

## **Action Item A Local Program Reviews**

### Macon County

On April 30, 2013, Wayne Watkins, Laura Herbert, and Matt Poling conducted a review of the Macon County Local Program. Two staff members contribute two full time equivalents to the erosion control program. The county requires surety bonds for sites over 5 acres. The county has 6 active projects and has reviewed 2 plans, with 2 approvals and no disapprovals. The county has conducted 360 inspections, issued 8 notices of violation, no civil penalties, and 1 stop work order in the past 12 months. Five projects were reviewed. Three projects were in compliance and two were under notices of violation.

The Macon County Local Program is visiting sites on a frequent basis, which is appreciated. The local program should implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.

Staff recommends continued delegation.

### Town of Highlands

On May 1, 2013, Matt Poling conducted a review of the Town of Highlands Local Program. One person contributes one-quarter of a full time equivalent to the erosion control program. The county has two active projects and has reviewed one plan, with one approval and no disapprovals in the past year. The town has conducted 48 inspections, and issued no notices of violation or civil penalties in the past 12 months. Two projects were reviewed. Both projects were in compliance.

The Town of Highlands Local Program is visiting sites on a frequent basis, which is appreciated. The local program should implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.

Staff recommends continued delegation.

#### Town of Nags Head

Gray Hauser conducted a review of the Town of Nags Head's delegated local program on May 8, 2013. Based on monthly activity reports, the Town approved 12 erosion control plans, conducted 30 inspections, issued one Notice of Violation and two Stop Work Orders in 2012, and has approved 4 plans and conducted 8 inspections in the first 3 months of 2013. The Town has three active projects greater than one acre, and one person spends about 10-15 percent of his time on administering the erosion control program. Two of the projects were in compliance, and the third needed maintenance of silt fence.

Staff recommends continued delegation.

#### Town of Kitty Hawk

Gray Hauser conducted a review of the Town of Kitty Hawk's delegated local program on May 8, 2013. Based on monthly activity reports, the Town approved 22 erosion control plans and conducted 132 inspections in 2012, and has approved 4 plans and conducted 52 inspections in the first 4 months of 2013. Four projects were evaluated, one of which was greater than one acre in area. Two of the projects were in compliance, and two had minor issues. The constant wind in the area tears silt fence off its posts, requiring frequent repairs.

The following recommendations were made to the Town of Kitty Hawk:

- 1) Please be sure and submit your monthly activity reports every month.
- 2) Projects one acre or greater in disturbed area should be evaluated for coverage under the NPDES General Stormwater Permit for Construction Activities, NCG 010000. Be sure to include the proper language in the Letter of Approval when you do have a project of one acre or more.
- 3) A more stringent construction detail for silt fence in areas of high wind appears warranted. Silt fence stapled to wooden posts was inadequate. Wooden posts shall be a minimum of 2" X 2" oak or ash hardwood. A 1/4" X 2" batten strip nailed over the fabric has proven effective at other sites in keeping the fabric from tearing off posts.

Staff recommends continued delegation.

#### Town of Kill Devil Hills

Gray Hauser conducted a review of the Town of Kill Devil Hills' delegated local program on May 9, 2013. Based on monthly activity reports, the Town approved one erosion control plan and conducted 8 inspections in 2012. The Town currently has no active projects greater than

one-half acre in size, and has not approved any plans or conducted inspections in the first 4 months of 2012. Three persons contribute to the administration of the erosion control program.

General plan approval and permitting procedures were discussed. Several single family residence sites of about 5000-6000 square feet were observed in the field. No sedimentation damage was observed at the sites.

The following recommendations were made to the Town of Kill Devil Hills:

- 1) Thank you for submitting your monthly activity reports every month.
- 2) Projects one acre or greater in disturbed area should be evaluated for coverage under the NPDES General Stormwater Permit for Construction Activities, NCG 010000. Be sure to include the proper language in the Letter of Approval when you do have a project of one acre or more. A Letter of Approval should always be sent to the financially responsible party or landowner, with a copy to the plan designer. An example is enclosed. The NPDES Permit, Combined Self-Monitoring Form and Certificate of Plan Approval should be enclosed with the Letter of Approval, assuming the plan meets the requirements of the NPDES Permit.

Staff recommends continued delegation.

### Orange County

On July 17, 2013, Joe Dupree, Karyn Pageau, and Matt Poling conducted a review of Orange County's Local Program. Three positions contribute three full time equivalents. However, two of those positions are currently vacant. The county has 38 projects, 18 of which are sites that are greater than an acre. The county has reviewed 38 plans, with 38 approvals and no disapprovals. The county has conducted 508 inspections, issued 3 notices of violations, no civil penalties, and 2 stop work orders in the past 12 months. Five projects were reviewed, all of which were in compliance.

The Orange County Local Program is visiting sites on a frequent basis, which is appreciated. The local program should also implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.

Staff recommends continued delegation.

## Watauga County

On July 23, 2013, Tim Latham and Matt Poling conducted a review of Watauga County's Local Program. One staff member contributes one-third of a full time equivalent to the erosion control program. The county has 25 projects and has reviewed 10 plans, with 10 approvals and no disapprovals. The county has conducted 137 inspections, issued one notice of violations, and no civil penalties in the past 12 months. Five projects were reviewed. Three were in compliance, two had violations.

The Watauga County Local Program is visiting sites on a frequent basis, which is appreciated. The local program should also implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.
- 4) If sites remain out of compliance for extended periods of time, Watauga County should seek to hold building permits in order to regain compliance.

Staff recommends continued delegation.

## Avery County

On July 24, 2013, Kristen Hicklin, and Matt Poling conducted a review of Avery County's Local Program. One staff member contributes one-third of a full time equivalent to the erosion control program. The county has 6 projects and has reviewed 6 plans, with 6 approvals and no disapprovals. The county has conducted 58 inspections, issued 1 notice of violations, and 1 civil penalty in the past 12 months. Five projects were reviewed. Three were in compliance, two had violations.

The Avery County Local Program is visiting sites on a frequent basis, which is appreciated. The local program should also implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.
- 4) If sites remain out of compliance for extended periods of time, Avery County should seek to hold building permits in order to regain compliance.

The Wilderness Trails site was not inspected during this review. Avery County was asked to provide the SCC a written status report on the site before the August 15, 2013 meeting.

Staff recommends continued delegation.

### Town of Boone

On July 25, 2013, Tim Latham, and Matt Poling conducted a review of the Town of Boone's Local Program. One staff member contributes one-third of a full time equivalent to the erosion control program. The town has 7 projects, 4 of which are active, and has reviewed 12 plans, with 7 approvals and 5 disapprovals. The town has conducted 60 inspections, issued 2 notices of violation, and 2 civil penalties in the past 12 months. Five projects were reviewed. Three were in compliance, two had violations. One project was a public utility with the power of eminent domain, which will be transferred to Land Quality. Two of the approved plans were inadequate for all phases of grading.

The Town of Boone's Local Program is visiting sites with an average frequency. The local program should also implement the following recommendations to improve the program:

- 1) Continue to check for self-inspection records on site.
- 2) Please provide the new combined self-inspection form when approving erosion control plans.
- 3) Document when slopes have been graded or areas are left idle in the comments section of inspection reports in order to establish a time frame for establishing ground cover.
- 4) Invite staff from the Winston Salem Regional Office to come and participate in the review of complex plans.
- 5) If sites remain out of compliance for extended periods of time, the Town of Boone should seek to hold building permits in order to regain compliance.

Staff recommends continuing the review, with a follow-up report at the next SCC meeting.