



Date: _____

To: _____

Subject: **Financial Assurance** in the Amount of \$____
Check # _____ Received by (staff initials): _____

Project Name: _____

Location: Section _____, Town of _____ LRD File # _____

This memo shall serve as a receipt for the above noted Financial Assurance and as an agreement of the purpose and conditions for release by the Waukesha County Land Resources Division (herein referred to as the "LRD").

Authority.

The authority of the LRD to collect and hold this Financial Guarantee is stated in Section 14-335(c) of the Waukesha County Code of Ordinances – under Chapter 14, Article VIII: Storm Water Management and Erosion Control (herein referred to as the "Ordinance").

Purpose.

The purpose of this Financial Assurance is to ensure compliance with the Ordinance and the terms and conditions of a Storm Water Permit issued for the above noted project.

Conditions For Release.

The LRD shall release the financial assurance, and issue a permit termination letter only after determining full compliance with the permit and the ordinance, including *accepting* all of the following:

1. **Maintenance Agreement.** A copy of a recorded maintenance agreement, stamped by the Waukesha County Register of Deeds, must be provided for all storm water management practices associated with this project. The agreement shall show that it has been recorded for all applicable properties.
2. **As-built Survey.** To ensure compliance with this ordinance and to serve as a basis for the engineering verification under sub. 3 below, an as-built survey shall be completed in accordance with LRD standards and certified as accurate by a registered land surveyor or an engineer licensed in the State of Wisconsin. As-built plans shall be submitted to the LRD for all storm water management BMPs, bridges and culverts pursuant to sec. 14-335(d).6.D. of the ordinance, and other permanent best management practices or practice components as deemed necessary by the

LRD to ensure its long-term maintenance. The LRD may require a digital submittal of the as-built survey, in accordance with LRD standards. As-built data shall be recorded as an addendum to the maintenance agreement under sub. 1 above.

3. Verification. A professional engineer licensed in the State of Wisconsin shall verify, in accordance with LRD standards, that the engineer has successfully completed all site inspections outlined in the approved plans and that the construction of all storm water management BMPs, as determined by the LRD, comply with the approved plans and applicable technical standards or otherwise satisfy all the requirements of this ordinance. The verification letter shall be recorded as an addendum to the maintenance agreement under sub. 1 above. If warm season or wetland plantings are involved, a landscape architect or other qualified professional shall verify the planting process and its successful establishment, in accordance with LRD standards. (No addendum is required for the planting verification.)
4. Design Summaries. Any changes noted in the as-built survey or final design data compared to the design summaries approved with the final storm water management plans shall be documented and resubmitted to the LRD as part of the verification under sub. 3 above. Final design summaries shall be recorded as an addendum to the maintenance agreement under sub. 1 above.
5. Final Inspection. After completion of construction, the LRD shall conduct a final inspection of all permitted sites to determine compliance with the approved plans and other applicable ordinance requirements, including ensuring the site is stabilized. If, upon inspection, the LRD determines that any of the applicable requirements have not been met, the LRD shall notify the permit holder what changes would be necessary to meet the requirements. At the request of the permit holder, the LRD shall provide a notification of noncompliance or a report of final inspection in written or electronic form.

Other Conditions.

1. Partial Releases. The permit holder may apply for a partial release of the financial assurance based on the completion or partial completion of various construction components or satisfaction of individual requirements noted above.
2. Amounts Withheld. The LRD shall withhold from the financial assurance amount released to the permit holder any costs incurred by the LRD to complete installation or maintenance of best management practices through enforcement action or prior to the transfer of maintenance responsibilities through an approved maintenance agreement, or other unpaid fees or costs incurred by the LRD associated with the enforcement of this ordinance.
3. Other Financial Assurances. The financial assurance provisions of this ordinance shall be in addition to any other financial assurance requirements of the local community for other site improvements. Any arrangements made to share financial assurances with the local community shall be made at the discretion of the LRD and shall be at least as restrictive the requirements in this ordinance.