

Local Program Report to the SCC

Avery County

The Avery County local program was reviewed July 13 and 14, 2011. The County has 22 approved projects, 17 of which are active. Five projects were reviewed. Two had approved trout buffer zone waivers. The plans were adequate. Three of the projects were in compliance. A private stream restoration project needed to improve the upstream coffer dam that diverted water around the work area. The addition of plastic sheeting to the geotextile fabric was recommended. The other project that was out of compliance is under a continuing notice of violation from Avery County. Possible bond forfeiture and site reclamation was discussed. The bank that holds the deed of trust may take control of the site. Currently the Planning Director is doing all the inspections, since the erosion control inspector had to retire due to a medical condition. The inspections were current and well documented. Staff recommends continued delegation.

City of Jacksonville

The City of Jacksonville's Local Program was reviewed July 21, 2011. Two persons contribute one and a quarter Full Time Equivalents to erosion and sedimentation control. The City has 35 active projects. During the past year, the staff approved 26 new projects, conducted 755 inspections and issued 103 notices of violation. No civil penalties were assessed and 25 stop work orders were issued. The City has not done any enforcement in the last several months.

Six projects were evaluated. The sedimentation and erosion control plans for all of the projects reviewed were adequate. The plan included adequate calculations. All of the files were complete and included FRO's, Approval Letters and inspection reports. Five of the project files had several Notices of Violation (NOV's) and Continuing Notices of Violation (CNOV's). One of the five project files had two CNOV's.

The six projects were inspected in the field. Five of the six projects reviewed were out compliance. Most of the projects did not have self-inspection documentation. Ground cover was not adequate on most of the projects. On one project, all of the sedimentation controls had been removed and very little ground cover had been provided on the site. On several of the sites, the plan had not been follow and measures had not been constructed according to the approved plan. Because of lack of rain fall very little sediment had left the site. However the potential for offsite sedimentation was great if and when it rained. All five of the out-of-compliance sites had been issued NOV's and several had CNOV's issued. A close-out meeting was held with the City Manager and Engineer and other city staff as well as several developers. The lack of enforcement was discussed. The City asked to take effective enforcement action against projects that remain in violation.

Currently, the City is not taking any enforcement actions to achieve compliance. Staff recommends continuing the review to the November, 2011 SCC meeting.

CITY OF JACKSONVILLE

Public Services Department



July 26, 2011

Mr. Mel Nevils
P.O. Box 27687
Raleigh, NC 27611

RE: Erosion Control Inspections – City of Jacksonville

Dear Mr. Nevils:

I wanted to personally thank you for taking the time out of your hectic schedule to come to Jacksonville and assist us with our erosion control program. We have been receiving complaints from contractors for the past several months that erosion control inspections by the City are much more stringent than those conducted by the State outside of the City. Easing our enforcement procedures until we could confirm that our inspections were comparable to that of the State appeared to be the best course of action. We have now confirmed, by your visit, that we are not unreasonable and in fact had noted in all of our inspections the discrepancies you confirmed last Thursday. With this fact confirmed, we are going to reinstate our enforcement procedures to bring the sites in question back into compliance. We will continue to run our Soil and Erosion Control Program as mandated by the Rules and Regulations put forth by the State.

Thank you again for responding to our call for help and taking the time to inspect our program. We look forward to hearing what your recommendation to the State Sediment Commission will be and seeing you at their next meeting.

Sincerely,

Grant Sparks
Public Services Director

