

MIDDLESEX COUNTY

Department of Planning and Community Development
P.O. Box 428, Saluda, VA 23149
Phone: 804-758-3382 Fax: 804-758-0061

LAND DISTURBANCE PERMIT SUBMISSION REQUIREMENTS

In order to expedite the review of Land Disturbance Permit applications, please be sure that all of the following items have been included in your Land Disturbance Permit application. Please return this completed checklist with the application to assure that all items have been addressed. All land disturbance activities and erosion and sediment control measures must adhere to the regulations found in the Middlesex County Erosion and Sediment Control Ordinance and the Virginia Erosion and Sediment Control Handbook (1992 edition). In addition, all land disturbance activities and erosion and sediment control measures must adhere to the Minimum Standards for Land Disturbance Permits (*see attached*).

1. Completed Land Disturbance Permit application.
2. A Responsible Land Disturber (RLD) must be identified on the application.
3. Land Disturbance Permit application fee of \$200 plus \$50 per acre (over the first acre of disturbed land).
4. An erosion and sediment control plan that shows all of the following information (if applicable):
5. A boundary survey of the property, including easements, water bodies, parcel numbers, street names, route numbers, adjacent properties and other landmarks.
6. The location of all Chesapeake Bay Preservation Act features, including the Resource Protection Area (RPA) and Resource Management Area (RMA).
 - a. Delineation of the RPA boundary.
 - b. Delineation of required buffer areas;
 - c. Delineation of RMA wetlands;
 - d. Delineation of RMA boundary;
 - e. Plat or plan note providing that no land disturbance or vegetation removal is allowed in the buffer area without review and approval by the Zoning Administrator.
 - f. Plat or plan note providing that on-site septic systems must be pumped out every five years, or that a certification must be submitted by a sewage handler permitted by the Virginia Department of Health that the septic system has been inspected, is functioning properly, and the tank does not need to have the solids pumped out;
 - g. Plat or plan note providing that a 100% reserve drain field is required for on-site sewage treatment systems; and
 - h. Plat or plan note of the permissibility of only water dependent facilities or redevelopment in Resource Protection Areas, including the 100-foot-wide buffer area.
 - i. Plat or plan depiction indicating the buildable area. All subdivision plats shall include a notation that setbacks and yards shown hereon are based on current district requirements at the time of approval but shall not take precedence over any subsequently adopted setback requirements related to any rezoning action or district regulation amendments
 - j. Any additional requirements specified in the subsections below.
7. The limits of clearing and grading on the site.
8. The existing contours of the site.
9. The changes to the existing contours, including the final drainage patterns.
10. The location of all existing tree lines, grassed areas or unique vegetation.
11. The location of any areas with potentially serious erosion problems.
12. The location of all proposed site improvements, including (but not limited to) buildings, parking areas, access roads and utility construction.
13. The location of all proposed erosion and sediment controls and stormwater management practices located on site. Standards symbols and abbreviations found in Chapter 3 of the Virginia Erosion and Sediment Control Handbook (1992 edition) shall be used. Any structural practices used that are not referenced to the Handbook should be explained and illustrated with detailed drawings.
14. The location of any off-site land disturbance activities (i.e. borrow sites, waste areas, etc.).

An erosion and sediment control bond, in an amount determined by the Planning Department, will also be required prior to the commencement of land disturbance activities.

The erosion and sediment control plan will have to be designed by a licensed architect, engineer or surveyor if (a) major site plan or major subdivision review is required for the final proposed use for the site, (b) temporary sediment traps and basins are proposed at the site, (c) environmentally sensitive areas, most notably wetlands, will be impacted by the proposed land disturbance, (d) data to satisfy Minimum Standard 19 is required, or (e) deemed appropriate by the Planning Department based on the size and impact of the disturbance.

CERTIFICATION:

I hereby certify that the attached plans and this completed application form contain all the required information for a Land Disturbance Permit in accordance with the Middlesex County Erosion and Sediment Control Ordinance and the Virginia Erosion and Sediment Control Handbook (1992 edition). I understand that the submission of incomplete or inaccurate information may delay the processing of this Land Disturbance Permit.

Applicant's Signature

LAND DISTURBANCE PERMIT MINIMUM STANDARDS

As mandated by Section 4VAC50-30-40 of the State erosion and sediment control regulations, all land disturbing activities must meet the following nineteen minimum standards (as applicable):

- 1. Soil Stabilization:**
 - Permanent or temporary soil stabilization shall be applied to denuded areas within seven (7) days after final grade is reached on any portion of the site.
 - Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 30 days, but less than one year.
 - Permanent stabilization shall be applied to areas that are to be left dormant for more than one year.
- 2. Soil Stockpile Stabilization:**
 - During construction, soil stockpiles and borrow areas shall be stabilized or protected with sediment trapping measures. Temporary protection and permanent stabilization shall be applied to all soil stockpiles on site and borrow areas or soil intentionally transferred off site.
- 3. Permanent Stabilization:**
 - 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.
- 4. Sediment Basins & Traps:**
 - Sediment basins, sediment 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.
- 5. Stabilization of Earthen Structures:**
 - Stabilization measures shall be applied to earthen structures such as dams, dikes, and diversions immediately after installation.
- 6. Sediment Traps & Sediment Basins:**
 - Sediment traps shall be designed and constructed based upon the total drainage area to be served by the trap or basin as follows:
 - Only control drainage areas less than three acres.
 - Minimum storage capacity of 134 cubic yards per acre of drainage area.
 - Sediment basins shall be designed and constructed based upon the total drainage area to be served by the trap or basin as follows:
 - Control drainage areas greater than or equal to three acres.
 - Minimum storage capacity of 134 cubic yards per acre of drainage area.
 - The outfall system shall, at a minimum, maintain the structural integrity of the basin during a twenty-five year storm of 24-hour duration.
- 7. Cut and Fill Slopes Design & Construction:**
 - Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Slopes found to be eroding excessively within one year of permanent stabilization shall be provided with additional slope stabilizing measures until the problem is corrected.
- 8. Concentrated Runoff Down Slopes:**
 - Concentrated runoff shall not flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume, or slope drain structure.

- 9. Slope Maintenance:**
- Whenever water seeps from a slope face, adequate drainage or other protection shall be provided.
- 10. Storm Sewer Inlet Protection:**
- All storm sewer inlets made operable during construction shall be protected so that sediment-laden water cannot enter the stormwater conveyance system without first being filtered/treated to remove sediment.
- 11. Stormwater Conveyance Protection:**
- 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 the receiving channel.
- 12. Work in Live Watercourse:**
- When work in a live watercourse is performed:
 - Precautions shall be taken to minimize encroachment, control sediment transport, and stabilize the work area to the greatest extent possible during construction.
 - Non-erodible material shall be used for the construction of causeways and cofferdams.
 - Earthen fill may be used for these structures if armored by non-erodible cover materials.
- 13. Crossing Live Watercourse:**
- When a live watercourse must be crossed by construction vehicles more than twice in any six-month period, a temporary vehicular stream crossing constructed of nonerodible material shall be provided.
- 14. Regulation of Watercourse Crossing:**
- All applicable federal, state and local regulations pertaining to working in or crossing live watercourses shall be met.
- 15. Stabilization of Watercourse:**
- The bed and banks of a watercourse shall be stabilized immediately after work in the watercourse is completed.
- 16. Underground Utility Line Installation:**
- Underground utility lines shall be installed in accordance with the following standards in addition to other applicable criteria:
 - No more than 500 linear feet of trench may be opened at one time.
 - Excavated material shall be placed on the uphill side of trenches.
 - Effluent from dewatering operations shall be filtered or passed through an approved sediment trapping device, or both, and discharged in a manner that does not adversely affect flowing streams or off-site property.
 - Material used for backfilling trenches shall be properly compacted in order to minimize erosion and promote stabilization.
 - Restabilization shall be accomplished in accordance with these regulations.
 - Comply with applicable safety regulations.
- 17. Vehicular Sediment Tracking:**
- Where construction vehicle access routes intersect paved or public roads:
 - Provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface.
 - Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day.
 - Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner.

18. Removal of Temporary Measures:

- All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the program authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.

19. Stormwater Management:

- Properties and waterways downstream from development sites shall be protected from sediment deposition, erosion, and damage due to increases in volume, velocity, and peak flow rate of stormwater runoff for the stated frequency storm of 24-hour duration.

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LAND DISTURBANCE APPLICATION

OFFICE USE ONLY

Application #: _____

Application Fee: \$200 + \$50 per acre over the first acre of disturbed land = _____

Surety Amount: \$ _____

Decision: Approval Denied Tax Query: Current Delinquent

Conditions/Comments: _____

E & S Control Inspector Signature

Date

Expiration Date

APPLICANT INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email: _____

PROPERTY OWNER INFORMATION

Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email: _____

RESPONSIBLE LAND DISTURBER

Name: _____ RLD Number: _____

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email: _____

PROJECT INFORMATION

Parcel Number: _____ E911/Street Address: _____

Magisterial District: _____ Zoning District: _____

Lot Size (in Acres): _____ CBPA District: _____

Existing Land Use: _____

Project Description: _____

Total Area Disturbed: _____

APPLICANT STATEMENT

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Middlesex County Erosion and Sediment Control Ordinance as written and also with the description contained in this application.

Applicant's Signature (if not Property Owner)

Date

Applicant's Signature (if not Property Owner)

Date

PROPERTY OWNER STATEMENT

I hereby certify that I/we own the above described property, that the information given is complete and correct to the best of my knowledge, that development and/or construction will conform with the regulations as set forth in the Middlesex County Erosion and Sediment Control Ordinance as written and also with the description contained in this application, and that the above person(s), group, corporation or agent has the full and complete permission of the undersigned owner(s) to make application for site plan approval as set forth in the Middlesex County Erosion and Sediment Control Ordinance as written.

Property Owner's Signature

Date

Property Owner's Signature

Date

CONDITIONS

1. The applicant must notify the County when land disturbing work begins and is completed.
2. The "LAND DISTURBING PERMIT" sign must be posted on the site so that it may be viewed from the public right-of-way **prior** to the first step in clearing.
3. All erosion and sediment control measures are to be placed **prior** to the first step in clearing.
4. The permit may be revoked and/or a stop work order may be issued should the County determine that the erosion and sedimentation control plan is not being followed correctly.
5. The applicant is responsible for installation of any additional erosion and sediment control measures necessary to prevent erosion and sedimentation as determined by the County.
6. The County is granted right-of-entry for inspections of erosion and sediment control measures and to record inspections in writing, photographs, and video tape. The applicant is encouraged to be on site when these inspections are being performed.
7. The applicant shall inspect all erosion and sediment control measures periodically, and is responsible for any necessary repairs to these measures to maintain their effectiveness.
8. Any approval of a land disturbance permit is issued on the basis of plans and applications approved, and authorizes only the use, arrangement and construction set forth in such approved plans and applications. Any deviations from the plans and applications submitted shall render an approved permit null and void.