

LDA PERMIT NO: \_\_\_\_\_  
TAX MAP NO: \_\_\_\_\_

**CITY OF SALEM AGREEMENT IN LIEU OF AN EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN FOR SINGLE-FAMILY DETACHED RESIDENTIAL STRUCTURE**

NAME: \_\_\_\_\_  
SITE ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_  
OWNER MAILING ADDRESS: \_\_\_\_\_

In place of a city-approved Erosion and Sediment Control (ESC) and Stormwater Management (SWM) Plan for the construction of this single-family detached residential structure, I agree to comply with the requirements of this "Agreement in Lieu of an ESC and SWM Plan" (or other requirements as established by the City of Salem when necessary) to ensure compliance with the city's ESC and SWM Programs.

**Requirements**

The following minimum practices will be considered to meet the requirements of the city's ESC and SWM Programs. The City of Salem reserves the right to require additional measures as a result of an inspection that determines the intent of the Programs if not achieved by the permittee (i.e. offsite sediment transport).

Minimum practices shall include:

- A copy of this signed and dated "Agreement in Lieu of as ESC and SWM Plan" shall be maintained at the location of the land disturbance activity at all times.
- Adhering to the Minimum Standards of the Virginia Administrative Code (9VAC25-840-40) which include but are not limited to the following:
  - Install silt fence as specified by the Virginia Erosion and Sediment Control Handbook (VESCH). Silt fence is a first step measure that is to be installed prior to grading activity.
  - Install a construction entrance per the VESCH as a first step measure prior to grading activity. Streets and gutters are to remain free of sediment. Any sediment deposited onto the street must be cleaned up as soon as possible and by the end of each day or before the threat of a rain event (Shovel and/or broom sweep sediment for removal).
  - Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to any denuded area that may not be at final grade but will remain dormant for longer than a period of fourteen days. Permanent stabilization shall be applied to areas that are to be left dormant for more than a year.
  - During construction of the project, soil stockpiles and borrow areas shall be stabilized or protected with sediment trapping measures. The applicant is responsible for the temporary protection and permanent stabilization of all soil stockpiles on site as well as borrow areas and soil intentionally transported from the project site.
  - A 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 uniform, mature enough to survive and will inhibit erosion.
  - Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place.
  - Stabilization measures shall be applied to earthen structures such as dams, dikes and diversions immediately after installation.



- Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes that are found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected.
- Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume or slope drain structure.
- All storm sewer inlets that are made operable during construction shall be protected so that sediment-laden water cannot enter the conveyance system without first being filtered or otherwise treated to remove sediment. This may include adjacent inlets. Inlet protection will need to be maintained throughout construction to ensure it is adequate.
- Before newly constructed stormwater conveyance channels or pipes are made operational, adequate outlet protection and any required temporary or permanent channel lining shall be installed in both the conveyance channel and receiving channel.
- Post construction runoff from the property will be minimized to the maximum extent practicable.

I fully understand that not complying with this agreement may result in the revocation of this "Agreement in Lieu of an ESC and SWM Plan" and that the submission of a project-specific ESC and SWM plan in accordance with the City of Salem's Code and Ordinances may be required.

The City of Salem will perform periodic inspections of the site and I understand that failure to comply with any corrective action noted in an inspection upon the timeframe provided by the city inspector may result in a stop work order as well as civil penalties.

By signing this agreement, I understand that vegetative cover will be fully established prior to the City of Salem granting the certificate of occupancy, per City of Salem Code (30-158). Should the certificate of occupancy be requested prior to vegetative cover being established per the Minimum Standards with the Administrative Code of Virginia and the City of Salem's ESC inspection requirements, the future occupant and contractor/developer must both sign a Permanent Vegetative Cover Agreement for a Single-Family Detached Residential Structure Form before the certificate of occupancy will be granted by the City of Salem.

Signature of Landowner: \_\_\_\_\_

Party Responsible for Erosion Control: \_\_\_\_\_  
(If different from Landowner)

Date: \_\_\_\_\_

Approved:

City Inspector Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## **City of Salem Termination of Erosion and Sediment Control (ESC) Agreement for a Single-Family Detached Residential Structure Prior to the Establishment of Permanent Vegetative Cover**

The Erosion and Sediment Control (ESC) agreement in lieu of plan for a Residential Single Family (RSF) Lot may be terminated prior to the establishment of permanent vegetative cover if all the following conditions have been met by the home builder:

- a.) Adequate temporary soil stabilization measures (seed and straw mulch) have been applied to all bare soils. Additionally the stabilization meets the requirements with the Virginia Erosion and Sediment Control Handbook (VESCH) (i.e., topsoil, surface roughening, etc.)
- b.) Perimeter controls have been properly installed and maintained per the VESCH. By signing this agreement, I the contractor/developer agree to properly remove ESC measures after vegetation is considered complete and address any disturbance that occurred during the removal of said ESC control measures, such as silt fence.
- c.) A certification statement has been signed between the developer and home buyer that grants the developer access to the property once sold to finish stabilization. A bond agreement has been established between the city and developer to ensure completion of stabilization within six months of signing this agreement.

### **Certification Statement:**

Property Address: \_\_\_\_\_

I do hereby certify that temporary soil stabilization and perimeter controls have been adequately installed. The home buyer has been notified and agrees to grant access to the above-named property to complete stabilization within six months of the date of signature. A bond has been established with the City of Salem for completion of final stabilization. I understand that failure to comply by the timeframe indicated will result in revocation of the bond or civil penalty. By signing this agreement, the property owner agrees to grant access to the property noted above to the City of Salem to complete stabilization if not performed by the contractor/developer by the date of completion noted on this form.



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Home Builder Name: \_\_\_\_\_

Date: \_\_\_\_\_

Home Buyer Name: \_\_\_\_\_

Date: \_\_\_\_\_

Permanent Vegetation to be completed by: \_\_\_\_\_

Bond Amount: \_\_\_\_\_

Failure to complete stabilization by the date above will result in the bond being revoked and used to install permanent vegetation and/or civil penalties.

**WITNESS** the signature of \_\_\_\_\_ the representative for the home builder of the property address above, located in the City of Salem, Virginia this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

HOME BUILDER

\_\_\_\_\_  
By \_\_\_\_\_

STATE OF \_\_\_\_\_

to wit:

CITY/COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

Registration Number \_\_\_\_\_.



LDA Permit NO: \_\_\_\_\_  
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**WITNESS** the signature of \_\_\_\_\_ the representative for the home buyer of the property address above, located in the City of Salem, Virginia this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

HOME BUYER

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By \_\_\_\_\_

STATE OF \_\_\_\_\_

to wit:

CITY/COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_.

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Notary Public

My commission expires \_\_\_\_\_.

Registration Number \_\_\_\_\_.