



Westmoreland County, Virginia
LAND USE ADMINISTRATION
PO Box 1000
Montross, VA 22520
804-493-0120

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

**AGREEMENT IN LIEU OF
AN EROSION & SEDIMENT CONTROL (ESC) PLAN AND/OR
STORMWATER MANAGEMENT (SWM) PLAN
FOR A FARM BUILDING OR STRUCTURE**

Construction Activity Operator:

Name: _____

Contact: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email address: _____

Location of Farm Building or Structure:

Tax Map # _____

Address of property: _____

Total Impervious Coverage Information:

Total Acreage of Parcel: _____

Total Impervious Cover (in acres): _____

Percentage of Impervious Cover (%): _____

This form is only applicable where the construction of the farm building or structure will result in a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five (5) percent of the parcel of land. If the construction will result in a total impervious cover percentage that is or will be greater than or equal to five (5) percent of the total parcel of land, an agreement in lieu is not applicable. Furthermore, if the total proposed area of land disturbance for the building construction is equal to or greater than one (1) acre, Construction General Permit coverage from the Virginia Department of Environmental Quality (DEQ) is required.

With the completed Agreement in Lieu of a Plan, provide a plot plan drawing of the lot that clearly depicts:

1. the extent of the parcel of land on which construction of the farm building or structure will take place,
2. all existing and proposed improvements (including structures & driveways) to the land, and
3. the total impervious cover of the parcel of land, including the impervious cover from the farm building or structure that is being constructed.

The total impervious percentage cover includes all impervious areas on the parcel of land, regardless of whether they are included within the agriculture activity exemption or not.

This "Agreement in Lieu of a Plan" does not authorize land disturbance. Land-disturbing activities cannot begin until the Land Disturbing and/or Stormwater Management permit(s) have been issued by the Land Use Administration office.

REQUIREMENTS

- A copy of this signed and dated "Agreement in Lieu of a Plan" shall be maintained in my Stormwater Pollution Prevention Plan (SWPPP) for the construction activity, if applicable.
- During construction, ESC measures shall be installed as required and maintained throughout the project in order to prevent erosion onsite and the discharge of erosive materials onto adjacent or downstream properties. At a minimum, I agree to:
 - Install silt fence on all downward slopes prior to any land being disturbed and maintain it at all times during the project,
 - Stabilize all denuded areas on the lot or parcel within seven (7) day of the final grading with permanent vegetation or protective ground cover suitable for the time of the year, and
 - Conduct all land disturbance activities in accordance with the Virginia Erosion and Sediment Control Regulations and at the direction given by the Westmoreland County Land Use Administrator or his agent.
- Post-construction runoff from the property shall be minimized to the maximum extent practicable and shall be controlled to prevent flooding or erosion damage from occurring on adjacent or downstream properties. In meeting this requirement, I agree to:
 - Direct runoff from rooftops as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable,
 - Direct runoff from other impervious surfaces on the property (e.g., driveways, parking areas, sidewalks) as non-erosive sheet flow to well-vegetated areas on the property to the maximum extent practicable, and
 - Direct runoff from lawns as non-erosive sheet flow to undisturbed, naturally-vegetated areas on the property to the maximum extent practicable.

By my signature below, I hereby state that the proposed structure or building is relevant to a bona fide agricultural operation in accordance with state code sections §36-97 or §3.2-6400 and is not for residential purposes.

Likewise, I agree to comply with the requirements of this "Agreement in Lieu of a Plan" (or other requirements as established when necessary) to ensure compliance with the applicable erosion and sediment control regulations and stormwater management provisions.

I fully understand that noncompliance may result in the revocation of this "Agreement in Lieu of a Plan" and that the submission of a project-specific plan in accordance with state and local ordinances may be required.

Printed Name: _____

Title: _____

Signature: _____

Date: _____

(This certification must be signed by the operator of the construction activity identified above.)