



APPENDIX E

AGREEMENTS AND CERTIFICATIONS



years. If a forebay exists, any trash, sediment, or other debris should be completely removed as discovered through routine maintenance activities or inspections.

- 4. Slope Stabilization/Structural Integrity: slope erosion, sink holes, or other structural issues should be repaired as soon as discovered through routine maintenance activities or inspections.

Additional Responsibilities

List any additional routine or long-term activities to be performed on the pond(s).

Note: Lexington County reserves the right to alter the maintenance schedule and activity as necessary to ensure the proper function of the pond.

Property/Pond Owner(s)

OWNER #1: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE : _____
PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ WITNESS: _____
WITNESS: _____

OWNER #2: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE : _____
PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ WITNESS: _____
WITNESS: _____

PERSONALLY APPEARED before me the undersigned witness and made oath that she/he saw the within-named, County of Lexington, State of South Carolina, by its duly Authorized Officer, sign, seal, and as his act and deed deliver their within written instrument of the uses and purposes therein mentioned that she/he with, the other witness, witnessed the execution thereof.

Witness

SWORN to before me this _____
day of _____, 20_____

NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES _____



COUNTY OF LEXINGTON, SOUTH CAROLINA

Public Works Stormwater Division

440 Ball Park Road

Lexington, SC 29072

Phone: (803) 785-8201 Fax: (803) 785-8593

RESIDENTIAL BUILDING EROSION PROTECTION & SEDIMENT CONTROL CERTIFICATION

Applicant Information

OWNER: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ DATE: _____

Property Information

PARCEL/TMS #(S): _____ LOT NUMBER(S): _____

SUBDIVISION NAME/PHASE: _____

CITY: _____ ZIP CODE: _____

TOTAL ACRES: _____ DISTURBED ACRES: _____

LOTS APPLIED FOR: _____

Contractor Information (if applicable)

(1) COMPANY: _____

LICENSE #: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PHONE: _____ FAX: _____ EMAIL: _____

SIGNATURE: _____ DATE: _____



1. Is your site part of a larger common development? () yes () no

If yes you must sign the certification below. If no proceed to question 2.

I certify by my signature below that:

a) For Sites that disturb 10 acres or more, I participated in a pre-construction conference onsite, or when allowed, offsite with the individual who was issued the Lexington County Land Disturbance Permit; and

b) Further, by my signature below, I understand that I am becoming a permit holder and accept the terms and conditions of the Lexington County Land Disturbance Permit Number _____ applied for and obtained by _____.* As a permit holder I understand that I, and my company, as the case may be, am legally accountable to the Public Works Stormwater Division, under the authorities of the Lexington County Stormwater Ordinance and Land Development Manual, to ensure compliance with the terms and conditions of the Lexington County Land Disturbance Permit. I also understand that the Public Works Stormwater Division enforcement actions may be taken against any specific permit holder or combination of permit holders if the terms and conditions of the Lexington County Land Disturbance Permit are not met. Therefore, having understood the above information, I am signing this certification and am receiving permit holder status to the aforementioned Land Disturbance Permit.

*If you do not know the land disturbance permit number or the original applicant contact the Public Works Stormwater Division (803-785-8201) to obtain this information.

SIGNATURE: _____ **DATE:** _____

2. If not part of a larger common development, are you disturbing greater than 1 acre? () yes () no

If yes what is your Land Disturbance Permit Number*: _____

*If you do not have a land disturbance permit number you must contact the Public Works Stormwater Division (803-785-8201) to obtain land disturbance permit coverage.

3. If not part of a larger common development and you disturb less than 1 acre you must sign the certification below.

I certify under penalty of law that I understand and will implement the County’s erosion protection and sediment control (EPSC) requirements specified in the attached document. I will ensure that the EPSC measures are maintained. I further certify that Lexington County inspectors may enter the property as necessary to ensure compliance with all related requirements.

SIGNATURE: _____ **DATE:** _____



EPSC Requirements for Single Family residential structures disturbing less than 1 acre that are not part of a larger common development.

1. The lot shall have EPSC protection around the entire boundary with allowances for no more than two entrance/exits. This protection may be silt fencing or earthen or man-made berms or dikes. These measures shall be installed within 24-hours of land disturbance and maintained until the project is stabilized as detailed below. The following guideline should be followed:
 - The maximum length from the crest of a hill to the fence is 100-feet. When the distance from a crest to the property boundary is greater than 100-feet, an intermediate row of silt fence shall be used or another EPSC measure shall be employed.
 - The maximum slope steepness (normal [perpendicular] to fence line) is 2H:1V. When exceeded, slope drains shall be employed
 - A maximum of ¼ acre drainage per 100 linear feet of silt fence should be used. When this is exceeded, an intermediate row of silt fence shall be used or another EPSC measure shall be employed.
 - Sediment accumulated along the fence shall be removed when it reaches 1/3 the height of the fence.
 - Proper construction of these measures can be found from the Stormwater Division of the Lexington County Public Works Department (www.lex-co.com/Departments/publicworks/index.html) or SC DHEC's BMP Manual (www.scdhec.gov/environment/ocrm/pubs/tech_docs_water.htm#bmp), also available from the Stormwater Division. Manufacturers recommended installation and maintenance procedures shall be followed if applicable.
2. Nearby stormwater inlets, manholes, etc. in the street or on this or adjacent property shall be protected through the use of sediment tubes, check dams, or inlet protection devices. These measures will be maintained throughout the construction process until the site is stabilized as detailed below. Maintenance requirements are specified in the SC DHEC BMP Manual.
3. Construction entrances shall be provided at all entrances/exits (maximum of 2). The entrance shall contain washed stone that is at least 6-inches deep, 20-feet wide, and 75-foot long. The stone shall be maintained throughout the construction process until the site is stabilized as detailed below. Sediment tracked onto streets shall be removed weekly. More information on the installation and maintenance of the construction entrances can be obtained from the Stormwater Division.
4. All EPSC shall be inspected every 7 calendar days and within 24-hours after each rainfall event that produces ½-inches or more of precipitation.
5. Construction debris and other waste shall be contained in a dumpster or covered with plastic. Covers that prevent exposure to precipitation shall also be used for stockpiles of soil. Chemicals,



paints, solvents and other materials shall be stored such that exposure risk to precipitation and stormwater runoff is low. Concrete wash water shall be disposed in an area of soil away from surface waters where soil can act as a filter or evaporate the water. Remaining cement shall be disposed of in a dumpster or otherwise removed from the site. Be aware that this water can kill vegetation. De-watering water shall be disposed of in a pervious area. Discharge of sediment from dewatering operations shall be prevented from entering into storm sewers and surface waters.

6. Areas not used during construction should be vegetated with sod or grass seed. Existing/natural vegetation should be preserved as much as possible. Grass specifications are available from the Stormwater Division.
7. A site is considered stabilized once the entire area other the buildings, driveways, and walkways, has a vegetative cover with a density of 70%. Seeding should be accompanied or replaced with erosion control mats as necessary to achieve this density.
8. After final stabilization is achieved, all EPSC measures shall be removed from the site.



STATE OF SOUTH CAROLINA)
)
) **COVENANTS FOR PERMANENT**
) **MAINTENANCE OF STORMWATER**
) **FACILITIES (CPMSF)***
COUNTY OF LEXINGTON)

I hereby certify that I, the owner(s) of the stormwater facility, will perform the duties as listed below. This shall include the listed maintenance activities below and others not listed to ensure proper long-term function of the facility. I understand that once ownership of the facility is transferred, I will no longer be held liable for the listed maintenance activities. I further certify that if ownership is transferred, I will ensure the new owner is aware of their maintenance responsibilities and I will provide Public Works Stormwater Department (PW/SWD) with documentation of the ownership transfer. Until documentation is provided to PW/SWD the original applicant/owner shall assume all permanent maintenance responsibilities

Property Information

PARCEL/TMS #(S): _____
(Obtain from Registrar of Deeds office at 803-785-8470 or by using interactive mapping at <http://maps.lex-co.com/website/2004Data/viewer.htm> or <http://www.lex-co.com/GIS/Services.html>)

NAME & TYPE OF BMP(S): _____

LOCATION OF BMP(S): _____

PROPERTY DEED RECORDED DATE: _____

TITLE OF SITE PLAN: _____
(Should exactly match the title given on application for a land disturbance permit)

PROJECT ENGINEERING FIRM: _____

PROJECT CONSTRUCTION FIRM: _____

NUMBER & DATE OF LAND DISTURBANCE PERMIT: _____

Responsibilities

- 5. Regular Inspections: Inspections shall be performed at least twice a year, and more regularly as listed below or as specified by a manufacturer. Inspection reports shall be generated and kept on file for 2 years. Reports are to be made available to Lexington County upon request. If generated by a third party, it shall remain the owner's(or owners') responsibility to maintain the reports.
- 6. Routine Maintenance: Some maintenance activities are needed on a routine basis, as listed below. All activities listed should be performed on a monthly bi-monthly basis or more frequently if needed or unless specified below or by a manufacturer.
 - a. Vegetation Management: grass should be mowed bi-monthly during the months of April through September or more frequently if needed. Grass shall be mowed as needed during the months October through March
 - b. Inlet and Outlet Structures: any blockage of inlets and outlets structures should be removed. Inlets and outlet protection should be repaired or replaced as needed.
 - c. Debris and Litter: trash and other debris that collects in the BMP should be removed.



- 7. Sediment Removal: BMP will trap sediments and other settleable material over time and should be removed once the storage capacity has been reduced. This is expected to occur once every 1-2 years. Removal of the sediment shall occur no less frequently than once every 2 years or as specified by the manufacturer. If a forebay exists, any trash, sediment, or other debris should be completely removed as discovered through routine maintenance activities or inspections.
- 8. Slope Stabilization/Structural Integrity: Slope erosion, sink holes, or other structural issues should be repaired as soon as discovered through routine maintenance activities or inspections.

Additional Responsibilities

List any additional routine or long-term activities to be performed on the BMP(s). This area may also be used to replace the list of maintenance activities listed above or to list manufacturer requirements.

Note: Lexington County reserves the right to alter the maintenance schedule and activity as necessary to ensure the proper function of the BMP.

Property Owner(s)

OWNER #1: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE : _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ WITNESS: _____

WITNESS: _____

OWNER #2: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE : _____

PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ WITNESS: _____

WITNESS: _____

PERSONALLY APPEARED before me the undersigned witness and made oath that she/he saw the within-named, County of Lexington, State of South Carolina, by its duly Authorized Officer, sign, seal, and as his act and deed deliver their within written instrument of the uses and purposes therein mentioned that she/he with, the other witness, witnessed the execution thereof.

Witness

SWORN to before me this _____
day of _____, 20_____

NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES _____



**LAND DISTURBANCE PERMIT
TRANSFER OF OWNERSHIP APPLICATION
County of Lexington Public Works Stormwater Division**

A. Name of Activity: _____

B. Land Disturbance Permit Number: ___ - ___ - ___

C. NPDES Permit Coverage Number: SCR10 ___ - ___ - ___

D. New Applicant Name: _____

Address: _____

City: _____, State: _____

Zip: _____

Phone: ___ - ___ - ___ - ___ Mobile: ___ - ___ - ___ - ___ Fax: ___ - ___ - ___ - ___

Email Address (optional): _____

E. Property Info: Check Box is same as above

Address: _____

City: _____, South Carolina

Zip: _____

Tax Map Number(s): _____

F. Original Applicant Name: _____

Address: _____

City: _____, State: _____

Zip: _____

Phone: ___ - ___ - ___ - ___ Mobile: ___ - ___ - ___ - ___ Fax: ___ - ___ - ___ - ___

Email Address (optional): _____

G. Transfer Information: Transfer Date (MM/DD/YYYY): ___ / ___ / ___

a. Is the entire permit being transferred to a new Permit Holder? Yes No

b. Is this a subdivision where only a lot or a group of lots are being transferred? Yes No

c. If Yes to Item G.b, list the lot, or group of lots being transferred.

H. Other Information:

a. If there are no modifications being made to the plans, include five (5) sets of plans (or six (6) sets of plans if in a municipality) with signed Designer and Applicant's certification statements.

b. If this is a subdivision where a lot or group of lots is being transferred, include a plat sheet with the lot or group of lots that are being transferred clearly outlined.

Original Applicant's Certification

"I hereby relinquish the responsibility and ownership of the Land Disturbance Permit listed in Item B above. I realize that the land disturbance responsibility for the lots listed in Item G now belong to the new applicant.

Applicant's Printed Name

Applicant's Signature

Date

NEW APPLICANT'S CERTIFICATION

"I hereby certify that all land disturbance, construction, and/or development will be done pursuant to this plan and I am responsible for the land disturbance and related maintenance thereof. Lexington County authorities will be allowed to enter the project site for the purpose of on-site inspections. I realize that I am now responsible for all of the land disturbing activities that take place as listed in Item G and will follow the approved plans."

Applicant's Printed Name

Applicant's Signature

Date



COUNTY OF LEXINGTON PUBLIC WORKS STORMWATER DIVISION

Commercial Construction Site Bonding Process

PURPOSE

The purpose of the commercial construction site bonding process is to allow a commercial construction site the ability to obtain a Certificate of Occupancy (CO) when final stabilization across a site has not been achieved. A developer (or person financially responsible) can obtain a commercial construction bond by securing monies to Lexington County in the event the developer does not, or is unable to complete the project. In most cases, the bond will be twice the amount of the actual stabilization cost.

For the purpose of this agreement, final stabilization is 70 % permanent vegetative coverage across 100 % of the construction site for all disturbed areas without buildings or pavement.

ELIGIBILITY

To be eligible for a commercial construction site bond, a developer (or person financially responsible) must meet the following criteria:

1. The land disturbance permit for the site must be for a commercial project. Residential projects are not eligible for the commercial site bonding process.
2. The site must be graded to which permanent grass and/or other methods of final stabilization can be achieved.
3. All attempts to achieve final stabilization must be taken prior to the County's acceptance of the bond.
4. All off site areas disturbed during the construction process must be completely stabilized (i.e an off site sewer line going through individual homeowners yards).
5. All ponds' (detention/retention/amenity) as-built surveys must be accepted by the County.
6. All recorded covenants for permanent maintenance for stormwater ponds (detention/retention/amenity) must be approved by the County.
7. The developer (or person financially responsible) must agree to the Commercial Construction Site Bond Agreement.



COMMERCIAL SITE BONDING PROCESS

If a developer meets all eligibility criteria, he/she may apply for a commercial bond by signing the Commercial Construction Site Bond Agreement. The developer (or person financially responsible) shall have the site completely stabilized within ___ days of the date this agreement is signed. The developer (or person financially responsible) will disburse monies that would allow the County to have the site stabilized in the event the developer is unable, or does not finish the process within ___ days from the date the letter has been signed.

The amount of money that must be put up to the County to secure the bond is up to the discretion of the Public Works Stormwater Division. The County Inspector will decide the actual amount of money that needs to be put up in the bond. A general rule for this will be \$2000 per acre or any portion of a disturbed acre. The County does reserve the right to decide that more or less money will be put up for the bond.

The developer (or person financially responsible) must also make an attempt to plant grass or seed prior to Lexington County's acceptance of the Commercial Construction Site Bond Agreement.

If the site has been completely stabilized before the end of the ___th day, the developer (or person financially responsible) will be refunded the entire amount of the check. The developer will agree that any interest accrued by the County while the check is in their account will be deferred to the County. If the site has not been completely stabilized by the end of the ___th day, the developer will forfeit all monies used for the bond.

Extensions

A developer can request an extension of the ___-day time period in the event that unforeseen circumstances do not allow final stabilization to occur. The request must be written and submitted to 440 Ball Park Road, Lexington SC 29072, within 10 days from the end of the ___th day. This request will be evaluated by the Public Works Stormwater Division, and an extension will be considered. The County reserves all rights to deny an extension request.