



# CREDIT RIVER TOWNSHIP NPDES AGREEMENT

CREDIT RIVER TOWNSHIP  
18995 MEADOWVIEW BLVD • PRIOR LAKE, MN 55372  
(952) 440-5515 • Web [www.creditriver-mn.gov](http://www.creditriver-mn.gov)

## Credit River Township NPDES Escrow Agreement for Use with Scott County Building Permit Applications

Property Address: \_\_\_\_\_

PID or Legal Description \_\_\_\_\_

### TERMS

Credit River Township requires an NPDES escrow account be created for the purpose of protecting the land, water, air and other natural resources through effective compliance with the requirements of the approved permit plans and/or other measures as specified by Township, County and/or State regulations.

#### Building Permit NPDES Escrow

- Escrow amounts will be in accordance with the Credit River Township Ordinance No. 2011-04 “Ordinance Relating to Fees for New Development and Building Permit Fees”
- The NPDES Escrow can be waived for **deck permits** with minimal land disturbance.
- A Township NPDES escrow is not required for ISTS permits.
- This escrow is for the implementation of the Erosion and Sediment Control (ESC) requirements only and does not include any provisions for ornamental tree planting or other site amenities as may be required by any Homeowner Associations, Developers Agreements, Scott County or others.

#### Use of NPDES/Landscaping Escrow Account

- The escrow account shall be billed to cover the costs incurred by the Township that are directly related to the administration, site inspections and enforcement of the issued permit. Costs include, but are not limited to, staff time charges by Township and/or Scott SWCD employees. If the initial escrow is determined to have insufficient funds to cover costs incurred by the Township, the applicant shall pay, and will be responsible for any additional costs incurred by the Township above and beyond the initial escrow amount.
- A statement of escrow account billings shall be made available upon written request. The Township shall make every attempt to minimize applicant costs.
- The escrow account shall remain in effect until permanent site stabilization is achieved regardless of a transfer of property ownership, the issuance of a Certificate of Occupancy, or any other circumstances where site stabilization has been delayed.
- Upon request by the applicant and subsequent review and approval by the Township or its designee, the remaining escrow balance shall be released when permanent site stabilization has been achieved by completing all soils disturbing activities and establishing a uniform perennial vegetation with a density of 70% on all exposed soils.

- The applicant must request the return of the escrow funds within one year of final stabilization or from the date that construction activity ceases. If the applicant does not request the escrow funds within one year the funds will be forfeited.
- Following written notice of its intent to do so, this agreement grants the Township and its agents the right to enter upon the subject property and to construct such measures or do such other work as may be necessary to protect public health, safety or welfare and to prevent damages and/or to remedy any NPDES compliance violations. These actions may be taken by Township personnel or the Township may elect to hire an independent contractor to bring the property into compliance. All costs incurred, including re-inspections and legal actions, will be deducted from the NPDES escrow account.

**AGREEMENT**

I have read and understand the above statements and terms. I understand the Township may use the escrow funds for site inspections, on-site or off-site clean-up and repair of damages and/or at its option to pursue legal actions to enforce all applicable regulations. I accept full responsibility to provide effective Erosion and Sediment Control measures and further agree the escrow shall not be deemed to create or assign any liability to the Township for any failure, lack of installation or damages alleged to result from or be caused by lack of ESC measures or failure of ESC measures, or by erosion or sedimentation associated with the construction activity authorized by the permit.

Signature of Owners: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_