

which compensates farmers for their development rights to protect Fauquier's agriculture economy amid encroaching urbanization. John visited properties whose owners were eligible for the program and spent countless hours promoting land conservation.

John has also been instrumental in teaching farmers about environmentally safe farming practices as the five-time president of the Fauquier Farm Bureau and an advisor and leader of the John Marshall Water and Conservation District. In his spare time, he volunteers for the Knights of Columbus and many other notable organizations. 

PLEASE JOIN US

Please support Fauquier County's oldest conservation nonprofit dedicated to preserving the county's rural character. CFFC is a strong advocate for open space, historic preservation and a healthy agricultural economy. We track every land use rezoning or special exception before the Planning Commission and are quick to engage when inappropriate development threatens to bring Northern Virginia sprawl to Fauquier.

Fauquier County is under tremendous pressure to grow as regional population soars and residents flee neighboring, built-out counties. Help protect Fauquier's future by joining CFFC, a 501 (c) (3) tax-exempt organization. Visit citizensforfauquier.org and become involved.

