

# Local Program Report to the SCC

## New Hanover County

On February 23, 2012 Gray Hauser, Matt Poling and Dan Sams conducted a review of New Hanover County's Local Program. The County conducted 231 total plan reviews in 2011, with 126 approvals and 105 disapprovals. The County has also conducted 1,810 inspections and issued 10 notices of violations and 10 civil penalties in 2011. The county has 2 full time equivalents dedicated to erosion control. During our review of the program, we inspected 4 sites and reviewed 4 plans that had already been approved.

The following is a summary of the projects that were inspected:

### Autumn Hall Apartments

This project consisted of 15.43 acre and was a part of a larger residential development. The file for this project included an FRO, calculations, approvals, disapprovals, deed, and calculations. This project was last inspected on 1/24/2012 and was called in compliance. Since the site went to construction, it has not received a Notice of Violation and has been inspected 4 times. The approved plan for this site was found to be adequate. During our inspection the site was actively being graded and was found to be in compliance. Comments about temporary ground stabilization were added to the inspection report. This was a rather large, flat site with a lot of earth being moved. The contractor was encouraged to be proactive with his temporary seeding of stockpiles.

### South Front Apartments

This site consisted of a 10.87 acre residential project. The file for this project included an FRO, calculations, approvals, disapprovals, deed, and calculations. This project was last inspected on 2/13/2012 and was called in compliance. This project went to construction without an approved erosion and sediment control plan. The site received a Notice of Violation on 4/20/2011 and had a civil penalty of \$1500.00. This project was last inspected on 2/13/2012 and was called in compliance. The approved plan for this site was found to be adequate. The site was actively being graded and some of the storm-water BMP's had not yet been installed. The sediment traps on site were installed correctly and looked to be catching all of the sediment. Overall the site was generally in good condition. The site was in compliance.

### WRBCo

This project is a 5.7 acre commercial site. This project had just started a couple of weeks ago and was still in the clearing and grubbing stages. The file for this project included an FRO, calculations, approvals, disapprovals, deed, and calculations. This project was last inspected on 2/20/2012 and was called in compliance. The approved plan for this site was found to be adequate. Since the site went to construction it has not

received a Notice of Violation. The site is actively being cleared and grubbed, and was in compliance.

#### The City Marina Excavation (Clearing Only)

This project is of a 27.9 acre commercial site. The file for this project included an FRO, calculations, approvals, disapprovals, deed, and calculations. This project was last inspected on 2/16/2012 and was called in compliance. The approved plan for this site was found to be adequate. Since the site went to construction it has not received a Notice of Violation. The site was actively being graded and was in compliance.

#### Recommendations

The New Hanover County program is well administered. Land Quality staff recommends two improvements to strengthen the program:

1. A differentiation between comments and corrective actions should be implemented on inspection reports.
2. In the field, a focus should be placed on enforcing on temporary stabilization of inactive bare areas, sediment basin slopes and their associated diversions, to prevent erosion from occurring from within their measures.

Staff recommends continued delegation with implementation of the above recommendations.

#### City of Greensboro

On March 1, 2012 Matt Poling and Tim Latham conducted a review of the City of Greensboro's Local Program. The City conducted 211 total plan reviews in 2011, with 39 approvals. The City has also conducted 1066 inspections issued six Notices of Violations and no civil penalties in 2011. Five projects were reviewed and inspected.

The following is a summary of the projects that were inspected:

#### The Noles at Irving Park Phase 3

This project is a one acre residential site. The file for this project included an FRO, calculations, inspections, approvals and disapprovals. The erosion and sediment control plan was approved on 1/20/2012. The site was actively being graded. This project was last inspected on 2/16/2012 and was called in compliance. During the 2/16/2012 sediment inspection, a revised plan was requested. This request was due to the fact that one of the sediment traps in the approved plan set was located on a property where permission was not given to perform grading activities. Since construction began on the site, it has not received any Notices of Violations and has been inspected 3 times. The approved plan for this site was found to be inadequate. The inadequacy was due to the fact that some of the measures were outside of the property limits. This was because the previous developer went bankrupt and abandoned the site. When the new developer bought the property, the property limits had changed, therefore putting one of the sediment basins outside the property limits. During our inspection the site was found to be out of compliance only because a revised plan had not been submitted. There was no visible offsite sedimentation during the site visit. Since the program review, the city has

received and approved a set of revised plans. Recommendations were made in the field to track slopes perpendicularly, and place additional water bars along a utility easement.

#### Guilford House Assisted Living

This site is a 4.2 acre residential project. The file for this project included an FRO, calculations, inspections, approvals and disapprovals. This project was last inspected on 1/12/2012 and was called out of compliance. The site has not received any Notices of Violations and has been inspected several times. The approved plan for this site was found to be adequate. The site was actively being graded. The sediment trap on site was installed correctly and looked to be catching all of the site's runoff. Some of the silt fence along the limits of disturbance needed minor repairs, but overall the site was generally in good condition. The site was considered to be in compliance. One field recommendation was to continue to establish temporary ground cover on all bare areas not being actively graded.

#### Coilplus

This site is an 8.8 acre commercial project. The file for this project included an FRO, calculations, inspections, checklist, letters of approval and disapproval. The erosion and sediment control plan was approved on 12/15/2011. This project was last inspected on 2/23/2012 and was called out of compliance. The approved plan for this site was found to be adequate. However because of a right of way issue the contractor was unable to implement the approved plan. A revised plan was requested by the city. Since construction began on the site, it has not received any Notices of Violations and has been inspected multiple times. The site was active and was found to be out of compliance from several violations. The majority of the violations occurred near the right of way where inadequate sedimentation protection was provided. The downstream slopes of the storm water basin needed repair and ground cover. These slopes near the right of way contributed to a slight amount of sediment leaving the site. The site was out of compliance. Since the site visit, the City of Greensboro has resolved the right of way issue and approved a revised erosion and sediment control plan. Several field recommendations included: 1) Stabilize all slopes within the basin once they are completed. 2) Matting should be provided on the downstream slopes to help aid slope stabilization. 3) Continue to establish temporary ground cover on all bare areas not being actively graded.

#### Sheetz

This site is a 2.08 acre commercial project that is part of the 1600 New Garden Road project that will be discussed below. The file for this project included an FRO, calculations, inspections, and the letter of approval. The erosion and sediment control plan was approved on 11/22/2011. This project was last inspected on 2/24/2012 and was called out of compliance. The approved plan for this site was found to be adequate. Since construction began on the site, it has not received any Notices of Violations and has been inspected 3 times. The site was actively being graded and was in compliance. This majority of this site was stabilized and only had a few bare areas that needed to be stabilized to close out the permit. One field recommendation was to continue to establish permanent ground cover on all bare areas at finished grade.

### 1600 New Garden Road Project

This site is a 6.8 acre commercial project that included the Sheetz project previously mentioned. The file for this project included an FRO, calculations, inspections, and the letter of approval. This project was last inspected on 2/24/2012 and was called in compliance. The approved plan for this site was found to be adequate. Since construction began on the site, it has not received any Notices of Violations and has been inspected multiple times. The site was actively being graded. Sediment traps were found to be sized properly and collecting sediment. The majority of the slopes, berms, and ditching throughout the site were stabilized. The site was considered to be in compliance. Field recommendations were to continue to establish permanent ground cover on all bare areas at finished grade and continue to establish temporary ground cover on all bare areas not being actively graded.

### Recommendations

Land Quality recommends that the City emphasize stabilizing sediment basin slopes and their associated diversions to prevent erosion from occurring from within their measures. Land Quality staff recommends continued delegation of the program.

### Lincoln County

On March 13, 2012, Matthew Poling, Gray Hauser, James Moore and Ryan Kormanik, conducted a review of the Lincoln County's Local Program. The County conducted 16 total plan reviews during 2011, all of which were approved. The county has also conducted 779 inspections, issued 14 notices of violations and 3 civil penalties in 2011. The county has 3 full time equivalents dedicated to erosion control. During our review of the program, we reviewed and inspected 5 projects.

The following is a summary of the projects that were reviewed and inspected:

#### YMCA Soccer Field

This project consisted of 2.1 acres and was being constructed for commercial development. The file for this project included an FRO, inspections, calculations, and an approval letter. The site has been inspected an adequate amount of times since going to construction. The original erosion and sediment control plan was received on 10/7/2011 and approved on 10/13/2011. Since construction began on the site, it has not received any Notices of Violations. However, a notice of non-compliance was issued by the county on 2/15/2012. The approved plan for this site was adequate. This project was last inspected on 3/5/2012 and was called out of compliance. The site was actively being graded at the time of the inspection. During our inspection the site was found to be in compliance. Staff had the following comments: 1) The storm water coming from off of the site may have to be handled by armoring the ditching around the backside of the side. 2) Ensure velocities are non-erosive. 3 Continue to provide adequate ground stabilization on all bare slopes and areas. 4) Site looked good.

### Kidz Depot

This project consisted of 1.8 acres and was being constructed for commercial development. The file for this project included an FRO, inspections, calculations, and an approval letter. The site has been inspected an adequate amount of times since going to construction. Since construction began on the site, it has not received any Notices of Violations. However, a notice of non-compliance was issued by the county in the beginning phase of construction. The approved plan for this site was found to be adequate. This project was last inspected on 3/5/2012 and was called out of compliance. The site was actively being graded at the time of the inspection. During our inspection, the majority of the site was stabilized and was found to be in compliance. Staff had the following comments: 1) Continue to provide adequate ground stabilization on all bare slopes and areas. 2) Site looked good.

### Lincoln Charter Elementary School

This project consisted of 2.4 acres and was being constructed for institutional development. The file for this project included an FRO, inspections, calculations, and an approval letter. The site has been inspected an adequate amount of times since going to construction. The original erosion and sediment control plan was approved on 1/18/2012. Since construction began on the site, it has not received any Notices of Violations. The approved plan for this site was found to be adequate. This project was last inspected on 3/5/2012 and was called in compliance. The site was actively being graded at the time of the inspection. During our inspection the site was found to be in compliance. Staff had the following comments: 1) Site is close to final grade. Begin to provide permanent ground stabilization on all bare slopes and areas. 2) Track all slopes in a perpendicular manner. 3) Continue to maintain all measures until the site has been completely stabilized.

### Eastwind Cove Subdivision Lots

This project consisted of 13.85 acres and was being constructed for residential development. The file for this project included an FRO, inspections, calculations, and an approval letter. The site has been inspected an adequate amount of times since going to construction. The original erosion and sediment control plan was received on 9/19/2011 and approved on 10/10/2011. Since construction began on the site, it has not received any Notices of Violations. However, a notice of non-compliance was issued on 11/28/2011. The approved plan for this site was found to be adequate. This project was last inspected on 3/5/2012 and was called in compliance. The site was actively being graded at the time of the inspection. During our inspection the site was found to be in compliance. Staff had the following comments: 1) Most lots have sod and are permanently stabilized. 2) Continue to provide permanent ground stabilization on all bare slopes and areas. 3) Site is close to being closed out.

### Verdict Ridge Phase V

This project consisted of 18.1 acres and was being constructed for residential development. The file for this project included an FRO, inspections, calculations, and an approval letter. The site has been inspected an adequate amount of times since going to construction. The original erosion and sediment control plan was received on

2/10/2011 and approved with reservations on 3/10/2011. The reservations stated "In locations where fill slopes are proposed to be greater than 10' in height, slope drains with diversion ditches will be required to reduce erosion until the site is stabilized." Since construction began on the site, it has received several Notices of Violations. The latest Notice of Violation was dated 1/6/2012. The Division of Water Quality had requested and received on 10/18/2011 a restoration plan for impacts to the stream on the property. The county issued a civil penalty for the most recent Notice of Violation. The county is using a civil penalty worksheet to aid in their assessments. The approved plan for this site was found to be inadequate. The plans inadequacy was in part due to improper phasing of water conveyance measures. In addition, several diversions on the plan were placed in fill material with no stabilization called out. Several diversions were depicted on the plan running uphill or across the middle of the site. This project was last inspected on 3/6/2012 and was called out of compliance. The site was actively being graded at the time of the inspection. During our inspection the site was found to be out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, inadequate buffer zone, and failure to maintain measures. There was a moderate amount of offsite sedimentation into the stream just below the site. The site had the potential to produce moderate events of sediment loss.

Staff had the following corrective actions for the site: 1) Install and maintain all diversions as per the approved plan. There are concentrated flows of stormwater are being directed at silt fence. If diversions are installed as per the approved plan, this stormwater will be directed to properly sized sediment basins. 2) The discharge from sedimentation basins should be onto undisturbed ground or into a stable channel. 3) Provide adequate permanent and temporary ground stabilization on all bare slopes and areas. 4) Provide stabilization to all slopes within sediment basins. 5) Additional measures may be needed on the back side of the site if diversions with positive drainage to sediment basins cannot be installed. 6) Repair and maintain perimeter silt fence.

### Recommendations

The Lincoln County is inspecting projects on a regular basis and is taking enforcement action as appropriate. Approved plans are generally adequate. The following recommendations are made to strengthen the program:

1. Inspection reports should be completely filled out. The majority of inspection reports that were reviewed lacked some checkboxes being marked. If violations are checked on the inspection report, this is usually a violation of the NPDES permit. Please mark appropriately. If the site is called in compliance, no violations should be checked. Instead, provide comments about the site in the appropriate areas.
2. Ensure that the approved plan is being followed at all times. Any significant changes will require the submission of a revised plan.

3. Please place more emphasis in the field on providing adequate temporary or permanent ground cover in a timely manner.
4. More emphasis needs to be placed on the adequacy of water conveyance measures. Thoroughly check to ensure that diversions are: a) not placed in fill, b) not too steep, c) maintainable during grading or placed along the edges of the site

Land Quality staff recommends continued delegation to Lincoln County, with implementation of the above recommendations.

### **Catawba County**

On March 14, 2012 Poling, Gray Hauser, James Moore and Ryan Kormanik, conducted a review of the Catawba County Local Program. During 2011, 27 plans were reviewed, with 25 approvals and 2 disapprovals. The county has also conducted 1165 inspections, issued two notices of violations and no civil penalties. During the review on March 14, staff reviewed 5 plans and inspected 4 projects.

The following is a summary of the projects that were inspected:

#### **Apple Energy "Dolphin" Solar Farms**

This project consisted of 171 acres and was being constructed for commercial development. The file for this project included an FRO, calculations, and an approval letter. The inspection reports are stored electronically in the county's database. The original erosion and sediment control plan was received on 7/27/2010 and approved on 8/12/2010. A revised plan was submitted on 8/8/2011 and approved on 8/10/2011. The site was actively being graded at the time of the inspection. This project was last inspected on 1/15/2012 and was called in compliance. Since construction began on the site, it has not received any Notices of Violations. The approved plan for this site was found to be inadequate. The plan inadequacy was in part due to improper phasing of water conveyance measures. In addition, several diversions on the plan were placed in fill material with no stabilization called out. Several diversions were depicted running uphill or across the middle of the site. During our inspection the site was found to be out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, inadequate buffer zone, and failure to maintain measures. There was a moderate amount of offsite sedimentation into the stream just below the site. The site had the potential to produce severe events of sediment loss. In addition, grading had occurred outside of the limits of disturbance.

Staff had the following corrective actions for the site: 1) The temporary slope drain near temporary sediment basin #3 needs additional riprap and washed stone inlet protection as per the details in the approved plan. 2) Temporary sediment basins #2, #4, #6, #7, and #8 have skimmers that do not have a verifiable dewatering rate. There is no orifice within the skimmers to slow the dewatering rate. The majority of skimmers on the site were stuck in the mud and not functioning properly, due to a lack of maintenance and

rapid dewatering. 3) Temporary sediment basin #3 needs to be cleaned out and maintained. 4) All basin slopes need to be stabilized immediately. 5) Temporary sediment basin #2 calls for an 8" skimmer with a 5" orifice. This is way too big. A revised plan showing the use of skimmers that have an acceptable dewater rate will be required. The dewatering rate should be based on the sediment storage volume of the basin. 6) Temporary sediment basin #6 and temporary sediment basin #7 need to have a connecting diversion between them to collect water off of the slopes. 7) Temporary sediment basins #6 and #7 are receiving more water than planned. These basins should be increased in size. Please submit a revised plan showing acceptable sizes and dewatering rates for these basins. 8) The diversion ditch leading to temporary sediment basin #6 is scouring and needs to be stabilized immediately. 9) The area located to the northeast of temporary sediment basin #10 is outside of the designated limits of disturbance. Please submit a revised plan that includes this area and provides adequate erosion and sediment control measures. 10) Temporary sediment basin #13 should discharge onto an undisturbed area. Please correct. 11) Provide adequate ground stabilization on all bare slopes and areas. 12) A revised plan will be needed to accommodate all of the additional measures and changes needed to bring the site back into compliance.

Land Quality staff recommended that a Notice of Violation be issued if the above items were not corrected in 10 days.

#### Crossroads Nissan of Hickory

This site consisted of a 7 acre commercial project. The file for this project was missing. A print out of the frequency of inspections was provided. From 7/29/2011 to 3/30/2012 this project has been inspected 9 times. This project was last inspected on 2/10/2012 and was called in compliance. The site has not received any Notices of Violations since construction began. The approved plan for this site was found to be adequate, contingent upon following a complicated construction sequence. The site was actively being graded at the time of the inspection. The site was found to be out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, and failure to maintain measures. There was a moderate amount of offsite sedimentation and the site had the potential to produce moderate events of sediment loss.

Staff had the following corrective actions for the site: 1) Install and maintain all erosion control measures per the approved plan. If the original plan cannot be followed then a revised plan will be required. In areas where sediment basins cannot be installed, it is recommended to install special sediment silt fence with 16" of #57 stone at the low points of the site. 2) All slopes and bare areas should be seeded, mulched, fertilized, and matted immediately. This is where the majority of the site's erosion is coming from. 3) Install inlet protection around all inlets using hardware cloth and gravel or block and gravel. 4) Water is leaving the site in an erosive manner. A revised plan and corresponding calculations should be submitted to show that velocities leaving the site are non-erosive.

Land Quality staff recommended that a Notice of Violation be issued if the above items were not corrected in 10 days.

### Corinth Reformed Church - Addition

This site consisted of a 4.9 acre institutional project. The file for this project included an FRO, and an approval letter. The inspection reports are stored electronically in the county's database. This project was last inspected on 2/10/2012 and was called in compliance. The site has not received any Notices of Violations since construction began. The approved plan for this site was found to be adequate. The site was actively being graded at the time of the inspection. The site was found to be out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, and failure to maintain measures. There was a slight amount of offsite sedimentation and the site had the potential to produce moderate events of sediment loss.

Staff had the following corrective actions for the site: 1) Install and maintain all erosion control measures per the approved plan. If the original plan cannot be followed then a revised plan will be required. 2) The rock pipe inlet protection should be installed at the culvert headwall as shown on the approved plan. Stormwater runoff should be conveyed in a stable manner to sediment basins or protected storm drainage structures. 3) All slopes and bare areas that are past the NPDES time limits for ground cover should be seeded, mulched, fertilized, and matted immediately. The slopes within the basin should be stabilized immediately. 4) Install inlet protection around all inlets using hardware cloth and gravel.

Land Quality staff recommended that a Notice of Violation be issued if the above items were not corrected in 10 days.

### Angler's Cove

This site consisted of a several acre residential project. The file for this project was not located until the end of the day. Therefore a review of the file was not conducted. This project was last inspected on 2/21/2012 and was called in compliance. The approved plan for this site was found to be adequate. Since construction began on the site, it has not received any Notices of Violations. The site was semi-active. This majority of this site was stabilized and only had a few bare areas and ditching that needed to be stabilized to close out the permit. The only recommendation on the site is to continue to establish permanent ground cover on all bare spots.

A letter was sent to Catawba County on March 20, 2012 with the following recommendations:

1. Inspection reports should be completely filled out. The majority of inspection reports that were reviewed were not completely filled out.
2. Ensure that the approved plan is being followed at all times. Any significant changes should require the submission of a revised plan.
3. Require that adequate ground cover be provided within the time limits of the local ordinance and approved plan.
4. Recommend meeting with staff from the Mooresville regional office, on a quarterly basis, to coordinate consistency with the requirements of the SPCA.

5. Violations should be marked on inspection reports that accurately depict the condition of the sites.
6. More emphasis needs to be placed on the adequacy of water conveyance measures. Thoroughly check to ensure that diversions are: a) not placed in fill, b) not too steep, c) not running across the middle of the site and placed along the edges of the site.
7. The documents within the project files for each of the projects were loose bound and not organized. Please try to keep a chronological order of all submittals and inspections throughout the life of the project. This will make enforcement a lot easier.

A follow-up review was conducted on April 30 and May 1, 2012 by Matt Poling. Three sites were revisited. No written inspection reports or Notices of Violation had been written on any of the sites since the March 14, 2012 review, though undocumented site visits had been made. Two were much improved because of additional ground cover.

#### Apple Energy "Dolphin" Solar Farms

This project was inspected during the March 14 review and was called out of compliance. The county staff has not conducted an official inspection since the last review. The site was actively being graded at the time of the inspection. During our inspection the site was found to be out of compliance. Violations included failure to follow the approved plan, failure to submit a revised plan, fail to take all reasonable measures. No sediment was noted leaving the site, however, there is still a large potential for offsite sediment, due to the inadequacy of sediment traps #6 and #7. Since the last review, the site has made some improvements. Ground cover on certain parts of the project is doing well, but there is still a lot of disturbed area. A revised plan and a notice of violation for this site were requested by after the March 14 inspection. However, a revised plan was never obtained and a notice of violation was never written. Catawba county staff has said that it would start drafting a notice of violation.

Staff had the following corrective actions for the site: 1) Temporary sediment basins #2, #4, #6, and #7 have skimmers that do not have a verifiable dewatering rate. There is no orifice within the skimmers to slow the dewatering rate. 2) All basin slopes need to be stabilized immediately. 3) Temporary sediment basin #2 calls for an 8" skimmer with a 5" orifice. This is way too big. A revised plan showing the use of skimmers that have an acceptable dewater rate will be required. The dewatering rate should be based on the sediment storage volume of the basin. 4) Temporary sediment basin #6 and temporary sediment basin #7 need to have a connecting diversion between them to collect water off of the slopes. 5) Temporary sediment basins #6 and #7 are receiving more water than planned. These basins should be increased in size. Please submit a revised plan showing acceptable sizes and dewatering rates for these basins. 6) The area located to the northeast of temporary sediment basin #10 is outside of the designated limits of disturbance. Please submit a revised plan that includes this area and provides adequate erosion and sediment control measures. 7) Provide adequate ground stabilization on all bare slopes and areas. 8) A revised plan will be needed to accommodate all of the additional measures and changes needed to bring the site back into compliance.

### Crossroads of Nissan of Hickory

This project was inspected during the March 14 review and was called out of compliance. The county staff has not conducted an official inspection since the last review. The site was in compliance. The majority of the site was stoned and was ready to be paved. Inlet protection and silt fence was installed properly and performing adequately. Slopes along the backside of the property are well vegetated. Staff had the following comments: 1) Continue to finish the landscaping. 2) Overall the site looked really good.

### Corinth Reformed Church - Addition

This project was inspected during the March 14 review and was called out of compliance. The county staff has not conducted an official inspection since the last review. The site was in compliance. The majority of the site was stoned and was ready to be paved. Staff had the following comments: 1) Continue to finish the landscaping. 2) Overall the site looked really good.

### Recommendations

Three of the sites inspected on March 14, 2012 had significant violations. Previous County inspection reports had not identified the violations or asked for corrective actions. The significance of the violations was pointed out during the review. Following the Land Quality letter of March 20, 2012, and prior to the re-inspections on April 30 and May 1, 2012, the County did not even write inspection reports for these sites. The sites did improve with the establishment of grass. Catawba County is failing to enforce the provisions of its erosion and sedimentation control ordinance and the SPCA. Inspection reports have documented sites as being in compliance even though erosion and sedimentation control measures have not been properly installed or maintained. Written inspection reports have not been prepared following visits to sites with violations. Notices of Violation have not been sent when warranted.

Staff recommends that Catawba County be placed on probation. The County needs to improve the quality of plan review and site inspections, and take appropriate enforcement action for violations.

### City of High Point

On March 21, 2012 Matt Poling and Chuck Kirchner conducted a review of the City of High Point's Local Program. According to the City's data, 41 plans were reviewed, with 41 approvals and 38 disapprovals in the past 12 months. The city has also conducted 450 inspections, issued 12 notices of violations, one civil penalty and one stop work order. The City of High Point contributes 2.5 full time equivalents to erosion and sediment control. Five projects were reviewed and inspected.

The following is a summary of the projects that were inspected:

### High Point University Apartments

This project is an 8 acre residential development. The file for this project included an FRO, grading permit, check, and an approval letter. This project has been inspected an adequate number of times since approval. The original erosion and sediment control plan was received on 6/9/2011 and disapproved on 6/14/2011. A revised plan was submitted and approved on 6/16/2011. This project was last inspected on 3/20/2012 and was called in compliance. Since construction began on the site, it has not received any Notices of Violations. The approved plan for this site was found to be adequate. The site was actively being graded at the time of the inspection. During our inspection the site was out of compliance. Violations included failure to follow the approved plan, and failure to maintain measures.

Staff had the following corrective actions: 1) Provide adequate ground cover on all bare and inactive areas. 2) Provide and maintain inlet protection throughout the site. 3) Repair and maintain all berms to ensure that all site water is properly conveyed.

### Immaculate Heart of Mary Church

This site is an 8 acre institutional project. The file for this project included an FRO, grading permit, and an approval letter. This project has been inspected an adequate number of times since approval. The erosion and sediment control plan was received and approved on 3/16/2012. This project had just begun construction on 3/19/2012 and was in the clearing stage. This was the project's first inspection. The approved plan for this site was adequate. The site was actively being graded at the time of the inspection. The site was out of compliance for failure to follow the approved plan. The contractor had located a stockpile slightly outside the limits of disturbance. Also, an unapproved construction entrance was being used to access the site by the loggers. The base of the stockpile was circled with properly installed silt fence.

Staff had the following corrective actions: 1) Submit an erosion and sediment control plan that indicates the new disturbance limits and shows the additional construction entrance off of Skeet Club road. 2) Provide adequate ground cover on the stockpile if it is going to remain inactive. 3) If the entrance off of Skeet Club road is going to be utilized please provided a properly constructed entrance per the detail in the approved plan.

### Premier Lots

This site is a 6 acre commercial project. The file for this project included an FRO, grading permit, and an approval letter. This project has been inspected an adequate number of times since approval. The erosion and sediment control plan was received on 8/28/2011, disapproved on 9/2/2011, and finally approved on 9/13/2011. This project was last inspected on 3/20/2012 and was called in compliance. The site has not received any Notices of Violations. The approved plan for this site was adequate. The site was actively being graded at the time of the inspection. The site was in compliance. The majority of the site is stabilized.

Staff had the following corrective actions: 1) Continue to provide adequate ground cover on all bare and inactive areas. Ground cover/Site stabilization was looking good overall. 2) Repair and maintain all inlet protection that is receiving sediment laden waters. 3) Provide an energy dissipater at the outlet of the culvert that bypasses storm water through the site.

#### Winter Garden Subdivision

This site is an 8.22 acre residential project. The file for this project included an FRO, calculations, and an approval letter. This project has been inspected an adequate number of times since approval. This site was originally approved on 3/17/2008 and became inactive on 11/12/2008. The last inspection report before the site became inactive indicated that the site was stabilized. A revised erosion and sediment control plan was received and approved on 3/14/2012. This project was last inspected on 3/20/2012 and was called in compliance. The approved plan for this site was adequate. Since construction began on the site, it has not received any Notices of Violations. The site was actively being graded at the time of the inspection. The site was out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, inadequate buffer zone and failure to maintain measures. A slight amount of sediment was lost off of the site in to the creek just below the property. A rain event the day prior to the site visit was large enough to activate the emergency spillways in both sediment basins on site.

Staff had the following corrective actions: 1) Please evaluate the hydrology and the sediment basin dimensions and ensure that all sediment basins are adequately sized. If the basins are not, a revised plan showing adequately designed dimensions should be required. 2) Provide adequate ground cover on all bare areas and inactive areas. 3) Provide matting in ditching to ensure stabilization. 4) Provide check dams in all ditches that are scouring.

#### Islamic Society of High Point, NC

This site is a 6.9 acre institutional project. The file for this project included an FRO, grading permit, calculations, disapproval letter, and an approval letter. This project has been inspected an adequate number of times since approval. The original erosion and sediment control plan was received on 1/28/2011, disapproved on 1/31/2011 and resubmitted and approved with conditions on 2/10/2011. This project was last inspected on 3/20/2012 and was called out of compliance. The site has previously received a Notice of Violation dated 4/19/2011. The approved plan for this site was adequate. The site was actively being graded at the time of the inspection. The site was out of compliance. Violations included failure to follow the approved plan, failure to take all reasonable measures, and failure to maintain measures. The hydraulic dynamics of the site are almost completely different from what is being portrayed on the approved plan. Temporary sediment basins and their associated berms were not properly constructed. The site has managed some ground cover, but overall vegetated cover has been minimal. This site has the potential for a moderate amount of sediment loss if corrective actions are not taken.

Staff had the following corrective actions: 1) Install, repair, and maintain all erosion and sediment control measures per the approved plan. 2) If the current plan cannot be followed, then a revised plan will need to be submitted to ensure adequacy. 3) Provide adequate ground cover on all bare and inactive areas. This also includes all berms, ditching, and basins.

A Notice of Violation was recommended for this site

### Recommendations

Staff recommended the City improve the administration of the program as follows:

1. Any time a violation is identified in the field, an inspection report should always be filled out.
2. All paperwork that is not stored electronically should be organized chronologically and pinned into a folder. This will help you stay organized and will be of assistance for recalling the history of a site should you have to go to enforcement.
3. Continue to require adequate ground cover be provided within the time limits of the local ordinance and approved plan.
4. Continue to check for self-inspection records on site.

Land Quality staff recommends continued delegation to the City of High Point, with implementation of the above recommendations.

### Guilford County

On March 22, 2012 Matthew Poling and Tim Latham conducted a review of the Guilford County Local Program. According to county data, 30 plans were reviewed, with 21 approvals and 16 disapprovals in the past 12 months. The county has also conducted 1880 inspections, issued two notices of violations and no civil penalties. During our review of the program, we reviewed 5 plans and inspected 5 projects. The county contributes 2 full time equivalents to erosion and sediment control.

The following is a summary of the projects that were inspected:

#### Carolina Biblical Gardens

This project consisted of 10 acres and was being constructed for commercial development. The file for this project included an FRO, deed, calculations, and an approval letter. This project has been inspected an adequate amount of times since the issuance of the approval. The original erosion and sediment control plan was received on 8/27/2008 and disapproved on 9/17/2008. A revised plan was submitted on 10/6/2008 and approved on 10/22/2008. The site was not actively being graded at the time of the inspection. This project was last inspected on 3/14/2012 and was called out of compliance by the county. Since construction began on the site, it has not received any Notices of Violations. The approved plan for this site was found to be adequate.

During our inspection the site was found to be in compliance. Staff had the following comment: The site is almost completely stabilized. Continue to encourage the use of additional fertilizer and lime at this site. The soils at the site are not ideal for growing grass and will need additional nutrients added.

#### Quick and Easy

This site consisted of a 1 acre commercial project. The file for this project included an FRO, deed, calculations, and an approval letter. This project has been inspected an adequate amount of times since the issuance of the approval. The original erosion and sediment control plan was received on 6/26/2011 and approved on 8/26/2011. This project was last inspected on 3/13/2012 and was called in compliance. The site has not received any Notices of Violations since construction began. The approved plan for this site was found to be adequate. The site was actively being graded at the time of the inspection. The site was found to be out of compliance. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, failure to take all reasonable measures, and failure to maintain measures. There was a slight amount of offsite sedimentation due to construction traffic not using the construction entrance and tracking mud into Alamance Church Road.

Staff had the following corrective actions: 1) Maintain and use the stone construction entrance on site. 2) Provide adequate ground cover on all bare areas. 3) Provide and maintain inlet protection. 4) Stabilize the ditching along Wiley Lewis road.

#### Sedgefield Country Club

This site consisted of a 2.74 acre commercial project. The file for this project included an FRO, deed, calculations, and an approval letter. This project has been inspected an adequate amount of times since the issuance of the approval. This project was last inspected on 3/14/2012 and was called out of compliance. The site has not received any Notices of Violations since construction began. The approved plan for this site was found to be adequate. The site was actively being graded at the time of the inspection. The site was found to be in compliance.

#### Villas at Forest Oaks

This site consisted of a 3.0 acre commercial project. The file for this project included an FRO, deed, calculations, and an approval letter. This project has been inspected an adequate amount of times since the issuance of the approval. This project was last inspected on 3/7/2012 and was called in compliance. The approved plan for this site was found to be adequate. Since construction began on the site, it has not received any Notices of Violations. The site was actively being graded at the time of the inspection. The site was found to be in compliance. Staff had the following comments: 1) Provide adequate ground cover on all bare areas and inactive areas. 2) Provide matting in ditching along the roadside to ensure stabilization.

### 7145 Charnel Lane

This site consisted of a 6.7 acre residential project. The file for this project included an FRO, deed, calculations, and an approval letter. This project has been inspected an adequate amount of times since the issuance of the approval. The original erosion and sediment control plan was received on 9/22/2011 and approved on 10/7/2011. This project was last inspected on 3/13/2012 and was called in compliance. The site has not received any Notices of Violations since construction began. The approved plan for this site was found to be adequate. The site was actively being graded at the time of the inspection. The site was found to be out of compliance. Violations included failure to follow the approved plan, failure to take all reasonable measures, and failure to maintain measures. The contractor had graded outside his limits of disturbance along the entrance. Also, a drainage feature in the middle of the site was not adequately isolated for construction of a culvert. A slight amount of sediment was lost outside the limits of disturbance, but was not lost outside the property limits.

Staff had the following corrective actions: 1) Submit a revised plan showing the new limits of disturbance. 2) Provide adequate ground cover on all bare and inactive areas. 3) Provide additional #57 stone to all silt fence outlets. 4) Provide an additional construction entrance where traffic is entering and exiting the property.

### Recommendations

The Guilford County local program should implement the following recommendations to improve the program:

1. Require that adequate ground cover be provided within the time limits of the local ordinance and approved plan.
2. Continue to check for self-inspection records on site.

Land Quality staff recommends continued delegation to Guilford County, with implementation of the above recommendations.

### City of Greenville

On April 23 and 24, 2012 Matt Poling and Mell Nevils conducted a review of the City of Greenville's Local Program. Five projects were inspected on April 23, including three projects that were inspected during the February 9, 2012 review. On the second day of the review, Land Quality staff spent time with the city of Greenville's staff reviewing plans, drafting notices of violations, and going over enforcement procedures.

The following is a summary of the projects that were inspected:

#### Firetower Junction

This project was inspected on February 9 and was out of compliance. The city's staff has tried to issue 2 notices of violations since then. The owner of the property has not picked up the certified letters. Land Quality staff suggested that the mail be sent by Sheriff or by other appropriate means. This project has been inspected 4 times since the

last review. Each inspection report has listed the project out of compliance. The site had recently been graded at the time of the inspection. During our inspection, the site was out of compliance. Violations included failure to follow the approved plan, failure to submit a revised plan, insufficient measures to retain sediment on site, fail to take all reasonable measures, and inadequate buffer zone. A slight amount of sediment was noted leaving the site and enter a stream. However, since the last review, the site has made improvements toward compliance. With some additional work, the site could easily be brought back into compliance.

The following corrective actions are still needed: 1) Submit a revised plan showing adequate basin design that dewateres from the top of the water surface. 2) Provide adequate ground stabilization for all bare and inactive areas. 3) Provide hog-wire backing to all silt fence on the site, as shown on the approved plan

#### Department of Veterans Affairs Outpatient Clinic

This project was inspected on February 9 and was out of compliance. This project has been inspected twice since then. Both inspection reports listed the project to be in compliance. The site was actively being graded at the time of the inspection. The site was out of compliance. The violation was failure to follow the approved plan. Overall the site looked good. Inlet protection and silt fence were installed properly and performing adequately. The only reason that this site is out of compliance was the construction entrance. The entrance was made out of #57 stone instead of the 2-3" stone as shown on the approved plan. As a result, a slight amount of sediment was leaving the site because the construction entrance was not utilizing the correct stone size.

The following corrective action is still needed: Install the construction entrance per the approved plan using 2-3" stone instead of #57 stone.

#### Meridian Park Phases 10 & 11

This project was inspected on February 9 and was out of compliance. This project has been inspected twice since then. Both inspection reports listed the project to be out of compliance. The site was actively being graded at the time of the inspection. The site was found to be out of compliance. A slight to moderate amount of sediment has been lost offsite. Areas have remained bare and un-vegetated for far too long. Violations included failure to follow the approved plan, insufficient measures to retain sediment on site, fail to take all reasonable measures, inadequate buffer zone, failure to maintain measures and failure to self-inspect.

The following corrective actions are still needed: 1) Provide adequate ground cover on all bare and inactive areas. 2) Repair and maintain all inlet protection. 3) Repair and maintain all silt fence. 4) Provide self-inspection records.

#### 11 Galleria Expansion – Phase 3, Building 5

This project was not inspected February 9. Two recent inspection reports listed the project out of compliance. The site was actively being graded at the time of the inspection. The site was in violation for failure to follow the approved plan. With the installation of a construction entrance with the proper stone size, this site would have been called in compliance. No sediment was lost offsite.

### Dollar General – US 13

This project was not inspected February 9. A recent inspection report listed the project out of compliance. The site was actively being graded at the time of the inspection. The site was out of compliance. The site was in violation for failure to follow the approved plan. With the installation of a construction entrance with the proper stone size, this site would have been called in compliance. No sediment was lost offsite.

#### Recommendations

The City of Greenville's local program is beginning to implement previously suggested program recommendations. However, continued help by personnel from NCDENR, Land Quality Section is needed in several key areas. These areas are listed below:

1. City staff should work with the Washington Regional Office to obtain additional training in E&SC plan review techniques.
2. City staff should work with the Washington Regional Office to obtain additional training in E&SC inspection techniques.
3. City staff should work with the Washington Regional Office and the Raleigh Central Office for training in when to take enforcement action such as NOV's, stop work orders, civil penalties and injunctions
4. The City should establish procedures for carrying through on enforcement where it is needed.
5. City staff should continue to check for self-inspection records on site.

Land Quality staff recommends continuing the City of Greenville probationary period.