



County of Bath  
Building, Planning & Zoning  
65 Courthouse Hill Road  
P. O. Box 216  
Warm Springs, VA 24484

## AGREEMENT IN LIEU OF A PLAN EROSION AND SEDIMENT CONTROL

OFFICE PHONE: 540-839-7236  
FAX: 540-839-7222

PERMIT NUMBER: \_\_\_\_\_

PERMIT COST: **\$25.00**

Make Checks Payable to Bath County Treasurer

*"Agreement in lieu of a plan" means a contract between the plan-approving authority and the owner that specifies conservation measures that must be implemented in the construction of a single-family residence; this contract may be executed by the plan-approving authority in lieu of a formal site plan.*

### PROJECT INFORMATION

Building Permit Number: \_\_\_\_\_ Total Acreage of Property: \_\_\_\_\_

Total Area To Be Disturbed (including road, utilities, foundation, septic field, etc.): \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Location of Property (Include nearest 911 address or street / cross street if address not yet assigned.):

\_\_\_\_\_  
\_\_\_\_\_

**Provide a map** (elevation contours preferred) and note all proposed excavation, soil storage areas, slopes, water courses, existing buildings etc. Also detail conservation practices to be used and location.

### PROPERTY OWNER INFORMATION

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Physical Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### EXCAVATOR CONTACT INFORMATION

(If different from landowner)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Physical Address: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

## **TERMS AND CONDITIONS OF PERMIT**

**In lieu of submission of an Erosion and Sediment Control Plan for construction of this single family dwelling or other small project. I agree to comply with the requirements of the Virginia Erosion and Sediment Control Handbook, latest edition. I will install all erosion and sediment control measures in accordance with Minimum Standards and Specifications of the Commonwealth of Virginia, in order to protect against the sedimentation of waters of the state and/or roadways, and damages to downstream and adjacent properties that may occur as a result of land disturbing activities. I hereby agree to comply with the Bath County Erosion Sediment Control Ordinance.**

- If it is determined your project requires VSMP coverage after construction has started, you will be subject to all of the requirements set forth under the VSMP.**
- If it is determined that your project has grown in scope and/or complexity and can no longer be regulated under an “Agreement In Lieu of A Plan”, you agree to apply for a Land Disturbance Permit with an approved engineered plan.**
- No land disturbing/construction activities on the property shall commence until a “Land Disturbance Permit” has been approved and issued.**

**As a minimum, I understand the following measures shall be addressed:**

- 1). Silt fencing shall be properly installed along the low sides of all disturbed areas and around soil stockpiles.**
- 2). Construction entrance shall consist of a coarse stone aggregate installed at any access point off existing public or private right-of-way. (#57 & Crusher Run stones are not acceptable). The standard states the construction entrance shall be seventy foot long if the lot does not meet this part of the requirement the drive shall be from the access to the structure.**
- 3). All denuded area shall be stabilized with permanent seeding within 7 days of final grading. Denuded areas left bare for more than 14 days shall be temporarily seeded. All seeding shall be covered with straw mulch. A variance may be given during such time that seasons do not promote the growth of vegetation.**
- 4). Inlet and outlet protection shall be provided for all culverts.**
- 5). All erosion controls shall be installed prior to any land disturbing activity.**
- 6). Periodic inspections to ensure all required measures and practices have been implemented and are being properly maintained.**
- 7). Failure to comply with this permit could result in enforcement actions for violation(s) of the Code of Bath County. Enforcement actions include but not limited to, Stop Work Order, revocation of permit, and criminal/civil charges and penalties.**

**I further agree** to comply with any additional requirements, as shown on any attachment hereto, determined necessary by the Bath County Erosion and Sediment Control Administrator. Such requirements shall be based on established conservation standards and shall represent the minimum practices necessary to provide adequate control of erosion and sedimentation on or resulting from this development. I understand that failure to comply with such requirements within three (3) working days following notice by Bath County will also result in a notice of violation, and will require the submission and approval of an Erosion and Sediment Control Plan as well as posting a performance bond as provided in Section 10-5 of the Bath County Erosion and Sediment Control Ordinance.

I further understand that my signature below grants appropriate officials of Bath County the right to enter any property for the purpose of inspecting and monitoring the above project for compliance of erosion and sediment control. This agreement shall bind all successors, heirs and assigns to the terms of this agreement.

**Landowner Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>FOR DEPARTMENT USE ONLY</b>
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Parcel Tax Map Number: \_\_\_\_\_ Zoning: \_\_\_\_\_

Magisterial District: \_\_\_\_\_ Flood Zone: \_\_\_\_\_

\_\_\_\_\_  
Sherry Ryder, Zoning Administrator Date

Comments: \_\_\_\_\_

\_\_\_\_\_  
E&S

Permit Approved ☐

Permit Disapproved ☐

\_\_\_\_\_  
T. A. Seabolt, E & S Administrator Date

Comments: \_\_\_\_\_