



Agreement in Lieu of an Erosion and Sediment Control Plan for a Single-Family Residence

Site Address:

Subdivision: _____ Site Area (Acres) : _____ Disturbed Area (Acres) : _____

In Chesapeake Bay Preservation Area (CBPA)? _____ (yes/no) *VSMP required? _____ (yes/no)

* If Disturbed Area \geq 1 acre in a non-CBPA area, a Virginia Stormwater Management Permit (VSMP) is required from DCR.
If Disturbed Area \geq 2500 s.f. in a CBPA area, a Virginia Stormwater Management Permit (VSMP) is required from DCR.
Permittee must provide evidence to the City that an application has been submitted to DCR for the VSMP.

In lieu of submission of an Erosion and Sediment Control Plan for the construction of this single-family residence, I agree to comply with the limitations and conditions of this agreement to prevent soil erosion and off-site sedimentation. In addition, should the selected measures employed on-site prove to be ineffective in controlling soil erosion and preventing off-site sedimentation, I agree to comply with any corrective requirements deemed necessary by City of Portsmouth inspection staff. Such requirements shall be based on the conservation standards contained in the Virginia Erosion and Sediment Control Handbook, latest edition, and shall represent the minimum practices necessary to provide adequate control of erosion and sedimentation resulting from this project.

Requirements

1. The site, work, materials, and plans shall be available at all times for inspections by duly authorized officials of the City of Portsmouth.
2. Clearing or grading is permitted only in areas so designated and approved on the project plans. No storage of materials or land disturbance is permitted outside of the limits of clearing. Areas not to be disturbed shall be protected by fencing, and shall be maintained throughout construction. Acceptable fencing methods are presented in the Virginia Erosion and Sediment Control Handbook (VESCH), Specification 3.38, and include snow fence, board fence, cord fence, plastic fence, earth berms, and silt fence.
3. The owner/developer shall, in all cases, install sediment control structures at the time of initial land disturbance to prevent off-site sedimentation. Such sediment control structures may include silt fences, gravel filter berms, mulch berms, sediment traps, perimeter berms or other structures that trap sediment on the property. These structures shall be placed at the limit of clearing in the locations shown on the approved site plan. The location of the structures may be adjusted to ensure that all runoff from the disturbed area is directed to the control structures.
4. All erosion and sediment control structures shall be maintained in an effective, operating condition.
5. All soil stockpiles shall be protected by a sediment control measure or shall be seeded and covered with a mulch material as presented in the VESCH, Specification 3.35.

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6. A construction entrance made of VDOT No. 1 or No. 3 size stone placed on a filter fabric underliner shall be installed as a first step, prior to lot clearing. All vehicle ingress and egress shall be directed over the installed construction entrance to prevent the tracking of mud onto public roads. As an alternate to the stone entrance, a 6" thick mulch entrance may be used that meets the dimensional requirements in the VESCH, Specification 3.02. Note that any mud that is inadvertently tracked onto public streets must be cleaned at the end of each day.
7. All cut and/or fill slopes greater than three (3) feet in vertical height shall be graded to a 3:1 or flatter slope.
8. This agreement does not authorize the use of any decomposable materials as fill.
9. Development shall not impair existing surface drainage or constitute a potential sediment hazard. Stormwater runoff shall not be conveyed or discharged onto adjacent properties in a manner that may cause flooding, concentrated runoff, or property damage.
10. All disturbed areas on the lot shall be stabilized within seven days of final grading with permanent vegetation or a protective ground cover suitable for the given time of year.
11. Topsoil, meeting the requirements in the VESCH, Specification 3.30, shall be placed on the lot following fine grading and prior to seeding. Topsoil must be friable, loamy and free of debris, trash, rocks, roots, etc.
12. Temporary soil stabilization shall be applied within 7 days to denuded areas that may not be at final grade, but which will remain dormant for between 30 days and one year.
13. Permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is a) uniform, b) mature enough to survive, and c) will inhibit erosion.
14. All downstream drainage inlets near the site shall be protected from sediment-laden runoff.
15. The Permittee shall ensure adequate vegetation is established prior to ending their commitment on site. An inspection by the City's Erosion Control Inspector shall be required for final signoff of Permittee's responsibilities.
16. Within 30 days of achieving the adequate establishment of permanent stabilization, the Permittee shall remove all temporary E & S controls.

I further understand that, following notice of violation by City of Portsmouth staff for any of the above requirements, I have three days to make the corrective repairs. My failure to comply may result in a STOP WORK ORDER for all construction activities. I also understand that noncompliance may result in revocation of this "Agreement-in-Lieu -of-a-Plan" and revocation of the associated Building Permit.

Signature of Landowner: _____

Responsible Land Disturber: _____ **Certificate No:** _____
(Certified by Dept. of Conservation and Recreation)

Signature of Responsible Land Disturber: _____ **Date:** _____

Approved By: _____ **Date:** _____