



## Land Development Services

# Technical Bulletin

**Subject: Policy on Depiction of Resource Protection Area Boundaries on Plans of Development**

**Date: 4/25/22**

**No.: 22-01**

**Summary:** This technical bulletin supersedes Technical Bulletin 08-12, issued July 3, 2008, to clarify county policy for determining the Resource Protection Area (RPA) boundaries for plans of development. Changes to the policy for infill lot grading (INF) plans include clarification of who may sign RPA boundary location certifications. Additional changes have been made to the submittal procedures for Water Quality Impact Assessments (WQIA). An updated RPA Boundary Certification statement is included on page four of this technical bulletin.

**Effective Date:** Immediately

**Background:** Applicants must show the site-specific RPA boundaries, applying the criteria in the Chesapeake Bay Preservation Ordinance (CBPO) [§ 118-1-7](#), on all plans of development submitted for review. CBPO [§ 118-1-9\(c\)](#) states that the Land Development Services (LDS) Director may require the submission of an RPA boundary delineation study to determine if the RPA boundary shown on the plan of development is in accordance with the ordinance text. Where RPA boundaries on the adopted map<sup>1</sup> differ from boundaries as determined from the text of the CBPO, the text shall govern.

### **Policy:**

#### **Site Plans, Minor Site Plans, Public Improvement Plans, Rough Grading Plans, Preliminary Plats, Record Plats and Subdivision Construction Plans**

- RPA boundary delineation studies must be conducted following the requirements in [Public Facilities Manual Section 6-1704](#).
- The RPA Delineation Plan must be submitted and approved as a prerequisite to approval of all site-related plans, including site plans, minor site plans, public improvement plans, rough grading plans, preliminary plats, record plats and subdivision construction plans.

#### **Infill Lot Grading (INF) Plans**

- INF plans may either depict an approved RPA boundary from a separate RPA boundary delineation study (LDS Plan Type: "RPA") as above or may use the updated RPA Boundary Certification statement (included in this LTI).
- INF plans may include signed certification confirming that all the features that comprise the RPA have been reviewed by an appropriately licensed professional and the RPA boundary depicted on the plan is accurate. Pursuant to [§ 118-1-9\(d\)](#) and [PFM 6-1704.6](#),

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<sup>1</sup> Two methods for locating the adopted map are found under "Where can I find a map that shows the approximate RPA boundary on a specific property?" on the [LDS FAQs: Resource Protection Areas page](#).

the certification must be signed by the following professionals certified or licensed to practice in the Commonwealth of Virginia:

- Professional Engineer
  - Land Surveyor
  - Landscape Architect
  - Soil Scientist
  - Wetland Delineator
- Sufficient off-site topography to show perennial streams must be provided for all INF plans so the accuracy of RPA boundaries may be assessed.
  - Wetlands investigation is warranted wherever the Fairfax County [Potential Wetlands Area Map](#) suggests potential wetland areas exist on or adjacent to the site. The professional submitting the RPA boundary must certify the existence of wetlands and whether they meet the criteria of County Code [§ 118-1-7 \(b\)](#) and are a component of the RPA. Wetlands determinations must be performed using methods specified by the United States Army Corps of Engineers (USACE) and supporting data included in the INF plan.

### **Water Quality Impact Assessments (WQIAs)**

- WQIAs associated with infill lot grading plans may be part of the grading plan rather than submitted separately.
- When WQIAs are submitted separately for single-family detached properties, such as with an exception application, the WQIA may include an RPA boundary certification like Infill Lot Grading Plans.
- Such WQIAs must include appropriately signed and sealed surveying and engineering work when applicable, such as the survey of existing conditions and location of floodplain on existing topography.

Please note: The above provides general criteria and does not supersede any determination that a site-specific RPA boundary delineation study is required, nor does it restrict any future determination made on a case-by-case basis by LDS that a site-specific RPA boundary delineation study is required.

### **Building Permit Applications**

- For building permit applications, where a grading plan is not required, the RPA boundary delineation be shown on the associated house location plat may be based on the adopted map.

### **Zoning Applications**

- For rezoning, special exception, special permit and other zoning application plans, applicants should perform RPA boundary delineation studies if requested by the Zoning Evaluation Division.
- Submitting an RPA boundary delineation study before zoning application approval avoids future complications up to and including required entitlement plan amendments that could result from using an unapproved, RPA boundary different from the adopted

map on any zoning application that changes during subsequent LDS review of an RPA boundary delineation study.

If you have any questions, please contact a stormwater specialist in the Site Development and Inspections Division of Land Development Services at **703-324-1720, TTY 711**.

Approved by: Matthew Hansen, Director  
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Department of Land Development Services  
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703-324-1720, TTY 711

**Other Resources:**

- [LDS Chesapeake Bay Preservation Ordinance](#)
- [FAQs: Resource Protection Areas](#)
- [Reference Guide for Site-Related Plans](#)

## Resource Protection Area Boundary Location Certification for Infill Lot Grading Plans

*This certification statement is to be placed (cut and paste the text from this technical bulletin) on the Infill Lot Grading Plan and signed by the professional certifying the Resource Protection Area boundary.*

**The lot depicted on this infill lot grading plan includes a Resource Protection Area (RPA). The locations of all RPA features have been verified in the field.**

### Checklist of RPA features which are present:

YES    NO

- (1) A tidal wetland.
- (2) A tidal shore.
- (3) A water body with perennial flow.
- (4) A nontidal wetland connected by surface flow and contiguous to a tidal wetland or water body with perennial flow.
- (5) A buffer area as follows:
  - (i) Any land within a major floodplain.
  - (ii) Any land within 100 feet of a feature listed in (1) through (4).

### Supporting Documents:

Jurisdictional determination or verification letter from the U.S. Army Corps of Engineers for all Waters of the U.S. (Required only when the RPA delineation is based on wetland boundaries.)

### ***I hereby certify that:***

Each of the individual features listed above, which together comprise the RPA, have been reviewed, and the locations of the features and final RPA boundary shown on the plan are in conformance with the requirements of the Chesapeake Bay Preservation Ordinance.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Virginia Registration or Certificate Number