

Agreement In Lieu of a Plan

Powhatan County requires that a land disturbance permit be secured in advance of disturbing more than 10,000 square feet on a property. The 10,000 square feet of disturbance includes areas being utilized for a septic system and for any entrances or driveways.

**Determine if you are eligible for a land disturbance permit with an Agreement in Lieu of a Plan:
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED AND WILL DELAY THE PROCESSING OF YOUR BUILDING PERMIT**

A specific erosion and sediment control plan is typically required to be submitted and approved in conjunction with a land disturbance permit; however, the law allows an exception for construction of single family homes. The exception allows Powhatan County to accept an agreement in lieu of a specific plan if the property owner agrees in writing to meet the minimum standards of the Virginia Erosion & Sediment Control Law.

To determine whether or not you are eligible for a permit with an Agreement in Lieu of a Plan, answer the following questions:

1. Is the amount of land being disturbed more than 1 acre? Yes No
*I, understand that if I disturb greater than 1 acre, a Virginia Stormwater Management Program Permit must be obtained from the Virginia Department of Environmental Quality (DEQ). Failure to obtain this permit could result in strict enforcement from DEQ.
For more Information,
<http://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPermits.aspx>
or contact: Virginia Department of Environmental Quality
629 East Main Street, P.O. Box 1105, Richmond, VA 23218 (804)698-4000
Documentation of State Permit approval must be provided prior to approval.
2. Does the property have steep slopes? Yes No
If yes, a site visit with the applicant and/or RLD is required prior to approval.
3. Does the property have an intermittent or perennial stream or wetlands on the property? Yes No
**If yes, USACE permit approval verification is required or verification stating that no permit is required. Streams and/or wetlands must be flagged prior to construction and confirmed by Powhatan County or USACE. USACE permits may require a 30 day coordination with the U.S. Fish and Wildlife Service.
For more information, <http://www.nao.usace.army.mil/>
or contact: US Army Engineer District, Richmond Field Office
9100 Arboretum Pkwy # 235, North Chesterfield, VA 23236 (804)323-3783*
4. Are any secondary culverts being installed? Yes No
*If yes, pipe inlet and outlet protection shall be provided around all culvert inlets and outlets.
Letter from a certified surveyor/engineer required, stating specifications of secondary culvert size must be provided prior to approval.
5. Will fill material be utilized on the site? Yes No
If yes, where is material coming from and approximately how much?

If you answered **YES** to any of the above questions, you **may not** be eligible for an Agreement in Lieu of a Plan and may need to prepare an Erosion and Sediment Control Plan. To use this form if you answered yes to any of these questions, you must have approval from Environmental Staff before submitting this form to the building department; contact the Environmental Staff at 804-598-5621.

If you answered no to each of the questions above, you are eligible to utilize an agreement in lieu of an erosion and sediment control plan. Complete the remaining items of this application and sign the owner portion of this form.

Project Information:

Project Address/Location: _____

Tax Map #: _____

Acreage to be disturbed (Include area being disturbed for proposed buildings, as well as the area needed for the driveway, septic fields, wells and any other portions of the site to be graded/disturbed):

Provide a brief description of the type of work planned (such as building a road or driveway, septic field, etc. and the land area involved; square feet, acres, length of road, etc):

Estimated Completion Date for Construction: _____

Who is the contact person responsible for repairing any environmental issues on site during the course of construction? _____

How do they wish to be contacted? via phone via email

Provide phone or email address: _____

Certification/Agreement:

Application is hereby made for a land disturbance permit in accord with the description and for the purposes set forth above, and in accordance with the Powhatan County Erosion and Sediment Control Ordinance.

In lieu of submission of an Erosion and Sediment control plan for the construction of this single family dwelling, I agree to comply with all applicable requirements of the Powhatan County Erosion and Sediment Control Ordinance and the state Minimum Standards for erosion and sediment control (Section 4VAC50-30-40 of the Virginia Erosion and Sediment Control Regulations).

PRIOR TO THE START OF CONSTRUCTION natural vegetative buffers along streams and wetlands shall be flagged. A stone construction entrance shall be installed on the property. Refer to Subdivision Regulations 6.4-3.4 and 6.5-1.0 for driveway standards concerning width, culvert size and maximum slopes. Entrenched silt fence or other acceptable perimeter controls shall be established downslope of the disturbed area to prevent sediment from leaving the site. In addition, all denuded areas on the lot will be seeded and mulched within (7) days of final grading with permanent vegetation or a protective ground cover suitable for the time of year.

I hereby authorize representatives from the Powhatan County Department of Community Development to enter my property for the purpose of conducting erosion and sediment control inspections. I understand the erosion and sediment control inspection is the first inspection required and that this inspection must be scheduled prior to the scheduling of any building inspections for the property.

In addition, I waive my right to future building inspections in the event that inspection of the property reveals that it is not in compliance with state Minimum Standards for erosion and sediment control. I understand that any erosion and sediment control deficiencies identified by county inspectors must be fully addressed before building inspections for the property can resume. Further, I understand, covenant and agree that if the lot has not been stabilized, the County may require that a bond be posted until final construction stabilization can be achieved and a final occupancy permit shall not be issued. Additional state and federal permits may also be required. If an erosion and sediment control plan is required, it must be posted on the site at all times with the building permit. If it is not posted at the time of the first inspection, the inspection will fail. Failure to provide accurate site conditions will result in a stop work order placed on the site.

PROPERTY OWNER:		

Name (PRINT)		

Address		

City	State	Zip Code

Phone Number		

Email Address		

Signature	/	Date

RESPONSIBLE LAND DISTURBER:		

Name (PRINT)		

Address		

City	State	Zip Code

Phone Number		

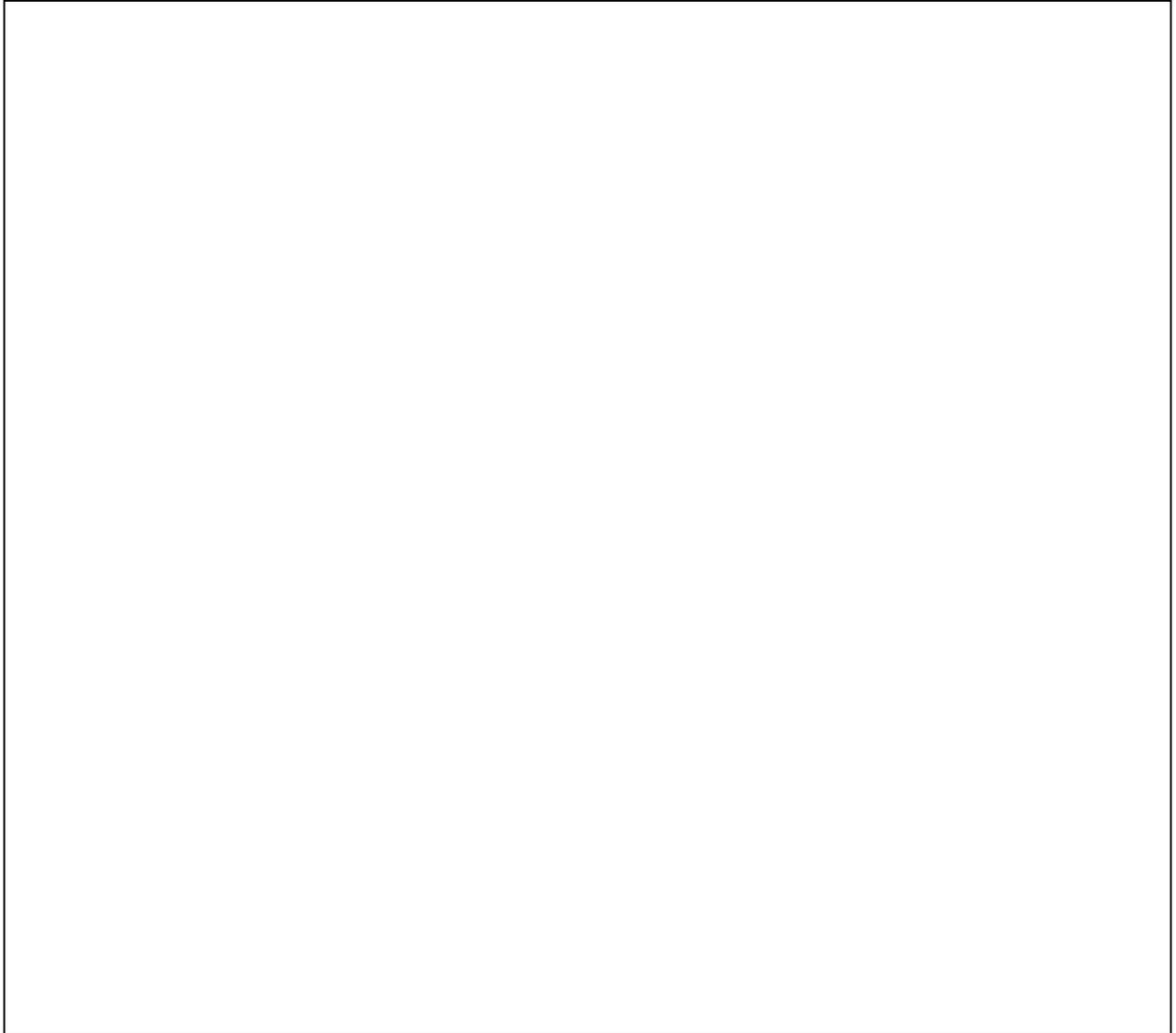
Certificate Number	Expiration Date	

Email Address		

Signature	/	Date

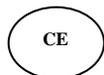
SITE PLAN/GRADING SKETCH REQUIRED

Provide a sketch showing the lot and proposed clearing, grading, entrance, and any E&S controls to be installed. A copy of the plat showing the E&S controls is also acceptable.



SYMBOL KEY

---X---X---X---X SILT FENCE



CONSTRUCTION ENTRANCE

Initials/Date: _____/_____

Checklist for Erosion and Sediment Control Plans