

## **Local Program Report to the SCC Town of Lake Lure, August 14, 2019**

On April 10, 2019, staff from the DEMLR central office and the Asheville regional office conducted a review of the Town of Lake Lure's Erosion and Sedimentation Control Program. During this review DEMLR staff noticed a few deficiencies in the program, including a lack of documentation of inspections. A report of this review was presented to the Sediment Control Commission (SCC) on May 29, 2019. The SCC voted to continue the review of the Town of Lake Lure's E&SC program for three months with a follow up report to be submitted at the next SCC meeting on August 14, 2019, as well as to have Lake Lure submit at least one (1) inspection report to the DEMLR central office each month during the continuing review.

As per the direction of the SCC, the Town of Lake Lure has submitted two (2) inspection reports to the DEMLR Central office for review each month of the continuing review. Upon the review, the submitted inspection reports were found to meet and exceed the expectations of the Central Office. The town's inspection report is a modified version of the state inspection form and contains required items such as: a list of violations with references to the general statutes and the local ordinance, corrective actions needed, the date of the inspection, and the deadline for compliance. The inspection reports also contained additional material like a marked-up copy of the project map indicating the location of each violation or deficiency on site. These additional report details are not required but enhance the inspection report by clearly directing the site supervisor to the location of each violation and the corrective actions needed to get back into compliance.

On July 29, 2019, personnel from the Asheville Regional Office conducted a follow up review of the program, as per direction of the SCC. This follow up review was to ensure that the Town of Lake Lure had addressed the deficiencies noted in their original review such as failing to fill out and issue inspection reports for site inspections, and failing to issue approval letters to applicants when their erosion and sedimentation control plan had been approved. The following are the findings from that follow up review:

### **Follow Up review (7/29/2019)**

Town of Lake Lure has reviewed nine (9) plans since the April review, all of which were under one acre. All nine (9) plans reviewed were ultimately approved and issued a plan approval letter. Three (3) erosion control permits have been closed out and issued a certificate of completion. The town currently has 124 total projects which include land disturbances down to 100 square feet. Of the 124 active projects, ten (10) meet the programs disturbance threshold of 2,000 sq. ft. for requiring an E&SC plan. Since the April review Lake Lure has issued twenty (20) sedimentation inspection reports and zero (0) NOV's. There was one instance where a stop work order was issued for approximately 12 hours, but the issue was quickly resolved before a NOV could be generated.

During the review, project folders were found to contain all proper documentation. Files reviewed included the following: approval letter, inspection reports, photographs, FRO, agent authorization form and the approved plan.

A follow up site visit was performed at the Beihl property. The site was found to be in compliance, with grass and mulch covering the majority of the property. It was communicated to Lake Lure staff that erosion control measures should be removed before the permit is closed out. A follow up site visit was also conducted at the Burton property. This site was also found to be in compliance and well stabilized. The majority of the site is now landscaped with shrubs, seedlings and pine straw. A site visit of a newer project was conducted at the Shady Grove property. The site was found to be in compliance. Construction entrance/exit and silt fencing were both installed. Straw was providing temporary groundcover during this phase of construction.

**Conclusion:**

Since their last review in April, the Town of Lake Lure has shown a significant improvement in their documentation, and the site visits made during the follow up review reflected the improvements the town had made to administrating their E&SC program. The Town of Lake Lure should implement the following recommendations to continue to improve the program:

1. Make sure that all temporary control measures are removed and permanent stabilization is achieved in all areas on site prior to closing a permit.
2. For sites that do not meet the programs threshold for requiring an E&SC plan, only issue an inspection report for offsite sedimentation or when the site is found to be out of compliance.

Based on the review, staff recommends ending the review of the “Sediment and Erosion Control Program” of the Town of Lake Lure, and to place the program on continuing delegation.

This report has been prepared based on the review of the Town of Lake Lure’s Local Program. This report will be presented to the Sedimentation Control Commission (SCC) on August 14, 2019.