

Local Program Report to the SCC

Town of Kitty Hawk

The Town of Kitty Hawk program was reviewed March 17, 2010. Currently a staff of two contributes to two full time equivalents to erosion control. This will change as of July 1, 2010. There will only be one full time staff who will share other duties along with erosion control. There were 6 active projects. Staff approved 10 projects in the last year. The staff has conducted 265 inspections last year with no Civil Penalties assessed. One notice of violation and one stop work order were issued in the past year.

Three projects were evaluated. The sedimentation and erosion control plans for each of the sites were adequate. The documentation was good for the files reviewed. Copies of inspections reports were kept in the files. All three sites were in compliance. The Town is very proactive with enforcing erosion and sedimentation control. The Town inspects active sites at least three times per month and documents site inspections. The Town of Kitty Hawk has taken a proactive approach towards enforcing the erosion and sedimentation control law and rules.

The last review conducted in 2004 noted that there were deficiencies in the program with documenting site inspections and the lack of approval letters. These prior issues have been addressed. Sites are inspected frequently. Written inspection reports and the plan approval letter are kept in the files and conditions for approval are now being stapled on approved plans so that contractors know specifically what is required.

Staff recommends continued delegation.

Town of Kill Devil Hills

The Town of Kill Devil Hills program was reviewed March 18, 2010. Currently a staff of two contributes less than one full time equivalent to erosion control. There were four active projects. The Town approved six projects last year and conducted 40 inspections. No civil penalties were assessed last year. The Town has the ability to gain compliance by issuing stop work orders. One stop work order was issued last year.

Two projects were evaluated during this review. Both sites were compliant with the Local Ordinance and with the SPCA. The sedimentation and erosion control plans for each of the sites were adequate. The files reviewed contained all necessary documentation as well as copies of inspections reports were present in the files.

During the last Local Program review in 2004 there was a lack of approval letters and individual reports for each site inspection; however, it is evident through evaluation of the files that approval letters are being issued for approved plans and individual reports for each site inspection are completed and kept in the files.

Staff recommends continued delegation.

Town of Nags Head

The Town of Nags Head program was reviewed March 18, 2010. Currently a staff of two contributes an equivalent of one full time equivalent to erosion control. There were 3 active projects. The Town has approved 16 projects last year and conducted 66 inspections last year. The Town can hold building permits if a project is not in compliance. The Town issued 2 Notices of Violation and no stop work orders last year. One civil penalty was assessed.

Three sites were evaluated. All sites had adequate approved plans and one project was noncompliant. The site out of compliance was a small commercial that went into foreclosure. No off-site sedimentation was observed. The local program is working the financial institution to gain compliance. The Town has files on each project and issues letters of approval for approved erosion and sedimentation control plans. The documentation of plan reviews was adequate. All files reviewed contained all necessary documentation as well as written inspection reports.

It appears that the lack of written inspection reports noted in the 2004 review has been resolved.

Continued delegation of the program is recommended.

City of Jacksonville

The City of Jacksonville program was reviewed March 24, 2010. Currently a staff of two contributes approximately one and a half full time equivalents to erosion control. There are currently 25 active projects. The staff has approved 11 projects since last year. There were 13 disapprovals. The staff conducted 649 inspections last year. The Town issued 68 Notices of Violation and no civil penalties were assessed last year. There were 24 stop work orders issued last year. To gain compliance, the Town uses its authority to stop work for sites that are in violation.

Five projects were evaluated. Three sites were in violation. An 8.58-acre site for commercial use was out of compliance for failure to provide adequate groundcover, inadequate construction entrance, measures not installed per plans, as well as sediment in street. During the site inspection issues noted on previous inspection reports were being addressed. The City has a compliance follow-up in 7 days. The second site was a 48.89-acre residential site that was noncompliant. Buffer areas had been disturbed, measures were not installed per plans and measures needed maintenance. A 6.79-acre residential site was noncompliant for lack of groundcover. It was recommended during inspection that the ditch channel at the rear of project be stabilized. The construction entrance needed maintenance to prevent sediment in the road. An attempt to provide groundcover was noticed however the attempt was not satisfactory to achieve compliance. The City has a follow-up compliance in 7 days.

Files contained good documentation. In 2004, there were issues with plan reviews, site compliance, and enforcement procedures but during this review those issues were not present. The City is doing a great job with enforcing and regulating sediment and erosion control. Due to the addition of staff whose primary duty is the inspection of erosion control, active sites are being inspected every seven to ten days and inactive projects are inspected at least monthly with a written inspection report that is kept in the files.

Continued delegation of the program is recommended.

City of Raleigh

The City of Raleigh's delegated local program was reviewed on April 21, 2010. The program has 15 staff members. There were 336 active projects. The City approved 125 projects last year and conducted 8,939 inspections. The City issued 198 Notices of Violations and 11 Stop Work Orders. The City assessed \$3,767,900.00 in Civil Penalties last year.

Seven projects were evaluated during this review. Six of the seven were evaluated in the field. Three sites were noncompliant with the Local Ordinance and with the SPCA. A 6-acre road and commercial site was noncompliant for measures being poorly installed and a lack of maintenance. A 2.70-acre residential site was noncompliant for inadequate inlet protection. There was no sedimentation damage. A 5.9 acre commercial site was noncompliant for the installation and maintenance of measures.

The sedimentation and erosion control plans for each of the sites were adequate. The documentation was good for the files reviewed. Copies of inspections reports were kept in the files and were detailed with comments and corrective actions. The program frequently inspects sites. The City's program has been restructured with the city delineated into zones with a team of inspectors in each zone that rotate among projects. The City has benefited greatly from the restructuring of this program.

The past review in 2004 noted the need for adhering to design standards for sediment control devices in the plan review process, and thorough site inspections. It appears that these issues have been adequately addressed.

Staff recommends continued delegation.

City of Newton

City of Newton's delegated Local Program was reviewed April 28, 2010. Currently one person contributes less than one full-time equivalent to erosion control. There was one active project. The staff approved 3 projects last year with no disapprovals. The staff conducted 80 inspections last year. Three notices of violation were issued and no Civil Penalties were assessed. The City's Attorney has the ability to obtain a court order to make violators comply with the City's Ordinance. The City also has the ability to work

with other departments to suspend building permits and water/sewer inspections until violations are corrected.

One project was evaluated. A 1.89-acre residential home site was inspected. This project was represented to the Local Program of being less than one acre, but after several complaints and investigation it was determined that the site was more than an acre. The Local Program issued a Notice of Violation to obtain a plan as well as install measures to be in compliance with the Local Ordinance. The site is now in compliance.

General documentation is adequate. The previous review conducted in 2007 found problems with the issuance of letters of approval or disapproval. Files of closed projects evaluated in this review found that letters of approval or disapproval are being issued. Staff recommends continued delegation of the program.

Catawba County

The Catawba County program was reviewed April 28, 2010. Currently a staff of four contributes less than one full time equivalent to erosion control. There were 18 active projects. The County approved 23 projects last year and conducted 398 inspections. The County issued 55 Notices of Violations and three Stop Work Orders. No Civil Penalties were assessed last year. The Town has the ability to gain compliance by issuing stop work orders.

Five projects were evaluated during this review. Three construction sites were evaluated in the field. All sites were in compliance. There was a rainfall event the day prior to the review. There was a 4.41-acre institutional site that needed maintenance after the recent rainfall had washed out straw and the ditch lines could use more rock check dams or straw wattles to retard runoff and deposit sediment. There were no signs of off-site sediment.

The sedimentation and erosion control plans for each of the sites were adequate. The files reviewed contained all necessary documentation including copies of inspections reports.

There was no history of deficiencies in the last Local Program Review conducted in March of 2006.

Staff recommends continued delegation.

Iredell County

The Iredell County program was reviewed May 3, 2010. Currently a staff of three contributes three full time equivalents to erosion control. There were 109 active projects. The County approved 45 projects last year and conducted 440 inspections. The County issued 7 Notices of Violations and 32 Stop Work Orders. The Town assessed \$13,500.00

in Civil Penalties last year. The Town has the ability to gain compliance by issuing stop work orders.

Five projects were evaluated during this review. Three construction sites were evaluated in the field. One site was in compliance. An 11-acre borrow site was noncompliant. There was sediment in the road and the construction entrance needed refreshing to keep sediment from entering the street. The duration of the borrow activity needs to be determined to see if a wash station is needed as additional protection from sediment entering the street. A 3.1-acre residential site was noncompliant for failure to provide groundcover. This site was initiated by complaint. There was off-site sedimentation into the drainage way. The Local Program issued a Notice of Violation and assessed a Civil Penalty. Since those actions the landowner has been working to achieve compliance. There was evidence that seed was sown but straw and tack should have been provided.

The sedimentation and erosion control plans for each of the sites were adequate. The files reviewed contained all necessary documentation as well as copies of inspections reports. The County inspects sites once a month on average. From the files reviewed staff recommends when a site is noncompliant the County should issue a date of compliance for corrective actions and continue to monitor efforts to achieve compliance with documented inspection reports. With the number of staff there is potential for sites to be inspected more frequently. Also, staff recommends if the County is going to continue to perform drive-by inspections to use a log book to document pertinent information about the site inspections. The program has been mandated by County Government to decrease paper usage and increase electronic communication. The Local Program often emails engineers/firms regarding plan review comments. Staff recommends that the Local Program create a folder that contains electronic communication and comments from plan reviews so that they are located in one specific location.

Staff recommends continued delegation.