

## ATTACHMENT A

WAIV-2023-00514 and 009820-WQ-003-1

03/06/2024

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

If it is the intent of the Exception Review Committee to approve WAIV-2023-00514 and 009820-WQ-003-1 to allow encroachment in the Resource Protection Area (RPA) located at 12917 Percheron Lane (Tax Map No.:0353-26-0027) 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 meet the approval conditions and the requirements of the Plat titled "WQIA RPA Landscaping Plan" prepared by Professional Design Group Inc dated December 13, 2023.

In order for this RPA Exception to align with the purpose and intent of the Chesapeake Bay Preservation Ordinance (CBPO), to avoid causing significant harm to water quality, and to meet the performance criteria for Resource Protection Areas (RPAs), the applicant must submit a rough grading plan (RGP) for review and approval by the Site Development and Inspection Division. The RGP shall provide details of the followings:

- a. Establish a vegetated buffer covering an area of at least 1200 square feet within an existing turf area situated within the RPA. This buffer should include the planting of 5 Overstory trees, 6 Understory trees, and 18 shrubs.
- b. The implementation of the landscaping plan must be carried out under the direct supervision of a certified arborist. Plant materials should be distributed randomly to achieve relatively even spacing throughout the buffer. Furthermore, plants selected for the buffer should be native to the extent possible and adaptable to site conditions. It is important to ensure that the buffer area does not encroach upon any other

easements.

- c. Indigenous vegetation shall be preserved to the maximum extent possible.
  - d. Clearly indicate the location and footprint of the proposed 465 square feet of compost soil amendments and impervious areas treated by this practice.
  - e. 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.
5. This RPA Exception will automatically expire, without notice, March 15, 2026, unless the project is completed in accordance with these conditions.

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.