Land Disturbing Activity
Acknowledgement/Certification

Project Address ("Property"): _____

Date: _____

Property Owner Name(s): _____

_____

Property Owner Phone Number(s): _____

_____

Property Owner Email Address(es): _____

_____

Contractor Name: _____

Contractor Primary Contact Information:

Phone Number: _____

Email Address: _____

Contractor License Number: _____

Purpose

This document informs owners and contractors of requirements for undertaking projects with a total area of land disturbance more than 2,000 square feet but less than 2,500 square feet. It outlines the necessary compliance measures and potential consequences for noncompliance under applicable Arlington County ("County") ordinances, the Code of Virginia, and other applicable laws.

Certification of Responsibility

I hereby acknowledge and certify my understanding and acceptance of the responsibilities outlined below regarding the proposed land disturbing and construction activities for this project in compliance with applicable law:

- I acknowledge that the project limits of disturbance ("LOD") must be staked out and certified by a licensed professional. Silt fence or other approved erosion and sediment perimeter ("E&S") control must be installed to physically demarcate the LOD, to exact location and specifications shown on the proposed land disturbance plat. Such E&S controls must be maintained and remain in effective condition throughout the entirety of the project.

- I am responsible for ensuring the total land disturbance area and all related construction and support activities for the project remain under 2,500 square feet, within the LOD, and within the scope of the approved plans and permits.
- If for any reason my project reaches or exceeds 2,500 square feet or more of land disturbance, I must follow applicable law including Arlington County Code Chapter 60, the Virginia Erosion and Stormwater Management Act (Virginia Code § 62.1-44.15:24 *et seq.*), and derivative regulations (9VAC25-875-10 *et seq.*).
- I may find resources regarding the County and State's land disturbing activity requirements attached to this document and at the County's website, including, but not limited to, the following link: *Compliance Guide for Erosion and Sediment Control and Stormwater Pollution Prevention*[1]
- If for any reason my project reaches or exceeds 2,500 square feet or more of land disturbance, pursuant to applicable law, I must obtain a Land Disturbing Activity Permit ("LDA Permit") from the County.
- I acknowledge that I am accountable for any violations that occur due to non-compliance with applicable law and any associated inspection fees.
- I acknowledge that conducting land disturbing activities without an LDA Permit may result in the issuance of a Stop Work Order or the assessment of civil penalties of up to $32,500.00.

Monitoring and Inspections

I acknowledge my project will be periodically monitored by County Department of Environmental Services ("DES") Stormwater Management Inspectors to ensure the total disturbed area remains under 2,500 square feet and within the scope of any approved plans and permits.

If an inspection reveals non-compliance issues, the County may take actions including, but not limited to:

- Issue a Notice to Comply/Notice of Violation requiring compliance with applicable law within a set period. Failure to follow the requirements of a Notice to Comply/Notice of Violation may result in the issuance of a Stop Work Order or the assessment of civil penalties up to $32,500.00.
- Depending on the severity of my violation, issue an emergency Stop Work Order requiring the immediate cessation of land disturbing activities.
- Obtaining an injunction to prevent further violations of applicable law.

[1] Available at: https://www.arlingtonva.us/files/sharedassets/public/v/2/building/documents/esc-swppp-construction-compliance.pdf

Fees for Non-Compliance

Effective July 1, 2025, the following fees will be applicable:

- $2,730.00 per any inspection associated with a Chapter 60 Stop Work Order.
- $664.00 per any inspection associated with a Chapter 60 LDA Permit Notice to Comply/Notice of Violation.

These fees cover the costs incurred by the County staff due to mandatory follow-up efforts by DES inspection, review, supervision, and administrative staff.

These fees are subject to change and take effect at the beginning of each new fiscal year. For more information and list of current fees, please refer to the DES Consolidated Development-Related Fee Schedule.[2]

Transfer of Ownership

If ownership of the Property is transferred or there is a change in contractor before the project is completed, I am responsible for informing the new Property owner or contractor of these requirements.

Right of Entry

If I am a Property owner, I must execute the Inspections/Right of Entry Notice found at Attachment C.

Attachments

The attachments to this document are incorporated herein and made a part of this Acknowledgment/Certification.

Acknowledgement and Certification

By signing below, I certify that I am an owner or contractor of the project identified above and that I have read and understand this form and its supporting documents. I certify that I have the requisite authority to execute this document. I agree to comply with all applicable requirements specified herein.

(SIGNATURE(S) ON FOLLOWING PAGE)

Signatures

[2] Available at: https://www.arlingtonva.us/Government/Programs/Building/Permits/Fee-Schedules

PROPERTY OWNER SIGNATURE(S)

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

CONTRACTOR SIGNATURE(S)

Name: _____ Date: _____

Title: _____ Contractor License No.: _____

Name: _____ Date: _____

Title: _____ Contractor License No.: _____

ATTACHMENT A

What is a Land Disturbing Activity?

Legally binding definitions of the term "Land Disturbing Activity" may be found at the following location:

- County Code § 60-5

Examples of activities that may constitute Land Disturbing Activities include, but are not limited to:

- Clearing and grading sites
- Demolition of existing structures
- New houses, buildings, additions, expansions, garages or any other new building footprint added to a site
- Access pathway for construction equipment (backhoe, bobcat, wheelbarrows, etc.)
- Area for construction dumpster
- Storage or set-down areas for construction materials (roof trusses, prefabricated materials, etc.)
- Grading for drainage
- Grading/excavation for construction of building footing
- Excavated soil storage areas
- New concrete/paved areas including driveways (including area for frame-up if required)
- Trenching or excavating for the installation, replacement, removal or capping of underground utility lines related to the land development project, including any land disturbing activities within County right of way
- New sidewalks, paths or stairs
- Landscaping areas

For more information related to the Land Disturbing Activity/Stormwater permit please visit the County Website - Environmental Permits Overview[3]

[3] Available at: https://www.arlingtonva.us/Government/Programs/Building/Permits/Environmental-Overview

ATTACHMENT B

Steps to Obtain an LDA Permit and Resume Work Activity

If it is determined that my project has reached or exceeded 2,500 square feet of land disturbance, work may not resume until an LDA Permit is obtained. The following steps* must be completed to resume work:

1. Obtain an LDA Permit.
2. Consult with a professional engineer or licensed professional.
3. Discuss the proposed work and LDA Permit requirements with the County.
4. Formally submit an LDA Application and associated fees.

*Please note this list is not exhaustive. For more details regarding the process and requirements for obtaining an LDA permit, please visit the link below:
https://www.arlingtonva.us/Government/Programs/Building/Permits/Land-Disturbing-Activity-Stormwater/Land-Disturbing-ActivityStormwater-Permit-Details

Contact dsbcustserv@arlingtonva.us or stormwatermanagement@arlingtonva.us with any questions.

ATTACHMENT C

Inspections/Right of Entry Notice

Project Address: _____

Pursuant to applicable law:

- The County, or any duly authorized agent thereof, may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of applicable erosion and stormwater management laws.

- Inspections must be conducted on various projects.

- Inspections must be performed by owner(s)/permittee(s)/their authorized agents and by County staff.

- Inspections by Arlington County staff will be conducted during normal business hours. Any time that an activity is occurring at the site is deemed to be "normal business hours."

- In the event of an emergency, imminent or actual threat to safety, health, or environment, inspections may be conducted at any time.

This document is notice that County Staff may conduct inspections for the duration of your project. No further notice will be given.

PROPERTY OWNER SINGATURE(S)

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____