

A SUMMARY OF THE PROPOSED CHANGES TO THE OCCOQUAN RESERVOIR SHORELINE EASEMENT POLICY (POLICY)

JANUARY 7, 2011

- *No Additional Rights.* Adding language clarifying that the Policy does not provide any additional rights not otherwise granted in the original Easement Deeds.
- *Signs.* Adding language allowing signs with minimal land disturbance (<1 sf) with the prior permission of Fairfax Water.
- *Loose Materials.* Adding language clarifying that Fairfax Water prohibits structures made with loose materials.
- *Stairs.* The existing Policy requires an exception to the Policy for stairs when slopes approach 10 percent or greater. Adding language permitting stairs in steeper areas with Fairfax Water's prior permission and the approval of other agencies as required.
- *Vegetative Shoreline Stabilization Required Where Feasible.* Adding language clarifying that vegetative stabilization practices are required unless severe erosion of the shoreline or other technical considerations justify the installation of a hardened or structural stabilization practice.
- *Debris.* Adding language clarifying that debris shall not be placed in the Reservoir.
- *Exceptions.* Adding language clarifying that exceptions may be considered for public facility structures where practical alternatives to their construction outside of the Easement are not available.
- *Restoration Required for Non-Compliant Clearing.* Adding language clarifying that vegetation or trees removed in violation of the Policy requires restoration following a plan approved by Fairfax Water and in close coordination with other regulatory agencies.
- *Liability for Non-Compliance.* Adding language that holds the landowner liable for all of Fairfax Water's reasonable costs and attorney's fees in any litigation seeking to enforce the Policy.
- *Procedures.* Adding language clarifying Fairfax Water's approval process. Pending approval will be provided for activities found to be consistent with the Policy. Final approval will be provided following Fairfax Water's receipt of all necessary federal, state, and local permissions.
- *Modifications.* Adding language clarifying that modification to the Policy will be advertised.

The complete version of the proposed changes to the Policy may be downloaded from Fairfax Water's website, the address being <http://www.fairfaxwater.org>.