



Land Development Services

Technical Bulletin

Subject: New Application and Submittal Requirements for Water Quality Impact Assessments (WQIA) **Date:** January 22, 2020 **No.:** 20-02

Summary: Fairfax County’s Department of Land Development Services (LDS) has developed a new [WQIA Application Form](#), and the submittal requirements are now divided into “Minor” and “Major” categories. The two categories differentiate the required detail on submittals based on potential Resource Protection Area (RPA) impacts. This bulletin describes what technical information is required for each submittal type to comply with the Chesapeake Bay Preservation Ordinance (CBPO).

Effective Date: Immediately. However, WQIA applications may continue to be submitted without this new application until March 2, 2020.

Background: WQIAs are required to accompany and support applications to work within the RPA, per [CBPO §118-3-3\(a\)](#). Although the WQIA components are specified in [CBPO §118-4-3](#), this code does not differentiate between large and small projects. Projects with encroachments within the RPA can vary in scope and potential impact to water quality. For this reason, the process must have flexibility to ensure that application requirements are commensurate with the level of detail necessary to ensure water quality protection. This policy recognizes the varying sizes and impacts of different WQIA applications by defining WQIA submission requirements for major and minor projects.

Policy: The WQIA Application Form must be used for all WQIA submissions after March 2, 2020. The form is intended for both minor and major WQIAs. However, the narratives, descriptions, proposed mitigation, and supporting documentation should correspond to the scope of the project and/or encroachment into the RPA.

Minor WQIAs are appropriate for projects meeting ALL of the following criteria:

- Projects of less than 2,500 square feet of land disturbance in the RPA;
- Projects proposing less than 256 square feet of impervious area in the RPA; and,
- Projects disturbing no land in the 50 seaward feet of the RPA buffer.

All RPA encroachments requiring a WQIA and NOT meeting ALL of the above criteria require a Major WQIA submission.

A Minor WQIA may be satisfied by submitting the attached application along with a site drawing showing the required information. The application form is intended to provide all required narrative information for minor cases, with no requirement for a separate narrative. Nonetheless, additional narrative descriptions may be included as needed to provide required information. A separate site drawing is required to show the required graphic information.

A Major WQIA submittal must include the WQIA application along with a more comprehensive narrative and site drawing satisfying the requirements of this Technical Bulletin.

The Director of LDS shall determine which WQIA criteria apply to all violations of the CBPO.

See the table below, “Major and Minor WQIAs,” for additional information.

This policy may exclude RPA exceptions for minor additions meeting the criteria of [CBPO §118-5-5](#). This policy may also exclude the removal of dead, diseased or dying trees or removal of invasive species or noxious plants in the RPA. These activities must be approved by LDS. Application forms are available at the LDS [CBPO](#) website.

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Attachments:

1. Table 1: Major and Minor WQIAs

Additional Resources:

1. WQIA Application Form
2. [The Jade](#), Fairfax County’s Comprehensive Mapping Application
3. [Fairfax County Public Facilities Manual \(PFM\) Table 12.17 Tree Selection and Canopy Cover Guide](#)
4. [Fairfax County Recommended Tree and Shrub Species for Reforestation of RPAs](#)
5. [Virginia Department of Conservation and Recreation \(DCR\) - Invasive Plant Management Program](#)
6. [DCR - Virginia Invasive Plant Species List](#)
7. [United States Department of Agriculture - A Management Guide for Invasive Plants in Southern Forests](#)

Table 1: Major and Minor WQIAs

Requirement	Minor WQIA (Application and plat/drawing only)	Major WQIA (Application, plat/drawing, and narrative)
<p>General Information</p>	<p>A required WQIA is considered to be minor and may be satisfied by submitting the application form and required exhibits if all of the following criteria are met:</p> <ul style="list-style-type: none"> • Land disturbance in the RPA less than or equal to 2,500 square feet; and • No disturbance in the 50 seaward feet of the RPA buffer; and • Additional proposed impervious area in the RPA less than 256 square feet, and total RPA impervious area no more than 1,000 cumulative square feet since adoption of the RPA, except for minor additions which are permitted by §118-5-5. <p>Example projects for these criteria include sheds and small accessory structures, and the removal or management of vegetation.</p> <p>The criteria provided in this column are not an all-inclusive list. Upon review of the Minor WQIA application, staff may request additional information be provided as necessary to evaluate potential water quality impacts of the proposed activity, per §118-4-3(g).</p>	<p>A required WQIA is considered to be “major” and requires additional analysis beyond this application form if any of the following criteria apply:</p> <ul style="list-style-type: none"> • Land disturbance in the RPA exceeds 2,500 square feet; or • Any disturbance in the 50 seaward feet of the RPA buffer; or • Any disturbance of wetlands or streams (core components); or • Any RPA disturbance that does not qualify for a Minor WQIA. <p>Example projects for these criteria include large accessory structures, such as pools and detached garages.</p> <p>Major WQIA criteria must address all minor WQIA criteria <u>and</u> the additional requirements noted below.</p>
<p>Display the boundaries of the RPA; §118-4-3(a)</p>	<p><u>Show on a plat or site drawing:</u></p> <ul style="list-style-type: none"> • RPA boundary information may be taken from existing site-related plans or a plat showing the RPA boundary. • RPA boundary information may be taken from County data, such as the Jade Mapping 	<p><u>Show on a plat or site drawing:</u></p> <ul style="list-style-type: none"> • Display a site-specific RPA delineation (submitted separately if required by the Director) or; • Display the RPA boundary from a previously approved, separate RPA delineation plan, providing the referenced plan number (____-RPA-____-__) or;

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	<p>Application or RPA maps available through the county CBPO website.</p> <ul style="list-style-type: none"> Applicants may be asked to provide a site-specific delineation of the RPA if the work is within 50' or the core components of the RPA as defined in §118-1-7 (b). 	<ul style="list-style-type: none"> If the project involves concurrent submission of an INF plan, the RPA Boundary delineation may be included on the plan, in accordance with Technical Bulletin 08-12 and incorporated in this WQIA.
<p>Display and describe the location and nature of the proposed encroachment into and/or impacts to the RPA, including any clearing, grading, impervious surfaces, structures, utilities, and sewage disposal systems; §118-4-3(b)</p>	<p><u>Show on a plat or site drawing:</u></p> <ul style="list-style-type: none"> Proposed encroachment area including grading and clearing A line indicating the extent of the work area and encompassing all clearing and grading. Existing and proposed improvements including impervious surfaces, structures, utilities, and sewage disposal systems Existing vegetation including trees, shrubs, and groundcover which is proposed to be impacted <p><u>Describe in a narrative:</u></p> <ul style="list-style-type: none"> Nature of the proposed encroachment Condition & type of vegetation Details of the requested encroachment Any previously approved encroachments into the RPA 	<p><u>Show on a plat or site drawing:</u></p> <ul style="list-style-type: none"> Disruptions to existing surface hydrology, including wetland and stream circulation patterns Disruptions, reductions, or increases in the supply of water to wetlands, streams, or other surface waters Location of dredge material and location of dumping for such material Percent of the site to be disturbed and cleared for the project General location and type of all significant onsite plant material. Specific location and type of all trees, shrubs, or groundcover to be removed. <p><u>Describe in a narrative:</u></p> <ul style="list-style-type: none"> Existing topography, soils, hydrology, and geology of the site and adjacent lands; Location, type, characteristics, and condition of RPA features Impact of the proposed development to the existing topography, soils, hydrology, and geology of the site and adjacent lands Nature and extent of any fill material Duration and proposed phasing of the project All requisite wetland permits from other agencies Type of all vegetation to be removed
<p>Provide justification for the proposed encroachment into and/or impacts to the RPA; §118-4-3(c)</p>	<p><u>Describe in a narrative:</u></p> <ul style="list-style-type: none"> Provide justification for proposed encroachment 	<p><u>Describe in a narrative:</u></p> <ul style="list-style-type: none"> If this application is for an exception, demonstrate how the application meets the following criteria of 118-3-2.i: <ol style="list-style-type: none"> How the requested exception is the minimum necessary to afford relief That granting the exception will not confer any special privileges denied in similar situations

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		3. The exception request is in harmony with the purpose and intent of the CBPO and is not a substantial detriment to water quality 4. That the exception is not based on circumstances that are self-created and self-imposed.
Describe the extent and nature of any proposed disturbance or disruption of wetlands; §118-4-3(d)	<u>Describe in a narrative:</u> <ul style="list-style-type: none"> • If applicable, describe impacts to wetlands. 	<u>Describe in a narrative:</u> <ul style="list-style-type: none"> • Location and condition of existing wetlands • Impacts to existing wetlands • Description of required Wetland Permits <u>Show on a plat or site drawing:</u> Disturbance or destruction of wetlands in RPAs
Display and discuss the type and location of proposed best management practices (BMPs) to mitigate the proposed RPA encroachment and/or adverse impacts; §118-4-3(e)	<u>Show on a plat or site drawing:</u> <ul style="list-style-type: none"> • Replanting indigenous species in an area equal to the encroachment per 118-3-3(f) and PFM is generally sufficient mitigation for small RPA impacts. • Location of proposed BMPs to mitigate impact from the encroachment 	<u>Show on a plat or site drawing:</u> <ul style="list-style-type: none"> • Calculation of percent increase in impervious surface on-site and types of surfacing materials used; • Calculation of pre-development and post-development pollutant loads in runoff using VRRM spreadsheet, or other method approved by the Director; • Replanting schedule and locations of replanting proportional to removed vegetation. • Erosion and sediment control measures used during construction <u>Describe in a narrative:</u> <ul style="list-style-type: none"> • Selection of the proposed BMP and how it will be effective at preventing an increase in nonpoint source pollution. • Descriptions of the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures may include, but are not limited to: <ol style="list-style-type: none"> i. Proposed erosion and sediment control concepts. Concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocity and volume/rates, measures to stabilize disturbed areas, and schedule and personnel for site inspection; ii. Minimization of proposed excavation and fill

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		<ul style="list-style-type: none"> Description of replanting plan in accordance with §118-3-3(f) and PFM, including a statement that all selected plants are indigenous species appropriate for the riparian buffer to the extent practicable.
<p>Demonstrate the extent to which the proposed activity will comply with all applicable performance criteria of §118-4-3(f);</p>	<p><u>Describe in a narrative (reference site drawing):</u></p> <ul style="list-style-type: none"> Land disturbance is the minimum necessary Preservation of existing indigenous vegetation That impervious cover is minimized 	<p><u>Describe in a narrative:</u></p> <ul style="list-style-type: none"> How significant vegetation has been preserved to the maximum extent practicable. If this application is for an exception, describe compliance with the performance criteria of §118-3
<p>Any other information deemed by the Director to be necessary to evaluate potential water quality impacts of the proposed activity §118-4-3(g)</p>		<p><u>Describe in a narrative:</u></p> <p>For new homes, a wastewater element which:</p> <ul style="list-style-type: none"> Includes locations of anticipated drainfield; Provides justification for sewer line locations in CBPAs, where applicable, and describes construction techniques and standards; Describes any proposed on-site collection and treatment systems, their treatment levels, and impacts on receiving watercourses; and Describes the potential impacts of the proposed wastewater systems, including the proposed mitigation measures for these impacts.