

Before you buy... Before you build.

Are you buying undeveloped land? Building a home, a retail center, or marina? How about a driveway or an addition to your cabin? In every case, the presence of wetlands may affect where and whether you build, buy or develop. In Virginia and throughout the United States, wetlands are protected on public and private property.

Where do I go from here?

Will wetland protection laws affect your project? You can find out through National Wetland Inventory maps, discussions with local government and Department of Environmental Quality (DEQ) staff and the information presented here. Let this fact sheet be your guide. Glance through it once to see how it is organized - then use it as a reference as you buy property, design your project and prepare permit applications.



Photo courtesy of Backwater Environmental, Pittsboro, NC.

Project Planning Checklist: Buying & Building with Care

Local government officials, DEQ project managers, and Corps project managers are principal advisors in the project planning process. Your first call should be to your local zoning office, but be sure to touch base with DEQ and the Army Corps of Engineers, also, to determine what permits you may need.

Try to complete "Step One" and "Step Two" *before* buying property.

- **Step One: Get to know the property.** Steep slopes, soil types, existing vegetation, flood plains and wetlands will all influence your purchase and design decisions. While some of these decisions will be based on observation and plain good judgment, others may be determined by zoning regulations or environmental protection laws.
 1. Gather documents: property descriptions, aerial photographs, zoning maps, ordinances or ordinance summaries, etc.
 2. Use National Wetland Inventory, U.S. Geological Survey (USGS) Quadrangle, and Natural Resource Conservation Service (NRCS) Soil Survey maps to locate wetlands.
 3. If wetland locations must be determined with a field visit, contact your zoning office. The DEQ may also assist.

Office of Wetlands and Water Protection

Wetlands - Surface Waters - Surface Water Withdrawals and Impoundments



- **Step Two: Learn the basics about wetland regulations.** Keep in mind that programs in three levels of government - local, state & federal - regulate activities in wetlands
 1. Ask the local government, local wetland board, DEQ and Corps staff to help determine which laws apply to your project. DEQ and Corps provide regulations on their websites, as well.
 2. Review these laws. Remember that *local* ordinances may vary from one community to another.
 3. Evaluate your project to determine whether it involves permitted, conditional (special exception) or prohibited activities under local ordinances. Procedures vary for each.
 4. Confirm your conclusions with local government, DEQ and Corps staff. If necessary, obtain a wetland confirmation from the Corps.

- **Step Three: Modify your project design or location.**
 1. Make and use a checklist of laws that affect your property.
 2. Look for design alternatives that avoid wetlands.
 3. If the design can't be altered to comply with regulations, change the location or investigate an alternative use for the property.

- **Step Four: Complete Permit Applications.** Remember that you may need two or more permits - each must be approved before you begin. State and federal permits generally use a common application form.
 1. Include wetland delineation maps, scale drawings, cross sections, property descriptions, proposed construction timetables, descriptions of construction techniques, photographs, and other supplementary materials as necessary.
 2. Allow enough lead time. Contact the Corps staff to determine the lead time needed to for a wetland confirmation.

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