

**Chesterfield County Department of Environmental Engineering
Land Disturbance Application Procedures**

A Land Disturbance Permit (LDP) must be acquired prior to the commencement of any land clearing activity in Chesterfield County. The following describes the steps necessary to obtain an LDP. This permit application process is not a “walk- through” process. Questions regarding the process should be directed to Customer Service in Environmental Engineering at (804) 748-1035.

Each of the items noted herein must be completed as required prior to issuance of an LDP:

- Project approval. An LDP application cannot be considered for processing until all program administration fees have been paid and all applicable plans of development construction plan approvals have been made by county departments and state agencies concerned.
- Subsequent to plan approval and prior to making application, submit to Environmental Engineering the appropriate additional copies of the approved construction plans:
 - For plans of development for residential subdivisions, submit **three** copies
 - For plans of development for commercial sites, submit **four** copies
 - As applicable when noted during the review process, a digital file in the format required in the plans review documentation, with the approved plans in digital form. Please refer to review comments.

The additional paper plan copies will be stamped as approved. Two stamped approved copies, regardless of plan of development type, must be retrieved from the Environmental Engineering offices by the developer’s representative and delivered to the erosion control contractor and the owner prior making to permit application. The erosion and sediment control contractor must be able to present the issued copy at time of the pre- construction meeting (see below) as a requirement for final permit issue. The third commercial site plan copy will remain with the Department of Environmental Engineering. One approved set must be kept with the SWPPP.

The digital submission will be reviewed for format and accuracy as a requirement for permit issue and retained by the department.

- Project sureties may be required and are identified as part of the plan of development approvals. Itemized cost estimates to establish the amounts of each required surety must be submitted in advance by the plan of development design firm and approved by the department review engineer. All sureties must be submitted and approved prior to application:
 - Erosion and Sediment Control Surety
 - Site Improvements Performance Surety
 - BMP Performance Surety

Sureties may take the form of cash or check, a letter of credit or a bond. For bonding approval, note that bonding companies must have a minimum *A. M. Best*[®] rating of financial strength **A** and financial size **VII**. Sureties from firms not meeting these levels will not be accepted. Acceptable format and wording for the bond or letter of credit can be found at [Land Disturbance Permits](#)

- Persons signing a bond must have the proper authority and should be one of the below as applicable:

<u>Corporation</u>	<u>Church</u>	<u>LLC</u>	<u>Partnership</u>
President	Trustee	Any member or	Any general partner
Vice President		manager	
Assistant Vice President			

- If the plan of development is proposed to connect with an existing State maintained road, a copy of the Land Use Permit issued for same by the Virginia Department of Transportation must be provided with the LDP application.
- If the plan of development is already covered under an existing VSMP registration, a copy of the coverage confirmation letter from the state Department of Environmental Quality must be included with the LDP application.

If the plan of development is not already covered under an existing VSMP registration, a completed VSMP registration statement must be provided with the LDP application. **The department will process this registration statement with DEQ, it is not necessary for the operator to do so.** Note that the information provided on this form must consistent in all respects to the information on the Land Disturbance Permit application and the approved plans. The VSMP registration statement and instructions may obtained from the [Land Disturbance Permits page](#).

New registration statements which the department is processing with the state on the operator's behalf must be accompanied with payment of the appropriate fee. Checks should be made payable to "Treasurer, Chesterfield County." VSMP fees are shown below and include the state DEQ fee:

○ Land disturbance acreage less than 1 acre not in a common plan of development	\$209
○ Land disturbance acreage less than 1 acre	\$290
○ Land disturbance acreage equal to 1 acre and less than 5 acres	\$2,700
○ Land disturbance acreage equal to 5 acres and less than 10 acres	\$3,400
○ Land disturbance acreage equal to 10 acres and less than 50 acres	\$4,500
○ Land disturbance acreage equal to 50 acres and less than 100 acres	\$6,100
○ Land disturbance acreage equal to or greater than 100 acres	\$9,600

For purposes of calculating fee amounts due, rounding to the nearest 100th's place is acceptable; e.g., 4.994 acres rounds down to 4.99 acres which is less than 5 acres resulting is a fee of \$2700; 4.995 acres rounds up to 5.00 acres resulting in a fee of \$3,400.

Wetlands documentation from the U. S. Army Corps of Engineers and/or The Virginia Department of Environmental Quality must be provided with the LDP application when required for plan approval.

Due to the unique nature of each plan of development, please note that additional requirements may apply as deemed necessary by the review engineer or program administrator. The design firm for the plan of development should coordinate and communicate with the property owner to ensure fulfillment of the individual LDP permit requirements.

To be considered complete, the items in the Land Disturbance Permit Application itself must be completed in full. Applications with omissions, incorrect information, or missing any of the above specific or otherwise required elements will be considered incomplete and permit issuance may be delayed until completion.

- Note specifically that the Certified Responsible Land Disturber (CRLD) must be specified and must sign the application in the appropriate blank and provide his Certification Number and the expiration of certification. In addition, the CRLD must supply a designated email address, which will be utilized by the Environmental Engineering Inspector for erosion control/compliance correspondence on this project. Email should be checked each business day for communications pertaining to this project. Failure to notify Environmental Engineering of a change in email address can be grounds for permit revocation.
- Out of state owners, partnerships or corporations must have a legally appointed resident of Virginia to accept Service of Process. Appointment of agent for service form also available at the department website noted above.
- Land Disturbance Permit applications must have original signatures; stamps or other reproductions are not acceptable.

Once the application and all its required elements have been verified or processed, the applicant may contact the Environmental Engineering Inspector to schedule an onsite pre-construction meeting with the assigned inspector. There is a 48-hour notification period requirement for this meeting.

Upon completion of the onsite pre-construction meeting to the satisfaction of the department inspector, the Land Disturbance Permit will be issued. This permit must be posted on the site for the duration of the project construction.

Last revision: Effective March 1, 2021, previous versions are obsolete, do not apply and should be discarded.

CHESTERFIELD COUNTY LAND DISTURBANCE PERMIT APPLICATION

Application revised: Effective March 1, 2021. Previous versions will not be accepted.

OWNER/DEVELOPER SECTION:

I, _____, hereby certify this _____ day of _____, 20____ that:

1. An Erosion and Sediment Control Plan ("Plan") has been submitted with the site or subdivision plan to the Chesterfield County Environmental Engineer as required by the Chesterfield County Stormwater Management and Water Quality Ordinance.

2. I am the owner of the following described property; and am solely responsible for carrying out the Plan.

- a. Subdivision/Site Name: _____
- b. Location:
(address/road frontage and
distance to intersection) _____
- c. Parcel Identification Number: _____
- d. Magisterial District: _____
- e. Intersection road Name and
State Route Number _____ SR# _____

3. I shall be responsible for the proper performance and maintenance of the Minimum Standards (1-19) along with the erosion and sediment control measures included in the plan.

4. I shall conform to the provisions of the Virginia Erosion and Sediment Control Law (§62.1-44.15:51 et seq.), as amended, and the Chesterfield County Stormwater Management and Water Quality Ordinance.

5. I, _____, (signature) hereby grant the Environmental Engineer of Chesterfield County or his designated agents the right to enter my property, subject to the Land Disturbance Permit herein applied for, to inspect or monitor for compliance with the provisions of the permit on the above referenced project.

6. In the event that measures for the control of siltation and/or erosion as provided for in the "Plan", or in any approved modification thereof are not constructed and siltation and erosion results, or are constructed, but fail (through overload and/or inadequate maintenance) to perform the function for which they are intended, the Environmental Engineer of the County of Chesterfield or his designated agent shall have the right to enter upon the property subject to such plan and shall be entitled to take such measures or to do other work as deemed necessary to prevent further siltation or erosion provided that the County shall first give notice in writing to me or my designated agent for the County's intent to do so.

7. In any event there occurs siltation and/or erosion from the property covered by the Land Disturbance Permit in sufficient quantity to adversely affect downstream properties the Environmental Engineer may hold the below signed responsible for satisfactory restoration.

8. It is the purpose or intent of this document to ensure installation, maintenance, and performance of measures provided for in the approved Erosion and Sediment Control Plan or approved modification thereof.

9. I certify that _____ (contractor) has in his possession, a copy stamped "APPROVED FOR CONSTRUCTION - ENVIRONMENTAL ENGINEERING" on the Plan dated _____ with revisions dated _____ for _____ (project).

10. I certify that I fully understand the provisions of the Chesterfield County Stormwater Management and Water Quality Ordinance and agree to carry out the approved Erosion and Sediment Control Plan on the above referenced project.

11. I certify that there is an appropriate contractual agreement between:

(*required information)

*Contractor Name: _____

*Contractor Address: _____

*(street and mailing) _____

*Contractor Phone Number: _____

*Contractor E-Mail Address: _____

and I which establishes _____ (Full name of Certified Responsible Land Disturber [CRLD]) as the person responsible for carrying out the erosion and sediment control plan and/or providing erosion and sediment control facility maintenance and/or dust control when requested by the County or as specified in the narrative. The signature of the above identified CRLD, below, certifies his acknowledgement of his responsibilities (* required information):

*Signature of CRLD Identified Above

_____/_____
*Certification Number *Expiration Date

*CRLD Address: _____

*(street and mailing) _____

*CRLD Telephone: _____

*CRLD E-Mail Address: _____

12. I certify that all other contractors who engage in land disturbance activity on my behalf will comply with the provisions of the Chesterfield County Stormwater Management and Water Quality Ordinance and Plan, including, but not limited to, not engaging in such activity without the existence of a Land Disturbance Permit nor without the designation of a CRLD for such activity.

13. I will authorize commencement of land disturbance activities on the project only when a VDOT Land Use Permit has been issued, if applicable, and there is a valid Land Disturbance Permit displayed on the site.

14. I fully understand that I am subject to prosecution in the General District Court of Chesterfield County when any contractors who engage in land disturbance on my behalf commence or continue to engage in land disturbance without the existence of the Land Disturbance Permit.

15. I understand that failure to comply with the Erosion and Sediment Control Plan or any other violation of the Chesterfield County Stormwater Management and Water Quality Ordinance shall be cause for revocation of the Land Disturbance Permit.

16. I, or _____ (contractor), will notify the Chesterfield County Environmental Engineering Department Inspector at least 48 hours in advance of the date of a requested pre-construction conference meeting.

17. When a pre-construction meeting has been determined to be necessary by the County, that meeting shall have been satisfactorily concluded prior to issuance of the Land Disturbance Permit.

18. To the best of my knowledge all applicable wetlands permits required by Federal, State, or local laws have been received.

19. I understand that providing E-Mail addresses for my contractor, the site CRLD, and myself is required and provides the county with a means to rapidly communicate field notifications. I understand that it is imperative that the addresses provided be accurate and that the email accounts be monitored daily. I understand that I am responsible for the timely response by all the parties identified in this application individually acknowledging receipt of any such field notifications. I understand that a failure to acknowledge receipt of a field notification within 24 hours of transmission by an agent of the county, or the receipt by the county of a delivery failure notice for such a field notification, for any party identified herein could constitute grounds for permit revocation. I understand that any electronically transmitted field notification meets the intent for delivery purposes of a Notice to Comply or Notice of Violation as set forth in Chapter 8 of the Code of Chesterfield, sections 8-32 and 8-34.

Persons signing must have the proper authority and should be one of the below as applicable:

<u>Corporation</u>	<u>Church</u>	<u>LLC</u>	<u>Partnership</u>
President	Trustee	Any Managing	Any general partner
Vice President		Member	
Assistant Vice President			

OWNER'S NAME: (Please Print): _____
Company or Individual

SIGNATURE: _____

TITLE: _____
See above authorized signors

STREET ADDRESS: _____

CITY/STATE/ ZIP CODE: _____

TELEPHONE OFFICE: _____ CELL: _____

EMAIL: _____