

## ATTACHMENT A

WAIV-2023-00380 and WQIA-2023-00020

10/11/2023

### Proposed Water Quality Impact Assessment Conditions & Proposed Exception Conditions

If it is the intent of the Exception Review Committee to approve WAIV-2023-00380 and WQIA-2023-00020 to allow encroachment in the Resource Protection Area (RPA) located at 7819 Southdown Road (Tax Map No.:1022 18 0015A) pursuant to Section 118-6-9 of the Fairfax County Chesapeake Bay Preservation Ordinance (CBPO), staff recommends that the Exception Review Committee condition the approval by requiring conformance with the following development conditions.

1. This RPA Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This RPA exception is binding upon the parties, their successors, and assigns and must be recorded among the Land Records of Fairfax County, Virginia, within **180-days of approval**. The conditions stated herein will not be deemed to be personal but will run with the land.
3. This RPA Exception is granted only for the purposes, structures and/or uses indicated on the Plat approved with the application, as qualified by these development conditions.
4. Any plan submitted pursuant to this RPA Exception shall be in substantial conformance with the Plat titled "Water Quality Impact Assessment Plan" prepared by Professional Design Group Inc dated Jan 2023 which shows the proposed improvements.

For this RPA Exception to meet the purpose and intent of the CBPO, to not create a substantial detriment to water quality, and to meet the performance criteria for RPAs, a vegetated buffer must be established in an area of at least 6,873 square feet, by planting 16 Overstory trees, 32 Understory trees and 172 shrubs as shown on the application with the criteria of the CBPO 118-3-3(f). Plant materials shall be randomly placed to achieve a relatively even spacing throughout the buffer. Plants shall be native to the degree practical and adaptable to site conditions. The buffer area shall not overlap with any other easements.

5. The applicant shall provide on-site best management practices such that the water quality benefits exceed the detriments, as demonstrated with supporting computations on the future grading plan and as approved by LDS.
6. Indigenous vegetation shall be preserved to the maximum extent possible.

7. Any land disturbance exceeding an area of 2,500 square feet shall comply with Chapter 104 of *The Code of the County of Fairfax, Virginia*, and shall require the approval of a grading/conservation plan prior to the initiation of land disturbance. Creating or causing a land disturbance exceeding 2,500 square feet without an approved grading/conservation plan is a violation of Section 104-1-2 and is subject to civil penalties up to \$2,000 per violation.
8. To prevent degradation of water quality during construction, adequate erosion and sediment control measures, including a super-silt fence, shall be used during construction within the RPA, and shall remain in place, and be properly maintained, for the duration of the land disturbing activity within the RPA until such time that the disturbed area is completely stabilized. The operation and maintenance of the pool shall be observed by DEQ's Swimming Pool Guidelines.
9. This RPA Exception shall automatically expire, without notice November 01, 2024, unless the subject grading plan has been approved and the vegetated buffers have been established.

This approval, contingent on the above noted conditions, does not relieve the applicant from compliance with the provisions of any applicable Federal, State, or County ordinances, regulations, or adopted standards. The applicant is responsible for obtaining the approval of any required plans and permits through established procedures. This RPA Exception is not valid until any required plans and permits are approved.