

# City of Chesapeake

Department of Development and Permits

## Land Disturbing Permit Application

### Section I

#### Land Owner

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Phone: \_\_\_\_\_

Location of Work: \_\_\_\_\_

Description of Land Disturbing Activity:

\_\_\_\_\_  
\_\_\_\_\_

### Section II

#### Right of Entry

I hereby grant designated representative of the City of Chesapeake the right to enter my Property for the purpose of evaluation, review, inspection and monitoring of the land disturbing activities and related soil erosion and sediment control measures described herein and in the erosion and sediment control plan. I acknowledge that it is my responsibility to obtain appropriate clearances from other regulatory agencies. Improvements in any tidal or non-tidal wetlands may require U.S. Army Corps of Engineers, Virginia Dept. of Environmental Quality and/or US Coast Guard approval. Approval and all required permits from the proper environmental authorities shall be obtained prior to land disturbing activities.

\_\_\_\_\_  
Signature of Land Owner

\_\_\_\_\_  
Date

### Section III

#### Plan Implementation

The Permittee and Responsible Land Disturber (RLD) shall certify their intentions below.

Permittee

RLD

Name \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Phone \_\_\_\_\_

Zip \_\_\_\_\_ Phone \_\_\_\_\_

I certify that I fully understand the requirements of the Chesapeake Erosion and Sediment Control Program and agree to properly perform the erosion and sediment control measures included in the approved plan and permit and will comply with the provisions of the Erosion and Sediment Control Ordinance of Chesapeake, Virginia.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Signature of RLD

\_\_\_\_\_  
Cert # or Seal



# City of Chesapeake

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## Erosion and Sediment Control Inspection & Compliance Policy

All site plan projects should have an approved Erosion and Sediment Control (ESC) plan and land disturbing permit that must be adhered to until the site is completely stabilized. All sites in the City of Chesapeake must be in compliance with Chapter 26, Article III of the City Code and the Virginia Erosion and Sediment Control Minimum Standards that are required on every approved site plan, in addition to the requirements of state and federal law. Any changes to the approved ESC plan shall be made in writing to the Department of Development and Permits through a Field Change Request (FCR) and in accordance with City Code Section 26-57(c). If deemed acceptable by the Department of Development and Permits, a written response stating the changes to the ESC plan will be given to the general contractor and /or owner of the site.

Excluding routine daily maintenance, any ESC deficiencies contained within the Minimum Standards under Section 9VAC25-840-40 of the Virginia Administrative Code will be considered an ESC violation against the site. Non-compliance to a noted ESC corrective action and/or dewatering to a stormwater inlet or ditch or pond system without a proper filtration system will be considered a violation. 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 14 days. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive, and will inhibit erosion. For individual lots in residential construction, final stabilization can occur by the homebuilder establishing temporary soil stabilization, including perimeter controls for an individual lot prior to occupation of the home by the homeowner, and informing the homeowner of the need for, and benefits of, final stabilization. If perimeter controls are removed prior to full stabilization for grading purposes, they must be reinstalled immediately. This information is included for your general knowledge but is not intended to be, and should not be relied upon as, inclusive of all ESC requirements.

As a matter of policy, effective **September 1, 2016**, in instances in which a Notice to Comply (NTC) is issued providing a time to comply before further enforcement is contemplated, a NTC shall be issued and the land owner and/or permittee shall be provided 72 hours to complete the required corrective actions. If all corrective actions have not been completed within 72 hours, a Stop Work Order (SWO) may be issued for all land disturbing activities. The SWO shall remain in effect for seven days; however, the SWO shall be lifted immediately upon completion of all corrective actions. If all corrective actions have not been completed within seven days, the Department of Development and Permits may revoke the land disturbing permit and issue a second SWO requiring that all construction and other work on the site be stopped until all corrective actions have been completed. In addition, continued non-compliance and/or violation of other applicable law may result in other legal actions.

*Notwithstanding the above, the City reserves the right to issue a SWO or file a legal action at any time pursuant to any applicable authority, including but not limited to City Code Section 26-60(b) which provides that a SWO may be issued in conjunction with or subsequent to any NTC if the alleged noncompliance with an approved plan is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition.*

If you have any questions, please contact David E. Mergen, Environmental Specialist III at (757) 382-6307 or [dmergen@cityofchesapeake.net](mailto:dmergen@cityofchesapeake.net).

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of RLD

\_\_\_\_\_  
Date