



APPLICATION ACCEPTED: January 14, 2010
PLANNING COMMISSION: November 18, 2010
BOARD OF SUPERVISORS: not yet scheduled

County of Fairfax, Virginia

November 12, 2010

STAFF REPORT ADDENDUM

APPLICATION SE 2010-DR-002

DRANESVILLE DISTRICT

APPLICANT: District of Columbia Water and Sewer Authority (DCWASA)
PRESENT ZONING: R-E
PARCEL(S): 04-3 ((1)) 2 (portion)
ACREAGE: 2.1 acres
PLAN MAP: Public Park
SE CATEGORIES: Category 1- Light Public Utility
Category 6- Use in a Floodplain
PROPOSAL: Sewage Line Odor Abatement Facility

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2010-DR-002. If it is the intention of the Board of Supervisors to approve the application, staff recommends such approval be subject to development conditions consistent with those found in Appendix 1 of this report.

Staff recommends approval of a transitional screening and barrier modification for all property lines in favor of the existing vegetation and topographic features.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Suzie Zottl

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It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

BACKGROUND

The SE application, SE 2010-DR-002, is a request by District of Columbia Water and Sewer Authority (DCWASA) for a Category 1 (light public utilities) and Category 6 (use in a floodplain) Special Exception to permit the construction of a sewage line odor abatement facility on a lot zoned R-E, which is also in a floodplain. The surrounding properties are zoned R-E and are developed with single family detached dwelling units. Although not the subject of the Special Exception request, it is important to note that DCWASA has a planned improvement (sliplining) project for the Potomac Interceptor, which is a large sewer line that runs from Dulles Airport to the DWASA Blue Plains treatment facility located in Washington, DC. The pipeline is located north of the Special Exception application property. It is staff's understanding that the sewerline odor abatement facility subject to this SE application would be implemented first, followed by the more long-term sliplining project.

DISCUSSION

The staff report for this case was published on October 5, 2010. Since the publication of the staff report, the applicant has worked with the community to address concerns related to the impact of the odor abatement project, as well as the larger Potomac Interceptor slipline project.

Based on the concerns raised by the citizens, new conditions have been proposed by staff(see Attachment 1.) The new proposed development conditions are based on requests made by the community; the applicant has agreed to the majority of these development conditions (see Attachment 2.) While many of the community's issues for the two projects are related, as both projects will use the same access route for construction and the construction activities will largely occur in the same location, the proposed development conditions are only applicable to the project that is the subject of the SE application (the sewerline odor abatement facility.) The proposed development conditions do not bind the other construction activities that would occur with the existing sewerline and its associated easement. The proposed development conditions include most of the elements as proposed by the community and agreed to by the applicant, as evidenced in Attachment 2.

The applicant and the community could address the concerns regarding the sliplining project through a separate letter of agreement between the community and DCWASA, utilizing the proposed development conditions, if so desired.

CONCLUSIONS AND RECOMMENDATIONS

The Special Exception development conditions were revised based on a continuing dialogue between the applicant and the community and address most of the issues raised by the community. Staff continues to recommend approval of this application.

Recommendations

Staff recommends approval of SE 2010-DR-002 subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends approval of a transitional screening and barrier modification for all property lines in favor of the existing vegetation and topographic features.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

ATTACHMENTS

1. Proposed SE Development Conditions
2. Conditions as Proposed by Great Falls Citizens Association with responses from DCWASA

PROPOSED DEVELOPMENT CONDITIONS**SE 2010-DR-002****November 12, 2010**

If it is the intent of the Board of Supervisors to approve SE 2010-DR-002 located at the terminus of River Park Lane, northeast of the terminus of River Park Drive [Tax Map 04-3 ((1)) 2 (portion)] to permit the construction of an odor abatement facility pursuant to Sections 9-104 and 9-606 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Potomac Interceptor Long Term Odor Abatement Program Site 31 Special Exception Plat," consisting of eight sheets, prepared by A. Morton Thomas, and dated January, 2010 as revised through August 25, 2010, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. On-site testing of noise generating equipment outside of the odor abatement building shall not be permitted.
5. If a stormwater management detention waiver is not granted by DPWES, the applicant shall provide stormwater management to the satisfaction of DPWES. If stormwater management facilities are not in substantial conformance with the SE Plat, the applicant may be required to submit a Special Exception Amendment.
6. A. Tree Preservation. The applicant shall submit a Tree Preservation plan as part of the first and all subsequent site plan submissions. The preservation plan shall be prepared by a professional with experience in the preparation of tree preservation plans, such as a certified arborist or registered consulting arborist, and shall be subject to the review and approval of the Urban Forest Management Division (UFMD), DPWES.

The tree preservation plan shall consist of a tree survey that includes the location, species, size, crown spread and condition rating percentage of all trees 10 inches in diameter and greater, and 25 feet to either side of the limits of clearing and grading shown on the SE plat for the area shown as special exception site. The tree preservation plan shall provide for the preservation of those areas shown for tree preservation, those areas outside of the limits of clearing and grading shown on the SE plat and those additional areas in which trees can be preserved as a result of final engineering. The condition analysis ratings shall be prepared using methods outlined in the latest edition of the Guide for Plant Appraisal published by the

International Society of Arboriculture. Specific tree preservation activities that will maximize the survivability of any tree identified to be preserved, such as: crown pruning, root pruning, mulching, fertilization, and others as necessary, shall be included in the plan.

B. Tree Preservation Walk-Through. The Applicant shall retain the services of a certified arborist or registered consulting arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the walk-through meeting. During the tree-preservation walk-through meeting, the Applicant's certified arborist or registered consulting arborist shall walk the limits of clearing and grading with an UFMD, DPWES, representative to determine where adjustments to the clearing limits can be made to increase the area of tree preservation and/or to increase the survivability of trees at the edge of the limits of clearing and grading, and such adjustment shall be implemented. Trees that are identified as dead or dying may be removed as part of the clearing operation. Any tree that is so designated shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump-grinding machine in a manner causing as little disturbance as possible to adjacent trees and associated understory vegetation and soil conditions.

C. Limits of Clearing and Grading. The Applicant shall not exceed the limits of clearing and grading as shown on the SE plat, subject to allowances specified in these development conditions and for the installation of utilities and/or trails as determined necessary by the Director of DPWES, as described herein. If it is determined necessary to install utilities and/or trails in areas protected by the limits of clearing and grading as shown on the SE plat, they shall be located in the least disruptive manner necessary as determined by the UFMD, DPWES.

D. Tree Preservation Fencing. "All trees shown to be preserved on the tree preservation plan shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the phase I & II erosion and sediment control sheets, as may be modified by the "Root Pruning" development condition below.

All tree protection fencing shall be installed after the tree preservation walk-through meeting but prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and be accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES, and the Northern Virginia Regional Park Authority.

E. Root Pruning. The Applicant shall root prune, as needed to comply with the tree preservation requirements of these development conditions. All treatments shall be clearly identified, labeled, and detailed on the erosion and sediment control sheets of the site plan submission. The details for these treatments shall be reviewed and approved by the UFMD,

DPWES, accomplished in a manner that protects affected and adjacent vegetation to be preserved, and may include, but not be limited to the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading, or demolition of structures.
- Root pruning shall be conducted under the direct supervision of a certified arborist.
- A UFMD, DPWES, representative shall be informed when all root pruning and tree protection fence installation is complete.

F. Site Monitoring. During any clearing or tree/vegetation/structure removal on the Application Property, a representative of the Applicant shall be present to monitor the process and ensure that the activities are conducted as per the development conditions and as approved by the UFMD. The Applicant shall retain the services of a certified arborist or registered consulting arborist to monitor all construction and tree preservation efforts in order to ensure conformance with all tree preservation development conditions, and UFMD approvals. The monitoring schedule shall be described and detailed in the Tree Preservation Plan, and reviewed and approved by the UFMD, DPWES.

G. Tree Replacement. The applicant shall coordinate with UFMD to look for opportunities to replace native tree species lost as a result of this project.

7. Prior to site plan approval, an archeological investigation, consisting of shovel test pits, along the alignment of the odorous air pipes and sanitary connections to the odor control building from the Potomac Interceptor in the area between the original trench limit to the base of the hillside shall be completed. Should the test pits reveal any archeological/culturally significant artifacts then a Phase II archeological survey shall be completed within this area only (and not for the entire Special Exception Area). This scope of work shall be in consultation with the Fairfax County Park Authority's Cultural Resource Management and Protection section (CRMPS). One copy of the draft and final archeological reports shall be provided to the Park Authority's Resource Management Division within 30 days of completion of the study or survey. The building architecture shall be in substantial conformance with that shown on the SE Plat and subject to review and approval by the Northern Virginia Regional Park Authority.
8. There shall be no storage of herbicides, pesticides, or toxic or hazardous substances as set forth in Title 40, Code of Federal Regulations, Parts 116.4 and 261.30 et seq., in the floodplain.
9. The applicant shall submit a FEMA Floodproofing Certificate prior to the issuance of a Non-RUP (Non-Residential Use Permit).
10. Prior to site plan approval, the applicant shall coordinate directly with the Virginia Department of Conservation and Recreation, Division of Natural Heritage, and the Virginia Department of Game and Inland Fisheries to determine what impacts the odor abatement facility project construction may have on threatened plant and/or wildlife species within the limits of disturbance as shown on the SE Plat and what measures should be taken to avoid, minimize and mitigate those impacts and shall fully implement these measures to the satisfaction of UFMD and the appropriate state agencies.
11. A Hold Harmless Agreement shall be executed with the County for all adverse effects which may arise as a result of the location of the site within a floodplain area.

12. The days of construction shall be limited to Monday through Friday. No work shall be performed on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
13. Construction hours shall be limited to 7:30 am-4:30 pm.
14. The applicant shall provide a certified flag person at the intersection of Deepwoods Drive and Beach Mill Road on an as-needed basis for equipment and material deliveries.
15. No workers, with the exception of supervisors and tradesmen who need their vehicles to perform work, shall park on the site or on the private streets surrounding the application property.
16. The applicant shall install temporary speed bumps and post 15 mph speed limit signs on the streets surrounding the application property. The Deepwoods/Yarnick/River Park Lane neighbors shall designate a leader for all correspondence and contact information. This leader shall provide a letter to the DCWASA stating the number and desired location of the speed bumps. If this letter is not provided prior to site plan approval, the applicant shall have no further obligation under this condition to provide the speed bumps. The temporary speed bumps shall be removed immediately following the completion of construction.
17. The size of the construction vehicles shall be limited to 26' long beds, except when heavy equipment is required to be transported.
18. The applicant shall provide a traffic control supervisor. The name and telephone number of the traffic control supervisor shall be provided to the Great Falls Citizens Association and the Deepwoods/Yarnick neighbors. This supervisor shall be the primary point of contact for the community members regarding traffic safety concerns and shall provide a construction activity calendar on a two-week basis to the Great Falls Community Association. The traffic control supervisor and the project engineer may be the same individual, as determined by DCWASA.
19. At least one certified flag person shall be assigned to the Yarnick Road/River Park Lane intersection to control truck traffic and to assure access control on an as needed basis.
20. In consultation with UFMD and the applicant's arborist, the applicant shall flag all trees 10" or greater in diameter that abut the access roads and easements which will be utilized for construction. The applicant shall take extra measures to preserve these trees and minimize damage caused by construction vehicles, including proper limb pruning, root pruning, reducing soil compaction, and tree protection fencing. The applicant shall notify the property owners three weeks prior to any scheduled tree pruning or removal.
21. At the request of each property owner, the applicant shall review each request and install temporary bollards along the roadway edges where construction vehicles are anticipated to incur significant changes in direction within the DCWASA easement as deemed appropriate by DCWASA to discourage construction vehicles from driving on private property. DCWASA shall provide written notice to the affected property owners at the time of site plan submittal for the odor abatement facility and shall not commence construction until such notice is sent. The homeowner(s) shall be required to provide their response in writing to DCWASA, including authorization to install the temporary bollards on their property. If this response is not provided prior to site plan approval, the applicant shall have no further obligation under

this condition. The temporary bollards shall be removed and the area restored immediately following completion of construction.

22. DCWASA shall minimize the removal of any existing fencing in their easement to the extent possible. Should any fencing be required to be removed, it shall be replaced with similar fencing outside of the easement.
23. DCWASA shall be responsible for ensuring that all private roads used for construction are well maintained throughout the construction process and repaired as needed to fill potholes and road hazards on at least a monthly basis. Private roads used will be repaved within 6 months following completion of construction.
24. Should realignment of the road curve at the junction of Deepwoods Drive and Yarnick Road be required, the applicant shall minimize tree removal to the extent possible. The applicant shall restore the road to as close to the original alignment as possible that will also provide for the turning movement requirements of DCWASA maintenance and delivery vehicles needed for the operation of their facilities, immediately following completion of construction activities within the application property.
25. No storage or staging of construction materials shall be allowed on private roads.
26. The gate on the unpaved road between Yarnick Road and River Park Lane shall be opened at the beginning of each working day and locked at the end of each working day by a supervisor. During the working day when the gate is not in use, it shall be locked. The gate shall be locked during non-working hours. The applicant shall provide a certified flag person at that location on an as-needed basis.
27. At such time as the contract has been awarded and prior to the start of construction, the Applicant shall arrange and attend a community meeting between the Great Falls Citizens Association, the Deepwoods Drive /Yarnick Road/ River Park Lane neighbors, and the general contractor that is awarded the contract to discuss and review their health and safety plans for the project.
28. A non-RUP for the odor abatement facility shall be issued at such time as all construction activities are completed within the application property and the access route restored per these development conditions.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Conditions as presented by the Great Falls Citizens Association and responses from DCWASA (responses shown in underline). Transmitted via email to staff on October 27, 2010 from Barry Lucas of DCWASA.

SUMMARY OF SPECIAL CONDITIONS FOR DC WATER PROJECT SE 2010-DR-002

FORWARD:

This list of conditions is not an endorsement of either of the 2 routes under consideration by DC Water. The two routes are: 1) Exclusively using River Park Lane from River Park Drive to the entrance of the construction site; and, 2) Using Deepwoods to Yarnick to a portion of River Park Lane to the entrance of the construction site. Most of these conditions apply no matter which route they finally select. Most of these conditions apply no matter which route DC Water utilizes for the Potomac Interceptor Long Term Odor Abatement project. Some conditions, however, are obviously unique to the Deepwoods Drive/Yarnick Road route. A majority of the homeowners affected by either route have reviewed and concurred with these conditions.

While we understand that the Special Exception is for the odor abatement facility, we are relying on DC Water's assurances that they will honor these conditions on both projects, which is critical, as the access will be used for both and it would be difficult, if not impossible, for residents to know which impacts are associated with which project. These conditions apply to the special exception related to the Potomac Interceptor odor abatement project at Site 31.

CONSTRUCTION:

1. Days of construction limited to Monday through Friday; No holiday or weekend work. DC Water agrees to this condition. Holidays to be New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas.
2. Hours of construction limited to 8 am to 4 pm. In order to control costs and complete the project within a one year period, DC Water requests an 8 hour work day.
3. Traffic Control Person at the intersection of Deepwoods Drive and Beach Mill Road. DC Water agrees to provide a traffic control person at the

intersection of Deepwoods Drive and Beach Mill Road on an as-needed basis for equipment and material deliveries.

4. Shuttle workers to construction site from off site parking location not on streets or roadsides in Great Falls residential areas. DC Water agrees to this condition.
5. Installation of speed bumps, speed limit signs, traffic cameras limiting the speed of vehicles to 15 mph. DC Water will agree to temporary speed bumps, speed limit signs and a radar-equipped illuminated speed monitoring sign. All community members must be in agreement on the number and locations of the speed bumps and will provide that information in writing through the Great Falls Citizens Association officers to DC Water prior to the placement of these traffic control measures.
6. Size of construction vehicles limited to 26' long beds; except when heavy equipment (to be defined by DC Water) will be transported. DC Water agrees to this condition.
7. At least one supervisor should be assigned to the Yarnick Road/River Park Lane intersection to control truck traffic and to assure access control. DC Water agrees to provide a certified flag person on an as-needed basis for material and equipment deliveries.
8. Site supervisors should remain at the work site until ALL workers are transported back to their off-site parking facility. No one should remain or be on site overnight or on non-working days except management and security. DC Water agrees to this condition.
9. All workers, except management and security, will be shuttled to and from site. There will be no parking of any kind on any of the private roads. Cars and trucks parked there will be tagged and towed by a private towing company hired by the homeowners. DC Water agrees to have the contractor shuttle employees to the site with the exception of tradesmen and specialty skilled workers who require their vehicles to perform their duties. DC Water agrees not to allow private vehicles to park on private roads outside of their easement.

ENVIRONMENT:

1. Plan to be submitted by DC Water that shows how trees will be preserved; no tree with a trunk 10" or larger diameter will be cut down, except after prior notification of the lot owner and agreement of the lot

owner and all adjacent lot owners. DC Water will provide a tree preservation plan to Fairfax County for review and approval as part of the site plan process. Every effort will be made to preserve trees. DC Water agrees to notify property owners prior to removal of any tree.

2. All efforts will be made to maintain the existing tree limb cover of the roads and properties. DC Water agrees to this condition with the understanding that some limbs will need to be trimmed in order to provide vehicle access.
3. Measures will be taken to reduce odors during construction. Measurement of the odor level will be made by DC Water. Odor level above human tolerance at the nearest 4 homes will require additional odor abatement procedures or temporary termination of the project until such odors are brought under control. DC Water agrees to control Hydrogen Sulfide concentrations to a level within the OSHA exposure limit of 20 ppm. If concentrations above 20 ppm occur, a temporary termination of odor generating activities will be instituted until such odors can be brought under control.
4. Baseline and Annual ground water testing (See Attachment 1 for items to be measured) for the purpose of safeguarding the homeowner's water supply.

Baseline and Annual ground water testing will be undertaken during the course of the project for the purpose of safeguarding the homeowner's water supply. DC Water agrees to perform baseline testing at the initiation of the project and annual ground water quality testing at the construction site during construction activity and a final water test as part of the project closing.

Groundwater will be sampled for the same substances for which the EPA recommends annual testing in private drinking water wells: E-coli bacteria, total coliform bacteria, nitrates, total dissolved solids and pH levels. As the Potomac Interceptor is a sanitary sewer interceptor, also added will be heavy metals (As, Cd, Cu, Pb, Mo, Ni, Ag, Zn), nitrogen, phosphorus and BOD₅. If the residents so desire, they may request testing of samples for additional substances at their own cost.

The list of substances provided by the Great Falls community is excessive and contains numerous materials that are highly unlikely to be found in a sanitary sewer. As such, it represents a costly and unnecessary burden. The prospect of interceptor leakage can be fully

- established by the materials for which testing is proposed, which we believe serves the intent of the condition.
5. Riverbend Landing Homeowners Association will be notified of baseline and annual water test results and if any of the concentrations of the items tested for exceed EPA guidelines. DC Water agrees to this condition.
 6. DC WATER will be responsible for remediation/damages if the vent replacement and slip lining projects are determined to be the cause of increased contaminant concentration levels in the water supply. DC Water does not agree to this condition. This document is related to conditions for construction of the PI Odor Abatement project only. DC Water's responsibilities in protection of the environment are clearly determined by various State and Federal regulations and statutes. No additional commitment is necessary or acceptable.

PROPERTY PROTECTION:

1. At the option of each property owner, substantial posts or bollards will be installed along property lines to ensure that construction vehicles do not drive on private property. At the option of each property owner, substantial posts or bollards will be installed along roadway edges within the DC Water easement to ensure that construction vehicles do not drive on private property. DC Water agrees to construct temporary stakes and rails at pull-off locations and in locations where vehicle turns will be made. The homeowner shall be required to provide their request for stakes and rails in writing to DC Water and provide DC Water written authorization to install these measures on their property. DC Water also reserves the right to make future improvements as needed for the future maintenance of the Potomac Interceptor as previously defined in Deed Book 2134 Page 590 and Deed Book 2155 Page 178.
2. Any private property that is damaged will be restored to its original condition. Significant damage will be repaired promptly; other restoration will occur no later than 6 months following completion of construction and County inspections. Any private property that is damaged will be restored to its original condition. Significant damage will be repaired within 30 days; other restoration will occur no later than 6 months following completion of construction and County inspections. All complaints must be submitted to DC Water in writing through the Great Falls Citizens Association officers.

3. DC Water will coordinate with property owners along route to minimize tree removal and will mark trees of 10" or greater diameter at least 3 weeks prior to removal. DC Water agrees to notify property owners of any tree removal at least 3 weeks in advance.
4. No removal of fencing without prior notification and agreement of the lot owner. If fencing is within the easement, temporary fencing (outside easement) may be required by DC WATER and restoration of the original fencing at the end of the project. No removal of fencing within the DC Water easement without prior notification of the lot owner. If fencing is within the easement, temporary fencing (outside easement) may be required by DC Water and restoration of the original fencing at the end of the project. DC Water does not anticipate the removal of any fences but agrees to abide by this condition.

ROAD CONDITIONS:

1. DC Water will pay for all private roads to be well maintained during construction and repaired as needed to fill potholes and road hazards on at least a monthly basis. Roads used will be totally repaved (with the exception of the private lane between Yarnick Road and River Park Lane) no later than 6 months following completion of construction and County inspections. DC Water agrees to this condition.
2. All private roads will have snow removed within 12 hours following a snow fall or DC Water will reimburse homeowners for private snow removal. DC Water agrees to clear any access road of snow during normal working hours as described above in Construction conditions #1 and #2. No reimbursement for snow removal will occur.
3. The curve in the road at the junction of Deepwoods Drive and Yarnick Road shall remain intact as close to the original road design as possible. If realignment is necessary, DC Water will minimize the removal of any trees and restore the road to its original alignment within 6 months of completion. DC Water agrees to perform only road realignments that are required to allow construction vehicles to safely pass through. DC Water agrees to minimize tree removal to the extent reasonably possible. All roads will be restored to as close to their original conditions as reasonably possible.
4. Parking, storage or staging of vehicles or other equipment is prohibited on (1) all portions of River Park Lane and (2) the dirt road that connect

Yarnick Road to River Park Lane. DC Water agrees to prohibit the parking, storage or staging on all private roads.

5. The gate on the dirt road between Yarnick Road and River Park Lane shall remain locked at all times, except when DC Water Contractor vehicles need access to either Yarnick Road or River Park Lane. The gate on the dirt road between Yarnick Road and River Park Lane will be opened at the beginning of each working day and closed at the end of each working day by the DC Water Contractor Supervisor.
6. Vehicles other than those of DC Water/DC Water Contractors shall at all times be prohibited from using the dirt road connecting Yarnick Road and River Park Lane. DC Water agrees to keep the access entrance on the dirt road between Yarnick Road and River Park Lane closed during normal working hours. The access entrance will be locked during off hours. DC water agrees to provide a certified flag person at that location on an as-needed basis.
7. DC Water will keep the road clean; this includes removing litter on a weekly basis and surface dirt/mud (with water truck) as required. DC Water agrees to this condition.

SURETY BOND AND CONTRACT PROVISIONS:

1. DC Water will deposit an adequate surety bond, cash escrow or other performance guarantee, with Fairfax County, that will ensure the timely restoration of the site to the satisfaction of both the County and lot owners affected. Bond will be of sufficient value to provide restitution to the homeowners and the county in the case DC Water fails to do so. DC Water does not agree with this condition. Bonding requirements are determined by Fairfax County as part of the permitting process. DC Water does not agree to this condition. DC Water is agreeable to the project bonding/performance requirements established and enforced by Fairfax County as part of their permitting process.
2. DC Water and their contractors will obtain reasonable and customary insurance coverage protecting lot owners from any claims and liabilities as a result of injuries or losses, including human life, as a consequence of the actions of DC Water, contractors or subcontractors, and their agents and employees in connection with the Project. Lot owners will be additionally insured on these policies. DC Water requires its

contractors to have insurance coverage. DC Water will not allow individual property owners to be named on insurance policies.

3. DC Water will assure that the above provisions, as applicable, are incorporated into contracts it executes with respect to the Project and will require that its contractors include consistent provisions into any contracts they execute with subcontractors and that such contracts will include reasonable and customary default and remedial provisions giving DC Water and its contractors the ability to enforce such provisions. DC Water agrees with including the agreed upon conditions as provisions of the construction contract.

Attachment 1

Ground Water Test Items

BACTERIA

Total Coliform
E. Coli Bacteria

INORGANIC CHEMICALS

Iron	Manganese	Lead
Mercury	Sodium	Nitrate
Arsenic	Hardness(CaCo3)	pH

POLY CHLORINATED BI-PHENOLS (PCB)

PCB 1262	PCB 1260	PCB 1254
PCB 1248	PCB 1242	PCB 1232
PCB 1221	PCB 1061	

VOLATILE ORGANIC COMPOUNDS (VOC)

Dichlorofluoromethane	Chloromethane	Vinyl Chloride
Bromomethane	Chloroethane	Trichlorofluoromethane
Trichlorofluoromethane	1,1 Dichloroethene	Methylene Chloride
trans-1,2-Dichloroethene	1,1 Dichloroethane	2,2 Dichloropropane
cis-1,2 Dichloroethene	Chloroform	Bromochloromethane
1,1,1 Trichloroethane	1,1 Dichloropropene	Carbon Tetrachloride
Benzene	1,2 Dichloroethane	Trichloroethene
1,2 Dichloropropane	Bromodichloromethane	Dibromomethane
cis-1,3 Dichloropropene	Toluene	trans-1,3 Dichloropropene
1,1,2 Trichloroethane	Tetrachloroethene	1,3 Dichloropropane
Dibromochloromethane	1,2 Dibromoethane	Chlorobenzene
Ethylbenzene	1,1,1,2 Tetrachloroethane	m-Xylene
p-Xylene	o-Xylene	Styrene
Methyl Tertiary Butyl Ether(MTBE)	Isopropylbenzene	Bromoform
1,1,2,2 Tetrachloroethane	1,2,3 Trichloropropane	n-Propylbenzene
Bromobenzene	1,3,5 Trimethylbenzene	Chlorotoluene-2
Chlorotoluene-4	tert-Butylbenzene	1,2,4 Trimethylbenzene
sec-Butylbenzene	p-Isopropyltoluene	1,3 Dichlorobenzene
1,4 Dichlorobenzene	n-Butylbenzene	1,2 Dichlorobenzene
1,2 Dibromo-3-Chloropropane	1,2,4 Trichlorobenzene	Hexachlorobutadione
Naphthalene	1,2,3 Trichlorobenzene	Total Xylenes

PESTICIDES

a-BHC	b-BHC	g-BHC
alachlor	aldrin	atrazine

dieldrin
heptachlor epox
lindane
c-nononachlor
DDT
endosulfan II
chlordane

endrin
hexachlorobenzene
methoxychlor
t-nonachlor
DDE
endrin aldehyde
toxaphene

heptachlor
hexachlorocyclopentadiene
simazine
DDD
endosulfan I
endosulfan sulfate

NEW EPA ADDITIONAL TARGET VOC COMPOUNDS

Acetone
2-Butanone
Trans-1,2-Dichloroethene
Ethyl Methacrylate
Methacrylonitrile
Methylmethacrylate
2-Nitropropane
Tetrahydrofuran
toxaphene

Acrylonitrile
Carbon Disulfide
1,1-Dichloropropanone
Hexachloroethane
Methylacrylate
4-Methyl-2-Pentanone
Pentachloroethane
1-Chlorobutane

Allyl Chloride
Chloroacetonitrile
Diethylether
2-Hexanone
Methyliodide
Nitrobenzene
Propionitrile
chlordane

DC Water does not agree to ground water testing for all the substances listed in the above table. DC Water will perform baseline and annual testing for the substances outlined in condition #4 in the "Environment" section.