



MONTGOMERY COUNTY, VIRGINIA

### Special Use Permit Application Form

Montgomery County, Virginia  
755 Roanoke St. Suite 2A, Christiansburg, VA 24073  
540-394-2148 | [mcplan@montgomerycountyva.gov](mailto:mcplan@montgomerycountyva.gov)

**Applicant Information:** (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners): Mountain Vista Land & Livestock, LLC	Address: 600 Switchback Road, Christiansburg, VA 24073
Telephone: (540) 818-0751	Email: boe1946@aol.com

Applicant Name: Owner Contract Purchaser/Lessee Crab Creek Vista Nutrient Bank, I.L.C	Address: 2889 Lowery St, Winston Salem, NC, 27101 - 6127
Telephone: 336-345-3239	Email: darrell@nsenv.com

Representative Name and Company: Jon Roller, Ecosystem Services, LLC	Address: 1739-A Allied Street, Charlottesville, VA 22903
Telephone: (540) 578-4296	Email: jon@ecosystems-services.us

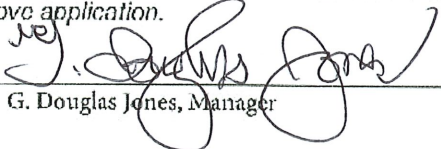
**Property Description:**

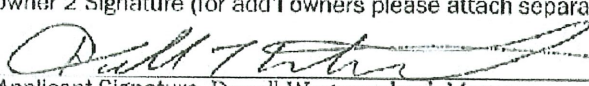
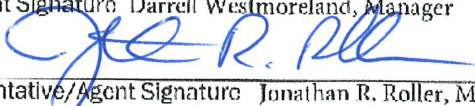
Location or Address: (Describe in relation to nearest intersection) 600 Switchback Road, Christiansburg, VA 24073		
Parcel ID Number(s): 002363 and 002364	Acreage: 19.75 (119.02 parcels total)	Existing Zoning: A1
Comprehensive Plan Designation: Resource Stewardship	Existing Use: Farm/Existing Nutrient Bank	

**Description of Request:** (Please provide additional information on attached sheet if necessary)

Proposed Use(s) including acreage: Nutrient Bank (19.75 acres)
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I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

Owner 1 Signature 	Date 04/19/22
G. Douglas Jones, Manager	

Owner 2 Signature (for add'l owners please attach separate sheet)	Date
Applicant Signature 	9/12/2022
Darrell Westmoreland, Manager	
Representative/Agent Signature 	4/12/2022
Jonathan R. Roller, Manager	





## Crab Creek Nutrient Bank - Phase 2 Special Use Permit Application Checklist

The applicant shall submit ten (10) copies of all required materials listed below. Applications will **NOT** be accepted without the following attachments:

- ☑ **Application Form (pg 10).** The application form must be signed by all of the property owners. If ownership is in the name of any type of legal entity or organization including, but not limited to, a name of a corporation, partnership, or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing the application has the authority to do so. If the application is submitted by an agent of the owner, the agent shall sign the application as well.
- ☑ **Comprehensive Plan Justification.** References should be made to the Comprehensive Plan Policy sections in the text portion of the plan. The Comprehensive Plan map provides an overview of the future land use policy areas, but does not provide a guide to the specific land use policies adopted by Montgomery County.

Land use policies are articulated in the Planning and Land Use portion of [Montgomery County, 2025](#) (chapter 2). available at the Planning & GIS Services Department or on the web. If the proposed development, rezoning, or special use permit is located in a village or village expansion area not covered by an adopted village plan, then the proposal needs to be consistent with the overall Comprehensive Plan.

**Villages and Village Expansion Areas.** If the proposed development, rezoning, or special use permit is located in a village or village expansion area covered by an adopted Village Plan, the proposal needs to be consistent with both the overall county Comprehensive Plan and with the village plan.

Information that must be addressed concerning the County Comprehensive Plan when submitting special use permit applications includes:

- a) Compliance with required lot minimums, district minimums, and availability of water and sewer
  - b) Describe, in specific detail, how the request fits with the land use policies included under the appropriate land use policy area. There are seven land use policy areas: Resource Stewardship (PLU 1.2), Rural (PLU 1.3), Rural Communities (PLU 1.4), Residential Transition (PLU 1.5), Villages (PLU 1.7), Village Expansion Areas (PLU 1.6), and Urban Expansion Areas (PLU 1.8). Each area has specific policies covering land uses, community design, and community facilities and utilities.
  - c) If the proposed request requires an E and S permit (land disturbance of more than 10,000 square feet) or with large areas of impervious surface (paved parking areas, etc.), the proposal will need to address groundwater, surface water, and stormwater runoff concerns included in the Environmental Resources Chapter. (ENV6.5, ENV5.6)
- ☑ **Concept Development Plan.** Required for all special use permit requests. A concept plan is an initial plan, which shows the general nature of the land use change or development, which is intended. It differs from the final site plan, or, plot plan, which is required prior to the issuance of zoning approval and a building permit.

The level of needed detail may vary depending on the nature, size and complexity of the proposed project; however, the following items shall be addressed with a concept plan submittal:

### **Existing Site Features:**

- a) Name of all landowners, applicant (if different), developer, engineer/ party preparing the plans.



- b) Date, revision date(s), scale and north point of plan.
- c) Lot size in acres and/or square feet, property lines and dimensions and any easements.
- d) Zoning and existing use of property and all adjoining properties.
- e) All existing buildings, and streets and/or other adjacent improved or unimproved rights-of-way.
- f) All existing physical features such as tree cover, natural watercourses, recorded drainage easements, and 100-year floodplain limits.

**Proposed Site Features:**

- g) Location of proposed access areas, loading zones, SWM facilities and streets or other rights-of-way.
- h) Structures: dimensions, use and the general types of exterior materials.
- i) Outside lighting: general location, height and type, and shielding.
- j) General landscaping plan. Existing trees and shrubs are recommended to be maintained wherever possible.
- k) General location and type of screening (fences, walls, vegetation), signs and trash enclosures.

- ☑ **Filing Fee.** The application fee shall be paid when the application is submitted. Fees are determined by the current fee schedule. Contact Planning & GIS staff for assistance calculating fees. Checks should be payable to “Treasurer of Montgomery County”.

Please note: In addition to the application fee, an invoice will be sent to the applicant/owner for fees associated with legal advertisements as required by the Commonwealth of Virginia.

- ☑ **Digital Submission of Application and all exhibits.** Applications will not be considered complete until digital items are received. An Adobe PDF document format is preferred for compatibility.

- ☑ **Ensure all applicable items identified in “Special Use Permit Requirements” (pg 11) are addressed in the application package (concept plan, justification statement, etc).** It may be necessary to attach additional documentation.

- ☑ **Completed Preliminary Review Meeting Application & Preliminary Review Meeting-Application Checklist Forms (pg 8-9 if required).**

- Items determined necessary in Preliminary Review Meeting (pg 9)**



Tuesday, April 19, 2022

Justin D. Sanders, CZO  
Development Planner  
County of Montgomery, VA  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073

**Re: Special Use Permit (SUP) Application for the Crab Creek Vista Nutrient Bank Phase 2  
Attachment A. Comprehensive Plan Justification**

Dear Mr. Sanders,

The purpose of this Attachment to the Crab Creek Vista Nutrient Bank (Bank) Special Use Permit Application (Application) is to provide justification that development of Phase 2 of the Bank is consistent with the policies outlined in the Montgomery County Comprehensive Plan (Plan). Development of Phase 2 includes stream restoration on 4,000 linear feet of Crab Creek and associated riparian buffer planting, which will be protected in perpetuity by a Deed of Restrictions.

This application is submitted by the Project Agent, Ecosystem Services, LLC on behalf of the Property Owner, Mountain Vista Land & Livestock, LLC, and the Bank Sponsor, Crab Creek Vista Nutrient Bank, LLC.

**Section 1. Background**

The Bank was approved in 2017 as a non-point nutrient offset credit bank. Land conversion (Phase 1), was completed in 2017, preceding the adoption of the County ordinance requiring a Special Use Permit. Phase 1 is considered a legally non-conforming use.

Phase 2 is proposed for construction in summer 2022. Preliminary plans for Phase 2 development were discussed with County staff in October 2020. In March 2022, construction plans, a site development plan checklist and an application were submitted to the Planning & GIS Department. Based on a review of the March submission, it was determined that since Phase 2 includes land previously not included within the approved Bank boundary, development would require a Special Use Permit (SUP).

**Section 2. Comprehensive Plan Justification**

The Bank is located at 600 Switchback Road (Parcel IDs 002363 and 002364/ Tax Map #77-A-90 and #77-A-91) within a zoned A-1 agricultural district. A thorough review of the County's Comprehensive Plan was completed to better understand the role of Phase 2 development in supporting goals related to the following aspects of the 2025 plan:

- 1) A-1 Zoning & Community Indicators Program
- 2) Planning and Land Use Policies
- 3) Environmental Resources Goals and Policies





## **1. A-1 Zoning Policy & Community Indicators Program**

Zoning ordinances, like A-1 zoning, are a primary tool to plan growth that is consistent with goals for protection of the natural environment. In addition to zoning regulations, the County uses Community indicators, such as a TMDL, to set and measure progress towards community goals.

Development of Phase 2 supports A-1 zoning goals by providing preservation of agricultural, forested lands and other lands of significance (floodplain) for the protection of the natural environment. Specifically, development includes establishing a declaration of restrictions on 20-acres of floodplain, restoration of 4,000 linear feet of stream, including reconnection to the adjacent floodplain and riparian planting.

In addition to supporting A-1 zoning goals, Phase 2 aligns with the Community Indicators Program for improving water quality using TMDL data. Preservation of the floodplain and restoration on Crab Creek is particularly valuable to address the approved TMDL for Crab Creek that documents impairments for E. coli and Benthic Macroinvertebrate Bioassessments (Sediment), which limits aquatic life and recreational opportunities. The implementation of forestry practices, removal of livestock, and management of fertilizer and excess soil runoff coupled with bank stabilization and instream restoration practices support goals to address impairments on Crab Creek. Specifically, development is predicted to reduce total delivered phosphorous loads by 418 pounds per year.

## **2. Planning and Land Use Policies**

The County established Planning and Land Use Policies to balance significant natural features with development applications. The Bank is located within the PLU Goal 1.0 Balanced Growth which includes the PLU 1.2 Resource Stewardship Area. This area is defined as having high resource value and includes land that is preserved from future development through public or private conservation efforts.

The request for the continued operation of the Bank aligns well with preserving an area with high-resource values to include pervious soils and valuable riparian and floodplain areas. Through private efforts and investment, these critical areas have been protected in perpetuity through a Declaration of Restrictions placed over the Bank area. These restrictions prohibit any future disturbance to the area including future development, mining, and other highly disruptive uses. While this area can be actively timbered, it must be done so under a Department of Forestry (DOF) approved Forest Management Plan.

The following is an abbreviated description of County Planning and Land Use Policies (*italicized, gray*) and how Phase 2 development supports those policies.

### *PLU 1.2.1 Resource Stewardship Area Land Uses*

*The preferred land uses for Resource Stewardship Areas include agriculture, forest uses, outdoor recreational uses, other natural resource-based uses and accessory uses directly related to the support of the preferred land uses.*

The Bank's intended use is to create and sustain a forested, riparian buffer along Crab Creek. Currently, Crab Creek is supporting limited aquatic life and recreational use. The proposed ecological enhancement efforts on Crab Creek include the restoration of eroding and unstable banks of Crab Creek, increased floodplain connection, and improved aquatic life habitat. This work supports goals set forth in the TMDL Action Plan for the creek.



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*Private and public conservation efforts and farmland retention programs, such as agricultural and forestal districts should be focused in Resource Stewardship Areas.*

More than twenty (20) acres of floodplain land will be protected in perpetuity through a Declaration of Restrictions, preventing future development or other land disturbing activities.

*The County may permit new non-agriculturally related institutional uses by special use permit provided the use is compatible in scale and intensity with agricultural and rural residential uses, poses no threat to public health, safety and welfare, and if the use helps preserve farmland, open space or historic, scenic or natural resources.*

Banking appears to fit well under the “new” non-agriculturally related institutional use, only permitted by special use permits. The Bank is largely out of sight from most roads, but stream restoration is often viewed as an amenity to a property and by its very nature, preserves and protects open space, scenic, and natural resources. Floodplain hydrology will be restored, and the area enhanced with native plantings. Floodplain reconnection will increase flood attenuation and runoff infiltration from the upstream urban watershed. Stream restoration is an approved best management practices for improving water quality, which supports goals to improve quality of life.

***PLU 1.2.2 and 1.2.3 Resource Stewardship Area Community Design and Facilities and Utilities:***

*Limited development densities, conservation of on-site natural resources, discouragement of sewer and water extensions, and minimization of transportation improvements.*

Bank proposes preservation of riparian planting, stream restoration and open space in perpetuity. A Deed of Restrictions will limit the use of public facilities, utilities, and roads.

### **3. Environmental Resources Goals and Policies**

The following is a description of Environmental Resources Goals and Policies of the Plan (*italicized, gray*) and how Bank development fits with those goals:

*ENV 1.0 Natural Resource Stewardship: The County is committed to preserving, conserving, and managing its natural resources, as a sustainable asset, for the benefit of its citizens and future generations.*

The stream restoration will utilize natural channel design methodology to reduce sediment and nutrient discharges downstream by preventing excessive erosion and reconnecting the stream with its adjacent floodplain. The restoration reach has a current need to address the excessive streambank erosion that is contributing to water quality impairments for sediment on Crab Creek, which discharges into the New River.

*ENV 1.4 Wildlife Corridors: Establish green spaces, including corridors and greenways, that promote viable wildlife habitat.*

Crab Creek’s riparian buffer lacks mature vegetation. Implementation and long-term management of a riparian buffer of native riparian species suited to site conditions is a key feature of Phase 2. Restoring land is one strategy to counter habitat loss to benefit both resident and migratory wildlife species. The planting plan is suited to the particulars of the site and project goals, but generally includes the essential elements that all wildlife species need to survive such as adequate food, water, and shelter. By installing a healthy riparian buffer, Bank establishment creates an opportunity to support certain conservation actions developed for priority species identified in the Local Virginia Wildlife Action Plan including actions for the common ribbon snake, field sparrows, eastern towhees, brown thrashers, and monarch butterflies. Botanically, we anticipate the area will be characterized by grasses, forbs, and shrubs with widely spaced trees. Beyond priority species, work will also support common wildlife including a wide





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range of birds (American crow, common raven, mourning dove, blue jay, and others), mammals (bats, foxes, deer, opossums, skunks, and racoons), and reptiles which includes snakes (common garter snake), and amphibians like frogs and toads. In addition, by creating and restoring wildlife habitat and managing invasives adjacent to Crab Creek, work will support goals to decrease nutrient, sediment, and pollution runoff to sustain species that require clear flowing water.

*ENV 1.5 Water Quality: Develop and initiate water resource management and Best Management Practices (BMPs) to preserve and maintain ground and surface water quality.*

Stream restoration is listed in the TMDL Development for Crab Creek as a proven technique used to replicate the hydrologic, morphological, and ecological features that have been lost in a stream because of urbanization, farming, or other disturbances. The overall restoration goal is to utilize natural channel design methodology to reduce sediment and nutrient discharges downstream by preventing excessive erosion and reconnecting the stream with its adjacent floodplain. The restoration includes significant floodplain reconnection to spread out erosive energy and protect downstream reaches from erosion, promote hyporheic exchange, improve water quality, and to create a connected lateral corridor along the stream for riparian vegetation and aquatic organisms.

*ENV 2.0 Open Space and Natural Resources: To work with county residents to conserve the natural resources and agricultural character of the land in the county.*

*ENV 2.1 Private Open Space: Encourage the preservation of the rural and agricultural character of private land within the County through cooperative efforts with local landowners.*

*ENV 2.3 Viewsheds: Develop and enact a plan of action for the protection and preservation of the scenic byways and transportation corridors, rivers, tributaries, and ridgelines.*

The Bank will protect approximately 20-acres of private land along the floodplain of Crab Creek in perpetuity through a Deed of Restrictions. The restoration and protection of the reach aims to preserve this viewshed for future generations.

*ENV 3.0 Streams, Rivers, and Surface Waters: The county is committed to working to maintain and to enhance the quality of its many streams and rivers for human health, habitat vitality, and safe recreational opportunities. Furthermore, the county is committed to ensuring that the problems such as flooding, erosion, and sedimentation will be minimized.*

The design approach proposes to remove the modern terrace to reconnect the stream to a new floodplain at a lower elevation. This strategy is employed to reduce instream energy, distribute flood flows to an adjacent floodplain, and address the current and future sediment and hydrologic regime. Additional features include restoration of the riparian buffer, installation of instream structures where necessary, and modifications to the pattern, profile, and geometry of the stream to reduce inputs of phosphorous, nitrogen and sediment.



## Conclusion

Crab Creek has been impacted by livestock and agricultural activities both historically and recently. Watershed disturbances such as residential and commercial development and agriculture have increased the frequency and magnitude of storm events and contributed to impairments such as vertical degradation, over-widening, and alternating erosion and deposition resulting in water quality impairments, as documented in the TMDL Plan for Crab Creek.

Development of Phase 2 of the Crab Creek Nutrient Bank is proposed to restore approximately 4,000 linear feet of stream and associated riparian buffer. The overall goal is to utilize natural channel design methodology to reduce sediment and nutrient discharges downstream by preventing excessive erosion and reconnecting the stream with its adjacent floodplain. Additional features include restoration of the riparian buffer and installation of instream structures where appropriate, to support instream habitat.

Located within an A-1 zoning district Bank development is well positioned to support goals related to preservation of the natural environment and natural resource stewardship to improve water quality, wildlife corridors, open space, and streams. Of particular benefit, the natural resource benefits will be protected in perpetuity utilizing a deed of restrictions, are privately funded, and located on privately owned land.

The table below summarizes some of the key justifications for how Bank development aligns with current and future land use policies outlined in the Montgomery County Comprehensive Plan.

Comprehensive Plan Category	Comprehensive Plan Justification
Zoning Policy	Enforcement of a declaration of Restriction on approximately 20-acres of floodplain supports A-1 zoning goals by providing preservation of agricultural, forested lands and other lands of significance (floodplain) for the protection of the natural environment.
Community Indicators Program	The proposed 4,000 linear feet of stream restoration and associated riparian buffer planting support Community Indicators Program for improving water quality using TMDL data. Project implementation is estimated to reduce delivered phosphorous by 418 pounds per year; delivered nitrogen by 910 pounds per year; and delivered total suspended sediment by 276,637 pounds per year.





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Comprehensive Plan Category	Comprehensive Plan Justification
<p>Planning and Land Use Policies</p>	<p>The Bank is located within the PLU Goal 1.0 Balanced Growth which includes the PLU 1.2 Resource Stewardship Area. This area is defined as having high resource value and includes land that is preserved from future development through public or private conservation efforts.</p> <p>The proposed ecological enhancement efforts on Crab Creek which include enforcing a deed of restrictions on approximately 20-acres of floodplain, restoring eroding and unstable banks of Crab Creek, increasing floodplain connection, and improving riparian and aquatic habitat support goals outlined in:</p> <p>PLU 1.2.1 Resource Stewardship Area Land Uses            PLU 1.2.2 Resource Stewardship Area Community Design            PLU 1.2.3 Facilities and Utilities.</p>
<p>Environmental Resources Goals and Policies</p>	<p>4,000 linear feet of stream restoration for water quality and instream habitat improvement coupled with riparian buffer planting that will be protected in perpetuity supports goals and policies in the following categories:</p> <p>ENV 1.0 Natural Resource Stewardship            ENV 1.4 Wildlife Corridors            ENV 1.5 Water Quality            ENV 2.0 Open Space            ENV 2.1 Private Open Space            ENV 2.3 Viewsheds            ENV 3.0 Streams, River and Surface Water</p>

We appreciate your time and consideration of this matter and welcome the opportunity to further discuss proposed restoration practices. Please do not hesitate to call with any questions.

Sincerely,

**ECOSYSTEM SERVICES**

By:

Jonathan R. Roller, AOSE PSS CNMP  
 Principal Environmental Scientist - Manager



Tuesday, April 12, 2022

Justin D. Sanders, CZO  
Development Planner  
County of Montgomery, VA  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073

**Re: Special Use Permit (SUP) Application for the Crab Creek Vista Nutrient Bank Phase 2  
Attachment B. Additional Special Use Requirements**

Dear Mr. Sanders,

The purpose of this Attachment to the Crab Creek Vista Nutrient Bank (Bank) Special Use Permit Application (Application) is to address the *Additional Special Use Permit Requirements*. Each requirement is addressed below to demonstrate what impact development of the Bank's second phase will have on the County's resources and how the request for a special use permit complies with Montgomery County's comprehensive plan.

***Additional Special Use Permit Requirements***

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan

The proposed project is consistent with the Comprehensive Plan as addressed under in Attachment A. Comprehensive Plan Justification.

2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.

Fire risks during construction and long-term maintenance are minimal. Construction does not include hotwork operations, temporary heaters, temporary electrical, or construction of structures. Flammable materials are limited to gas for the equipment, which will be properly stored. All construction machinery and trucks will be equipped with proper fire protection including fire extinguishers.

3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

Short-term noise may be increased during construction. The site is adjacent to the Norfolk-Southern railroad track, an existing source of noise. Following, construction the project will not generate increased levels of noise in the area. Noise from the site will be characterized by sounds of nature associated with a healthy stream and riparian buffer.

4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

Not applicable - no glare of light will be created from the project.

5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.

Not applicable – no lighting or signs are proposed.





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6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

The project proposed to enhance the stream-floodplain connection and protect open space in perpetuity, which is compatible with surrounding parcels on Crab Creek as well as adjacent agriculture, forests, and open spaces.

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

Not applicable – no buildings, structures, walls, or fences are proposed.

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

No screening or buffering of the site is proposed. Landscaping is limited to riparian buffer planting along the stream corridor.

9. The timing and phasing of the proposed development and the duration of the proposed use.

Construction is estimated to last 6-8 weeks. The project will create a stream-riparian corridor that will be protected as open space in perpetuity.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.

The project proposed to enhance existing natural features to restore the stream and adjacent riparian corridor. The project will have no effect on historic or archaeological features of significant importance.

11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.

Project will contribute to water quality improvement in Crab Creek, which drains to the New River and has an existing TMDL Action Plan.

12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.

Not applicable - no additional traffic or road improvements are proposed.

13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County.

Not applicable – no structures are proposed to be converted.

14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.

Not applicable - no essential public facilities or services are needed for this project.

15. The effect of the proposed Special Use Permit on groundwater supply.

Restoration of the stream-floodplain connection is anticipated to provide additional flood attenuation, precipitation infiltration, and groundwater recharge.



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16. The effect of the proposed Special Use Permit on the structural capacity of the soils.

**Not applicable**

17. Whether the proposed use will facilitate orderly and safe road development and transportation

**Not applicable**

18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

The project proposed to restore approximately 4,000 linear feet of Crab Creek and associated riparian buffer. The enhancement of the stream is anticipated to improve water quality within the Crab Creek watershed by reducing sediment and nutrient inputs. The project area will be planted with native grasses, forbs, shrubs, and trees to support wildlife.

19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

**Not applicable**

20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.

The proposed use is set in an environmentally sensitive area. This area has no limited potential and therefore creates an opportunity to preserve and protect a scenic and natural open space.

21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.

**Not applicable**

22. The location, character, and size of any outdoor storage.

**Not applicable**

23. The proposed use of open space.

The project's intended use is to create and sustain a stable, planted riparian corridor along Crab Creek. Long-term monitoring and maintenance is proposed to ensure stability of the project area. In addition, the stream restoration reach and adjacent riparian buffer will be protected in perpetuity with a Deed of Restrictions.

24. The location of any major floodplain and steep slopes.

Floodplain and steep slopes are shown on construction plans. The project area contains the 100-year floodplain of Crab Creek.

25. The location and use of any existing non-conforming uses and structures.

The existing Nutrient Bank, established in 2017, is considered a legally non-conforming use. The existing Bank encompasses approximately 75 percent of the proposed area of disturbance and long-term use.





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26. The location and type of any fuel and fuel storage.  
Fuel will not be stored onsite.

27. The location and use of any anticipated accessory uses and structures.  
Not applicable to this project or proposed use.

28. The area of each use; if appropriate.  
Not applicable to this project or proposed use.

29. The proposed days/hours of operation.  
The proposed use is not a business or public facility.

30. The location and screening of parking and loading spaces and/or areas.  
Not applicable to this project or proposed use.

31. The location and nature of any proposed security features and provisions.  
Not applicable to this project or proposed use.

32. The number of employees.  
Not applicable to this project or proposed use.

33. The location of any existing and/or proposed adequate on and off-site infrastructure.  
Not applicable to this project or proposed use. An existing sanitary sewer line is noted within the vicinity of the project area but will not be disturbed or be encroached by excavation or grading activities. There is no proposed on or off-site infrastructure.

34. Any anticipated odors, which may be generated by the uses on site.  
Not applicable to this project or proposed use.

35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.  
Not applicable to this project or proposed use.

We appreciate your time and consideration of this matter and welcome the opportunity to further discuss proposed restoration practices. Please do not hesitate to call with any questions.

Sincerely,  
**ECOSYSTEM SERVICES**

By:

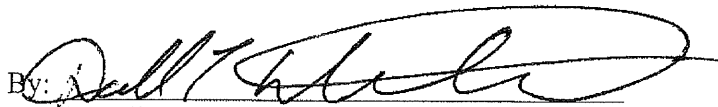
Jonathan R. Roller, AOSE PSS CNMP  
Principal Environmental Scientist - Manager

**CERTIFICATION OF MANAGER  
OF CRAB CREEK VISTA NUTRIENT BANK, LLC**

The undersigned, being the Manager of Crab Creek Vista Nutrient Bank, LLC (the "Company"), hereby certifies the following:

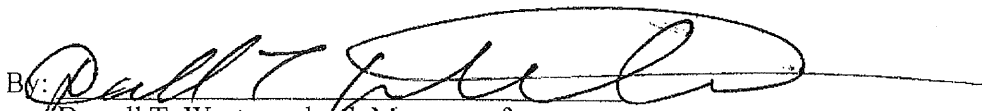
1. The Company was formed on February 23, 2022, by the filing of Articles of Organization with the Commonwealth of Virginia State Corporation Commission.
2. The Company is governed by an Operating Agreement, which provides that the Manager of the Company is authorized to sign any and all documents related to Company business.
3. The Operating Agreement provides that the Manager of the Company is NSE Holdings, LLC, a North Carolina limited liability company. The person authorized to sign on behalf of NSE Holdings, LLC is Darrell T. Westmoreland, Manager.
4. The signature convention to bind the Company should be as follows:

Crab Creek Vista Nutrient Bank, LLC,  
by its manager, NSE Holdings, LLC

By:   
Darrell T. Westmoreland, Manager of  
NSE Holdings, LLC, Manager

5. This certification is true and correct as of the date below and may be relied upon by third parties as provided in Va. Code §13.1-1021.1.

**Crab Creek Vista Nutrient Bank, LLC,**  
by its manager, NSE Holdings, LLC

By:   
Darrell T. Westmoreland, Manager of  
NSE Holdings, LLC, Manager



Schedule A

Membership Listing & Interest

NAME OF MEMBER & ADDRESS

MEMBERSHIP INTEREST

G. Douglas Jones  
600 Switchback Road  
Christiansburg, VA 24073

50%

Helene B. Jones  
600 Switchback Road  
Christiansburg, VA 24073

50%



ARTICLES OF ORGANIZATION  
OF  
MOUNTAIN VISTA LAND & LIVESTOCK, LLC

The undersigned, pursuant to Chapter 13 of Title 13.1 of the Code of Virginia, states as follows:

1. The name of the limited liability company is Mountain Vista Land & Livestock, LLC.
2. The purpose for which the limited liability company is formed is to engage in any lawful business, purpose or activity for which a limited liability company may be formed under the Virginia Limited Liability Company Act.
3. The name of the limited liability company's initial registered agent is DANIEL D. HAMRICK, P.C. The initial registered agent is a Virginia stock corporation.
4. The address of the limited liability company's initial registered office, which is identical to the business office of the initial registered agent, is 104 S FRANKLIN ST, CHRISTIANSBURG, VA 24073. The initial registered office is located in Montgomery County, Virginia.
5. The address of the limited liability company's principal office where the records of the limited liability company are to be kept is 600 Switchback Road, Christiansburg, VA 24073.

ORGANIZER

/s/ G. Douglas Jones Date: October 7, 2016  
G. Douglas Jones