

Local Program Report to the SCC **City of High Point, February 9, 2021**

On February 9, 2021, personnel from the NCDEQ, Land Quality Section, conducted a review of the City of High Point's Erosion and Sedimentation Control Program. The City of High Point was last reviewed on 11/30/2017. The City has 3 staff members that currently contribute 2 full time equivalents to the erosion control program. The City requires a sediment and erosion control plan for sites with a total land disturbance of 1.0 acre or more, any disturbance within Tier 1 or Tier 2 of a Critical Watershed Area, any site that will contain or drain to a water quality pond or retention structure, or is located on areas of highly erodible soil with a "k" factor greater than 0.36. During the 2020 calendar year, the City of High Point reviewed or re-reviewed 159 erosion and sediment control plans, approved 86 plans and disapproved 73 plans. In 2020 the City reported they had conducted 206 inspections, issued 9 NOVs, and 10 Stop Work Orders. The City currently has 83 open projects. The City does require a preconstruction meeting for all projects prior to the start of land disturbance. The City is currently working on updating their Local Ordinance per the recently approved Model Ordinance. During our review of the program, we reviewed four sets of plans, as well as inspected four job sites.

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

1. Rich Fork Heights

This project consists of 42.3 disturbed acres for residential development. The project file contained the approved plan, letter of approval, FRO Form, a copy of the property deed, calculations, and inspection reports. The plan was received on 7/22/2020 and was approved on 8/21/2020. The approved plans for this project were adequate. This project started in October of 2020 and no NOVs or CPAs have been issued to this site. Prior to our review this site had been inspected 4 times. This site was in both land clearing and land development phases. The back portion of the site was still in the process of clearing and grubbing. The large basin in the rear of the site had been installed and stabilized while the surrounding area is being cleared. The skimmer basins in the middle of the site appeared to be functioning properly. Inlet protections needed to be installed at slope drain inlets. A clean water diversion inlet was well protected with a rock doughnut, but the spoil pile adjacent the inlet needs to either be stabilized or removed. The City had required an additional sediment trap be installed in the back of the site to provide additional storage and prevent the silt fence outlets below from failing until the area could be graded and diversions could be installed to divert runoff to the larger basin. The construction entrance needed fresh stone added. A few lots had been brought to final grade and had been seeded and mulched with straw.

2. Joyce Commons SD

This project consists of 22.2 disturbed acres for residential development. The project file contained the approved plan, letter of approval, FRO form, calculations, inspection reports and a copy of the property deed. The plan was received on 5/3/2020 and was approved on 5/19/2020. The approved plan for this project was adequate. Prior to our review this site had been inspected 12 times. This site had been graded and utilities were being installed. The construction entrance needed to be maintained with fresh stone. Curb inlets had been installed with inlet protections. Some inlet protections needed to be maintained with fresh stone. The skimmer basins were installed and appeared to be functioning. The inlet pipes had riprap dissipation pads and the basin slopes were stabilized. The diversion swale across the roadbed needed to be regraded to drain water to the last inlets along the roadbed. The site had adequate ground cover on graded lots.

3. Falls Grove

This project consists of 23.0 disturbed acres for residential development. The project file contained the approved plan, letter of approval, FRO Form, calculations and a copy of the property deed. The plan was received on 11/23/2020 and was approved on 12/17/2020. The approved plan was adequate. This site had not received an inspection prior to our review. This site was still being cleared and grubbed. The construction entrance was still functioning properly and was not allowing mud to be tracked into the road, however it needed to be maintained with fresh stone. A rock check dam and sediment storage sump needed to be installed at the low end of the project and additional measures at the end of the outfall area should be considered to prevent offsite sediment damage. The skimmer basins and sediment traps had not yet been installed and natural debris from the clearing phase was still providing adequate groundcover.

4. Frito Lay Parking Lot Extension

This project consists of 2.06 disturbed acres for commercial development. The project file contained the approved plan, letter of approval, FRO Form, calculations, and a copy of the property deed. The FRO form had a representative of the company listed as the landowner and the City needed to get a revised FRO form listing the landowner information to match the property deed. A letter of consent between the Financially Responsible Party and the Landowner had been obtained. The plan was received on 5/18/2020 and was approved on 5/18/2020. The approved plan was adequate. Prior to our review this site had been inspected 1 time. This site had a well-maintained construction entrance. The skimmer basin had been installed and was well stabilized with matting. The geotextile fabric on the spillway of the basin needed to be re-stapled and secured back to the ground.

Positive Findings:

During our review we found a few positive aspects about the City of High Point's local erosion and sediment control program including:

- The program has stricter criteria than the State when requiring Erosion and Sedimentation Control Plans. They require plans regardless of acreage if any part of the tract is to contain or drain to a permanent stormwater quality device. Erosion control and stormwater staff communicate as to potential problems during grading.
- Letters of Approval contains language referring plan holders to the NCG01 permitting process and provides them with site data needed to complete the eNOI form.
- Transfer Approval Letters provide good instructions to the new plan holder including conditions of the transfer, notices as to the terms of plan approval, a new FR/O form, a copy of the plans to keep onsite, NPDES permit compliance, and instructions as to how to complete the eNOI.
- The City is in the process of updating their Local Ordinance per the recent North Carolina Administrative Code updates and the newly approved Model Ordinance.

Issues Noted and Required Actions:

During our review we found that the City of High Point's local erosion and sediment control program had a few deficiencies including:

- An individual representative was listed as the Landowner on the FRO Form and did not reflect the information on the property deed.

- The number of inspections being reported was low in comparison to the number of active projects and does not indicate a regular monthly inspection is being conducted on each site. This was noted during the last audit in 2017 as well.

The City shall implement the following changes to correct the deficiencies noted during our review:

- Landowner information on the FRO form should be accurate and reflect the information on the property deed.
- Regular inspections should be conducted, and reports generated monthly on all active sites.

Additional Recommendations for Improvement:

DEMLR staff has also put together a list of recommendations, or option items, to improve the program:

- The recent addition of an engineer to manage the program is commendable and will improve operations. However, it is highly suggested to employ additional staff to assist and distribute the workload of monitoring and enforcement of your program's active projects.
- Monitor and provide guidance for NPDES violations including but not limited to improper concrete washout and fuel containment on site during inspections. Note possible violations and refer to the DEMLR Winston-Salem Regional Office.
- City staff should continue to attend training opportunities and work towards certifications such as the upcoming DEMLR Local Program Workshop, NCDOT Erosion and Sedimentation Control certifications and other related seminars/courses.
- The City should continue to use paper inspection report forms until an electronic inspection report system can be implemented which will generate reports that show the violations committed, provide space for specific corrective actions, and provide comments to adequately instruct the party responsible for erosion control as to site compliance.

Conclusion:

During our review we found that the City of High Point's Locally Delegated Erosion and Sediment Control Program had a few deficiencies that needed to be addressed. Based on the review, staff recommends that the City of High Point's Erosion and Sedimentation Control Program "Continue Review" for 6 months.

This report has been prepared based on the Review of the City of High Point's Local Program conducted on 2/9/2021. This report will be presented to the Sedimentation Control Commission (SCC) on February 23, 2021.