



**AGREEMENT IN LIEU OF AN EROSION AND SEDIMENT CONTROL PLAN**  
**FOR A SINGLE FAMILY DWELLING AND/OR ACCESSORY STRUCTURE**

Revised on 10/09/2024

Building Permit # \_\_\_\_\_ Address \_\_\_\_\_

In lieu of submission of an erosion and sediment control plan for the construction of this single family dwelling, I agree to comply with any reasonable requirements determined necessary by employees of Nelson County Department of Building Inspections. Such requirements shall be based on the conservation standards contained in the Nelson County Erosion and Sediment Control Ordinance, and shall represent the minimum practices necessary to provide adequate control of erosion and sedimentation.

As a minimum:

- ❖ All cleared areas on the lot shall be stabilized within seven (7) days of final grading with permanent vegetation or a protective ground cover suitable for the time of year, and
- ❖ Lots, where grading alters the natural drainage pattern, may be required to submit a grading and drainage plan. This plan shall show the dimensions and grades of all drainage pipes, culverts, man-made ditches or berms intended to direct the flow of surface water and calculations shall be required to show compliance with MS-19 of the Erosion and Sediment Control regulations, and
- ❖ Any culverts outside of the VDOT right of way shall be sized by a surveyor or engineer to accommodate a 10 year storm event without overtopping, and
- ❖ Natural vegetative buffers required along streams and wetlands shall be flagged prior to any clearing of the lot and the appropriate Erosion Control measures shall be installed along the clearing limits near any streams, lakes, floodplains, and swamps to protect them from sediment run off, and
- ❖ A VSMP may be required if the total disturbed area for the lot exceeds 1 acre. Contact the Thomas Jefferson Soil and Water Conservation District for more information. Documentation of VSMP issuance shall be provided prior to start of any land disturbance on the site, if a VSMP is required.

This Agreement in Lieu of a Plan shall remain in effect until an adequate permanent vegetative stand is established and all necessary permanent erosion control practices are properly installed. I further understand that failure to comply with such requirements within three (3) working days following notice by the representatives of Nelson County could result in citation for violation of the Nelson County Erosion and Sediment Control Ordinance.

Landowner \_\_\_\_\_ Daytime Phone Number \_\_\_\_\_  
(Printed)

Mailing Address (if different from above) \_\_\_\_\_

Signature of Landowner \_\_\_\_\_ Date \_\_\_\_\_

Name of RLD listed on Page 2: \_\_\_\_\_

Fee to be determined by our pre-construction project rating form – range from \$35 to \$450

All applicants for permits involving Land Disturbing activities must provide the name of a "Responsible Land Disturber" ("RLD") prior to the commencement of land disturbing activities on the site.

I, (printed name of "RLD") \_\_\_\_\_, hold a certificate of competence, as provided for by §62.1-44.15:52 of the State Regulations, and will be in charge of and responsible for carrying out all activities related to the land disturbing activity regulated by this Agreement in lieu of a Plan. Upon failure to comply with the requirements of §62.1-44.15:55, I acknowledge that I shall be subject to the penalties provided by §62.1-44.15:54 of the State Regulations. I will advise the E&S Administrator immediately and in writing upon my replacement as "RLD".

RLD's Signature: \_\_\_\_\_

RLD's Certificate #: \_\_\_\_\_ Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

RLD's Address: \_\_\_\_\_

Please be aware of the following criteria for Erosion & Sediment Control Inspections:

- ❖ No clearing, grading or grubbing shall be done until a building permit has been issued.
- ❖ Silt fence, construction entrance or other appropriate erosion control measures must be installed before any clearing, grading & grubbing begins.
- ❖ Driveway entrance stone shall be installed prior to footing inspections.
- ❖ An E & S inspection is required prior to all footing inspections.
- ❖ All erosion control measures shall be maintained through the final inspection and until 80% vegetation has been established on all denuded areas. (Mowed 2 times)
- ❖ A final E & S inspection must be approved *prior to* a final building inspection.
- ❖ All denuded areas shall have final grading, seeding & mulch at the time of *final inspection*.
- ❖ Temporary Soil stabilization shall be applied within seven (7) days to denuded areas that may not be at final grade but will remain undisturbed for longer than fourteen (14) days. Permanent stabilization shall be applied to areas that are to be left undisturbed for more than one year.
- ❖ The RLD shall conform to all 19 Minimum standards listed in Section 9VAC25-840-40 of Virginia Administration Code.
- ❖ Violation of a notice to comply or inspection will result in a stop work order until corrective measures have been taken.