

**Report to the North Carolina General Assembly's
Environmental Review Commission**



Stormwater and Sedimentation Joint Report

October 1, 2024

**Division of Energy, Mineral, and Land Resources
NORTH CAROLINA DEPARTMENT OF
ENVIRONMENTAL QUALITY**

Pursuant to G.S. 143-214.7(e); G.S. 113A-67

**Report to the Environmental Review Commission
on the Implementation of the
Sedimentation Pollution Control Act of 1973
and the State Stormwater Program
by the Department of Environmental Quality
Division of Energy, Mineral, and Land Resources**

October 1, 2024

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Introduction

Pursuant to Session Law 2017-10 (Senate Bill 131), the Department of Environmental Quality (DEQ) is required to submit a combined report to the Environmental Review Commission by October 1st of each year that provides an annual update on the implementation of both the State Sedimentation Pollution Control Program and the State Stormwater Program housed within the Division of Energy, Mineral, and Land Resources. This report contains two sections that outline how the Department has implemented these programs through its seven Regional Offices and Central Office as well as in coordination with multiple local government programs that implement these programs through Local, State and Federal laws, rules, and permits.

Executive Summary – Annual Sedimentation Program Report

The Department shall report to the Environmental Review Commission on the implementation of the [Sedimentation Pollution Control Act \(SPCA\) of 1973](#) on or before 1 October of each year. The Division of Energy, Mineral, and Land Resources is responsible for implementing the SPCA. There are 54 delegated SPCA programs across the state implemented by either county or municipal governments. The total number of new applications received by the Department increased from 2,550 in FY 2022-23 to approximately 2,764 in FY 2023-24. The total number of newly disturbed acres decreased from 30,682 acres in FY 2022-23 to 29,322 acres in FY 2023-24. Sediment inspections increased from 9,975 in FY 2022-23 to 11,179 inspections in FY 2023-24.

Background

“The sedimentation of streams, lakes and other waters of this State constitutes a major pollution problem. Sedimentation occurs from the erosion or depositing of soil and other materials into the waters, principally from construction sites and road maintenance. The continued development of this State will result in an intensification of pollution through sedimentation unless timely and appropriate action is taken. Control of sedimentation and erosion is deemed vital to the public interest and necessary to the public health and welfare, and expenditures of funds for sedimentation and erosion control programs shall be deemed for a public purpose”.

-Preamble to the Sedimentation Pollution Control Act of 1973

The Division of Energy, Mineral, and Land Resources (DEMLR) in the Department of Environmental Quality administers the SPCA. The Sedimentation Control Commission has also delegated administration of the SPCA to 54 county or municipal governments and the North Carolina Department of Transportation. The local program delegations do

not regulate land-disturbing activities conducted by local, State or United States governments or persons with the power of eminent domain (e.g. public utilities), which remain under jurisdiction of DEMLR.

The state sedimentation and erosion control program also plays a critical role in meeting federal construction stormwater permitting requirements under the Clean Water Act. The United States Environmental Protection Agency (EPA) implements federal permitting requirements for stormwater discharges from active construction sites, but also has the authority to delegate those permitting responsibilities to the states. The federal construction stormwater requirements supplement and compliment the requirements of the state Sedimentation Pollution Control Act and the intent of the federal program are to prevent damage to water bodies and other property from pollutants.

North Carolina is authorized by the EPA to issue federal construction stormwater permits in the state through DEQ. DEMLR has incorporated cross-training of central and regional personnel and consolidation of inspection and monitoring forms between the sedimentation and erosion control program and the construction stormwater program. This allows one point of contact for meeting both programs' permitting, inspection and reporting requirements to be used to communicate compliance with both programs' state and federal provisions.

Program Implementation

The number of new applications received in FY 2023-24 was approximately 2,765. Of this number, there were 2,305 permits issued. The actual area of land disturbance covered by new erosion and sedimentation control plans approved in FY 2023-24 decreased to approximately 29,322 acres. The graphs below show that there is an upward trend towards both the quantity and size of land disturbing projects within North Carolina. This is evidenced not only through the high demand for housing in certain areas of the State, but also through incentives aimed at satisfying the State's clean energy initiatives and the return of manufacturing jobs. Solar farms and "mega site" projects ranging from hundreds to even thousands of acres in land disturbance involve complex, phased plans to review and require hours, if not days, to conduct one complete inspection.

These totals do not include sedimentation and erosion control plans approved by local government sedimentation programs or land disturbed by the Department of Transportation under its delegated program.

Applications Received Per Year

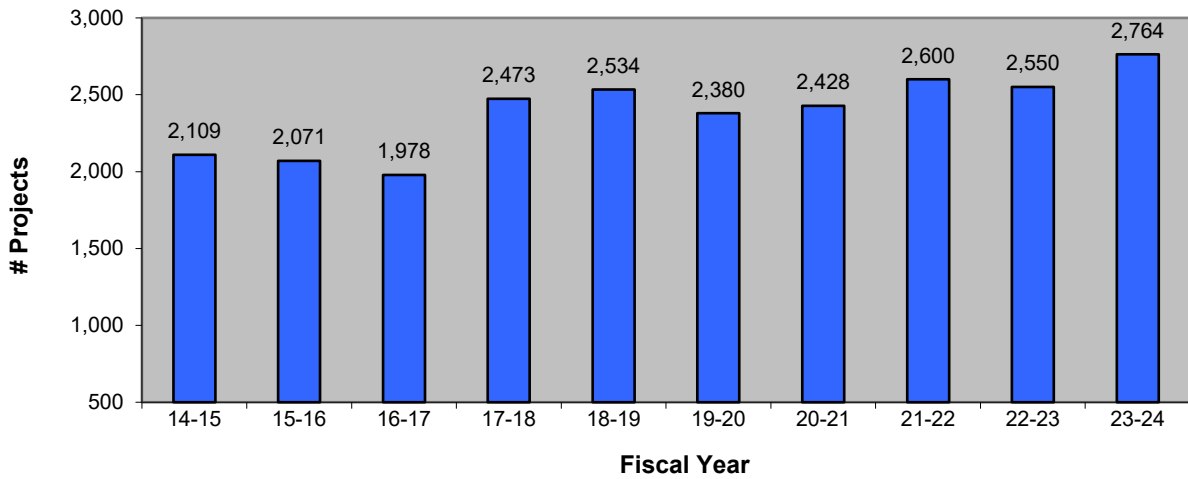


Figure 1 - Applications Received Per Year

Disturbed Acres Per Year

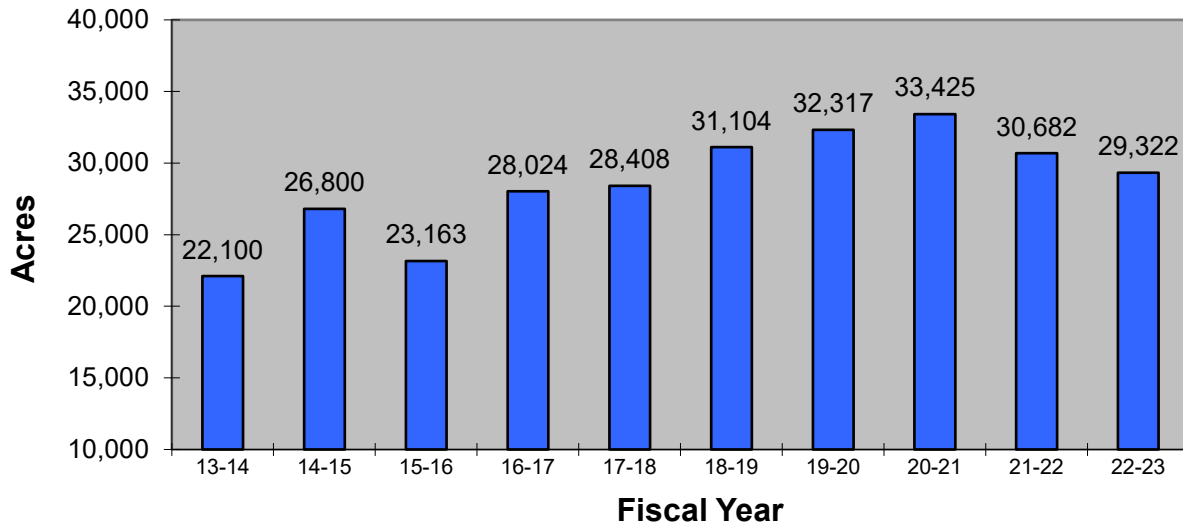


Figure 2 - Disturbed Acres Per Year

Open sediment projects are sites that are either under active construction or are inactive and not completed. The number of open Sediment projects remained relatively steady between FY 2012-2013 and FY 2015-2016, but then dropped to 7,700 open projects

during fiscal year of 2016-17. This was the result of improved database management and an increased effort to inspect and close out completed and stabilized projects that had remained inactive during and following the Great Recession. The number of open projects as of FY 2023-24 year-end is 9,248.

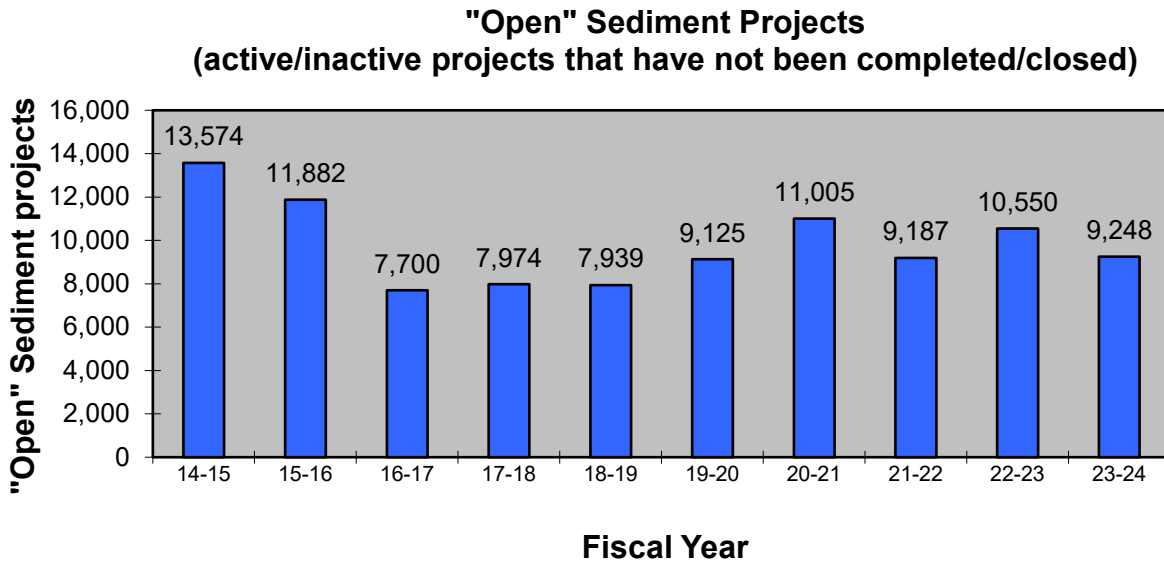


Figure 3 - Count of Open Sediment Projects

The number of full-time equivalent positions (FTE) in the DEMLR's Sedimentation Control Program declined for several fiscal years until steadying as shown below. More recently, the number of positions available has escalated due to a combination of fee increases but primarily due to temporary funding as a result of The American Rescue Plan Act of 2021 (ARPA) which provides, in part, pandemic-associated fiscal relief to state and local government infrastructure.

Sediment Program Full-Time Equivalent Positions

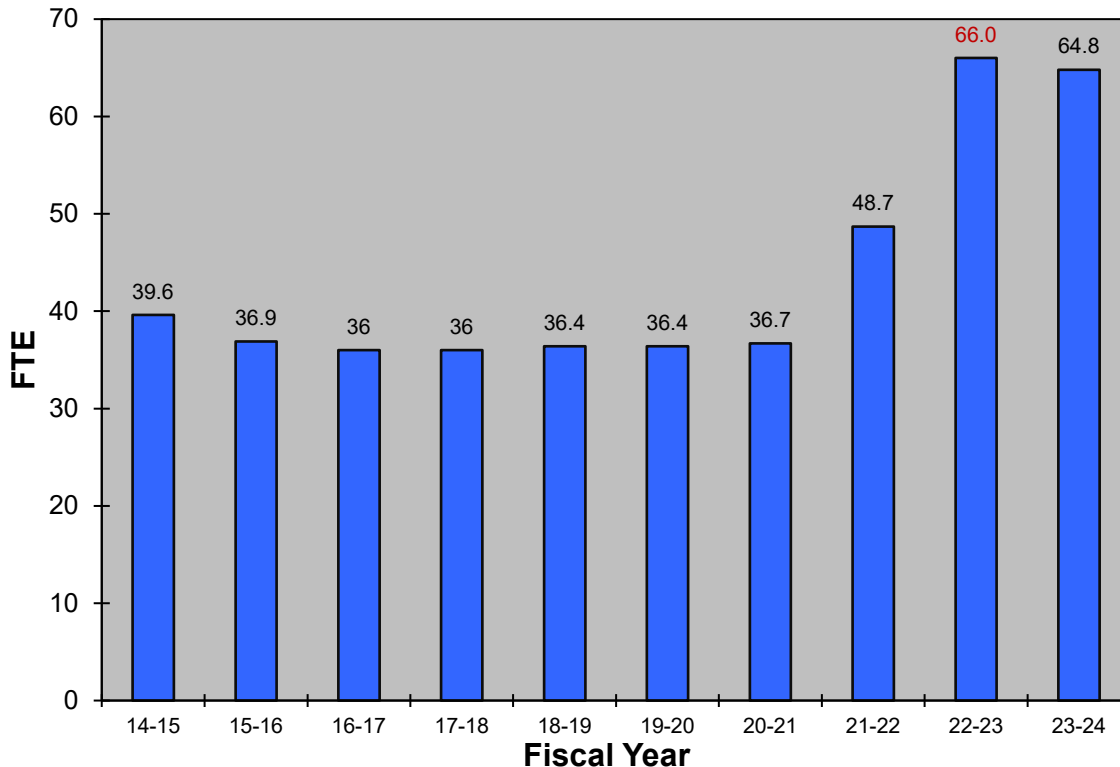


Figure 4 - Sediment Program Full-Time Equivalent Positions

**Latest count includes available positions yet to be hired*

Since revenue for the program comes from a sedimentation plan review fee for new projects, an increase in new construction coupled with a statutory fee increase has consequently provided an increase in our funding for vacant positions and operations. In November of 2021, the plan review fee increased from \$65 per acre to \$100 per acre. This provided some relief for the backlog of incoming applications and the resulting growing size and number of open projects within the state to monitor. This year, the number of full-time equivalent positions available to contribute to the program decreased slightly to 65 with federal ARPA-funded positions remaining to assist with the plan review workload. Hiring is on-going at this time and has been challenging due to limited resources and competition for qualified staffing from higher resourced Local Governments and Private Consulting. Our current overall vacancy rate is approximately 15% with an estimated Engineer Class vacancy rate over 20%. Figure 4 reflects the increase in the FTE count for this reporting period.

Regional activities for the 2023-24 fiscal year include:

- 2,366 new sedimentation and erosion control plan reviews
- 330 sedimentation express plan reviews

- 1,084 revised sedimentation and erosion control plan reviews
- 11,179 sedimentation site inspections
- 511 notices of violation
- 7 enforcement case referrals

Plan Approval

The SPCA requires review of a proposed sedimentation and erosion control plan within 30 days for a new plan submittal and within 15 days for a revised plan. As mentioned above, newly disturbed acreage in North Carolina decreased since the last fiscal year. The number of new sedimentation and erosion control plans received was 2,764 (up from 2,550 in FY 2022-23). Since fiscal year 2017-18, there has been a general upward trend in the number of applications received. In addition, DEMLR encourages applicants to meet with permit review staff in advance of the initial plan submittal to resolve quality and completeness issues prior to formal submittal to reduce the overall time for plan review and approval.

The Express Permitting Program for sedimentation and erosion control plans provides for plan review within as little as three working days. During FY 2023-24, 330 Express Permit reviews were conducted. This is a decrease of 108 requests in express permit reviews from the 438 express reviews completed in the previous year. This is due to the increase in large or complex projects that do not qualify for the program and multiple hard to fill vacancies in multiple Regional Offices in Express Review Engineer positions that would otherwise provide availability. The Raleigh and Fayetteville Regional Offices conducted the bulk of the express reviews.

Inspections

Regional staff conducted 11,179 inspections last year, an increase of 1,204 inspections from the previous year. This has moderated as a result of the temporary increase in federal funding of FTE positions. Inspection reports document field observations and compliance or non-compliance with the SPCA. Based upon current staffing levels, open sedimentation and erosion control projects are inspected, on average, once every 9 - 10 months. Those under enforcement are routinely inspected more frequently.

Inspections

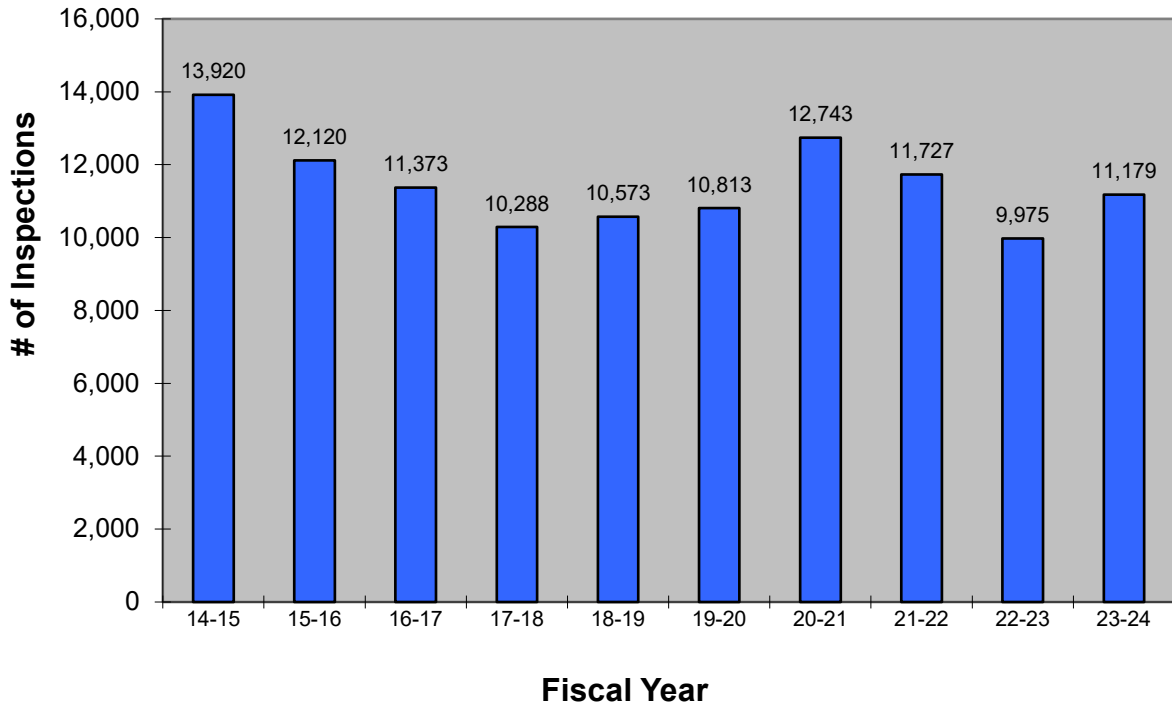


Figure 5 - Inspections per Year

The following are photos of good and poor practices found on construction sites during inspections. (Figures 6-13)



Figure 6 - Unmanaged Concrete Washout



Figure 7 - Good Construction Entrance



Figure 8 - Poor Construction Entrance



Figure 9 - Good Application of Ground Cover



Figure 10 - No Ground Cover



Figure 11 - Rill Erosion on Sediment Basin Slope



Figure 12 - Good Vegetative Stabilization



Figure 13 - Good Inlet Protection

Enforcement

DEMLR documents compliance or non-compliance with the SPCA through sedimentation inspection reports. Most violations are resolved by providing an inspection report to the responsible party and requesting correction of the deficiencies. Of the 11,179 inspections conducted during FY 2023-24, 511 (4.6%) resulted in a Notice of Violation (NOV). The NOVs led to 7 requests from the regional offices for additional enforcement action (1.3% of NOVs issued). Seven civil penalties and zero injunctions were assessed or issued this fiscal year.

The Attorney General's Office provides litigation support to DEQ by filing actions in state courts and federal bankruptcy court to defend the agency's civil penalty assessments, complaints for injunctive relief, and to collect unpaid civil penalties.

Local Programs

The Sedimentation Control Commission encourages [local governments](#) to administer delegated sedimentation and erosion control programs. The Commission, through DEMLR, provides a model ordinance and technical assistance. Once a program is delegated to a local government, DEMLR provides periodic oversight to ensure that the local programs are meeting the responsibilities under their delegation authority. State personnel informally assist and advise the local staff on problematic sites. DEMLR's goal is to review each local program at least once every two years. The Division reviews the city or county ordinance to ensure that it is at least as restrictive as state law and rules. DEMLR's Regional Office and Central Office staff meet with local program staff during the review. A detailed report is provided back to the local government, noting strengths, deficiencies, and corrective actions. A summary report is presented to the Sedimentation Control Commission at its quarterly meetings.

The Commission then acts to continue the delegation, continue the review, place the program on probation, or give a 30-day notice that the Commission will assume administration and enforcement of the program.

Nineteen formal local program reviews were conducted during FY 2023-24.

Training and Education

In the Fall of 2023, the hybrid in-person and virtual North Carolina Erosion and Sediment Control workshop was held in Raleigh. The DEMLR helped plan the workshop aimed at design professionals, contractors, and developers. It is the result of a joint planning effort between NCSU, the International Erosion Control Association (IECA) and DEMLR staff. The planning team hosted a 1.5-day event with morning presentations that could be viewed in-person or virtually. A wide range of experts presented on common E&SC issues and on solutions based on design and solid research. Approximately 114 people, including vendors and speakers, attended the in-person workshop with approximately 58 people attending the online morning presentations. State and local program representatives provided updates on the latest regulatory changes and approaches to successful plan approval.

The 2024 Annual Local Program Workshop was held April 23-24 in Jacksonville. The event attracted 73 in-person participants both days with a maximum virtual daily rate of 110 participants. State program representatives provided regulatory updates and discussed audit procedures and best management practices on construction sites.



Figure 14 – 2024 Local Program Workshop

The Division is in the process of hiring permanent and time-limited staff as described above. As a result, program staff have taken a number of initiatives to assist regional office staff in onboarding and training. The DEMLR Employee Training SharePoint site has been created for each program. Resources have been compiled and uploaded or cross-linked in an effort to take advantage of SharePoint libraries. Resources such as forms, template letters, design calculation spreadsheets, handbooks, and additional training opportunities can be found in one convenient location. A new-hire PowerPoint presentation provides a quick overview of the Sedimentation Program's objective, policies, and operations to include guidance for plan reviews, site inspections, and compliance. This past year was spent creating resource materials for both staff and the public in promoting the new AccessDEQ platform. This online digital permitting hub, as it is aptly named, allows the public to complete their applications and upload plans through an online portal. Public service announcements about AccessDEQ have been distributed. Twenty-two (22) user guides, video tutorials, policy documents, FAQs documents, and other miscellaneous help documents have been developed to familiarize staff with interfaces and workflows and provide ease of use for the public.

In an effort to provide training and ensure consistency, DEMLR program staff started statewide Sediment Program meetings two years ago. Meetings have been held quarterly via Microsoft Teams, providing a convenient online meeting platform for personnel across the state. Topics thus far have included updates to the Permit Transformation Program (discussed below), troubleshooting assistance for applications, and training opportunities.

As part of the division's customer service obligations, the regional offices provided 6,955 hours of technical assistance in FY 2023-24 through reviews of local government programs, communication with the public, and post-construction related requests for assistance.

The semi-annual electronic newsletter, *SEDIMENTS*, is distributed through a listserv of approximately 400 recipients, and is also made available as an online news publication. This past edition included an article promoting the use of AccessDEQ.

New Program Efforts

Efforts are well underway to move the Sedimentation Program to an electronic permitting system. Through an agreement between the Department of Information Technology and the Department of Environmental Quality, the Permit Transformation Project (PTP), now called AccessDEQ, aims to streamline the application and approval processes for those needing sedimentation and erosion control certificates of plan approvals. Applicants are now able to complete their applications and upload plans through an online portal. The new permitting system is designed to enable the tracking of permits, communications, complaints, compliance efforts, and reporting. Similar efforts are underway in the Stormwater Program whereby a combined application will also provide for coverage under the statewide construction stormwater general permit (NCG010000) thus, eliminating any administrative duplication of efforts by persons applying for land-disturbing activities regulated under both the Sedimentation Pollution Control Act and the Clean Water Act National Pollutant Discharge Elimination System (NPDES) program.

Executive Summary – Annual Stormwater Program Report

The Stormwater Program serves a large and diverse number of permittees in a highly efficient manner. In addition to keeping up with our permitting workload described under “Program Overview” below, some **accomplishments** of the Stormwater Program for the year are as follows:

Webinar series to increase knowledge of stormwater

The Stormwater Program’s “WOW Webinar” series has continued to be offered to the regulated community and the public to increase understanding and communication about a wide variety of stormwater issues. The webinar series continues to be successful and well received.

Electronic reporting for NPDES Industrial Stormwater permittees

Industries that are covered under an NPDES Industrial Stormwater permit are required to monitor the quality of stormwater discharged from their facilities and report that data to DEMLR. Previously, these data were reported on Data Monitoring Report (DMR) forms that were submitted by paper copy to DEMLR. The Stormwater Program continues to transition permittees into an electronic reporting process already established in the agency and is continuing to register all users.

Renewal of NPDES General Permits

On March 1, 2024, the Stormwater Program finalized renewal of the NCG110000 Industrial General Permit and on June 1, 2024, renewed Industrial General Permits NCG160000, NCG170000, NCG180000 and NCG200000). Each of these permits have been reorganized and improved so that it is easier to understand and reference in order to assist the industrial permittees. On April 1, 2024, the Program renewed the NCG010000 Construction General Permit and companion NCG250000 General Permit (for activities exempt from the Sedimentation Pollution Control Act (SPCA)). As part of that effort, the Program successfully renewed over 9,000 Certificates of Coverage (COCs) for the first time ever in its current electronic system.

Programmatic updates to the MS4 Program

After officially taking over the MS4 Program Coordinator position on October 1, 2022, the Coordinator immediately began creating a plan for the coming years to renew the expired permits, update the current permits, and identify areas where the program could be improved and run more efficiently. A summary of 2024 efforts are provided later in the report.

Water Supply Watershed Protection Model Ordinance approved by EMC

On March 9, 2023, the Environmental Management Commission approved an updated and revised WSWP model ordinance. The ordinance is the primary tool that enables local governments to implement the WSWP program within their jurisdictions. It was last updated in 1995.

Program Overview

The DEMLR Stormwater Program comprises many programs and resources aimed at protecting water quality from stormwater impacts. The following is a summary of the NC Stormwater Program's responsibilities:

- [NPDES Industrial Stormwater Program](#): Currently covers 4,605 active permits or certifications (3,267 facilities under general permits, 152 under individual permits, and 1,186 under no exposure certifications). Industrial activities are required to manage and monitor their facilities for potential sources of stormwater pollution.
- [NPDES Construction Program](#): Covers construction activities that disturb one or more acres or are part of a common plan of development of that size. Certificates of Coverage (COCs) are obtained under a general permit (NCG010000 or NCG250000). Permittees must have an approved Sedimentation and Erosion Control Plan, adhere to materials handling protocols, inspect their sites, and keep records. The Stormwater Program partners with the DEMLR's Sediment Program to implement the NPDES Construction Stormwater Requirements.
- [NPDES MS4 Program](#): Covers 121 entities within urbanizing areas, such as municipalities, counties, universities, as well as military bases and NCDOT. MS4 entities implement measures within their jurisdictions to prevent and control stormwater pollution from developed areas.
- [Post-Construction Program](#): Requires new developments to have permanent stormwater management measures after the project is constructed.
- The [Stormwater Design Manual](#) is a technical guidance document about implementing the stormwater rules for post-construction. The companion to the manual is the [Stormwater Control Measure Credit Document](#), which includes the state's estimation of each SCM's effectiveness in protecting hydrology and removing pollutants and was updated in February 2023.
- [Water Supply Watershed Protection Program](#): Local governments with some or all of their jurisdictions within one or more water supply watersheds are required to implement measures within the water supply watersheds to prevent and control stormwater pollution. There are currently over 229 watersheds classified as Water Supply Watersheds and approximately 295 local governments with all or part of their jurisdiction in one or more of these watersheds.
- Technical and compliance assistance for all the above programs.

Current Active Stormwater Permits in North Carolina

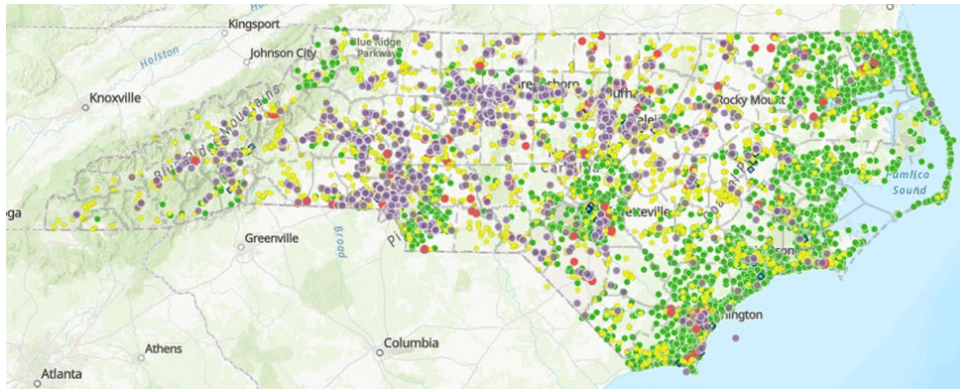


Figure 14 - Active Stormwater Permits in North Carolina.

In the map above, green dots indicate post-construction permits, yellow dots indicate industrial general stormwater permits, red dots indicate industrial individual permits, blue triangles indicate MS4 permits, and purple dots indicate No Exposure Certifications. Note: Construction stormwater permits are not included in this map.

[Webinar series to increase knowledge of stormwater](#)

The Stormwater Program launched the WOW (World of Water) Webinar series in September 2020 to continue its communication with permittees, consultants, local governments, and the public during the pandemic and has continued to be a part of the Stormwater Program's offerings currently. WOW Webinars are held from 11:00 am to 12:00 noon on the third Wednesday of each month. There have been a variety of speakers from within DEQ as well as the stormwater community at large. Webinar topics have included industrial and municipal stormwater, design and permitting, and resilient stormwater strategies.

The webinars are free and offer professional development hours. Each webinar has been attended by 150 to 250 participants monthly. These Webinars have been very successful with tons of positive feedback. Our new 2024-2025 webinar series starts in October 2024. Information about the previous webinars is available on the [WOW Webinar web page](#), including recordings and presentations. The new upcoming WOW Webinar Schedule is in the process of being formulated. Some of the dates and topics are listed below:

We've partnered with Nicole Goddard with the North Carolina Office of Recovery and Resiliency (NCORR) who has agreed to market our webinars and future webinar presentations to be announced in the coming weeks. We've also partnered with Regina Guyer at the Regional Stormwater Partnership of the Carolinas (RSPC) to assist in marketing and presentation as well.

The 2024-25 WOW Webinar Schedule is in the process of being formulated. Some of the more recent and upcoming dates and topics are listed below.

- Feb. 21, 2024: Greg Kanellis with Hart & Hickman will provide an overview of the NPDES as part of his presentation, "Industry Stormwater Permitting and Compliance."
- March 20, 2024: "Using Green Infrastructure to Create Amenities in Ultra-Urban Areas: Challenges and Upkeep," will be presented by Stormwater Extension Associate from North Carolina State University, Vinicius Taguchi Ph.D., who will speak about green infrastructure to create amenities in Ultra-Urbans areas including challenges and upkeep.
- May 15, 2024: "How Wastewater and Stormwater on-site systems impact each other." Gary S. MacConnell, along with MacConnell and Associates, will speak about how onsite Wastewater and Stormwater Systems impact each other.
- July 17, 2024: Sue Homewood will speak about applications for CSA Section 401 Certifications and Buffer Authorizations, including questions related to Stormwater Management. This presentation will also explain why and go over the most common questions DWR reviewers ask during their reviews.
- September 18, 2024: "Empowering Citizens and Guiding Professionals within a Regional Stormwater Synergy" RSPC provides a forum for collaborations and creates a synergy with 23 municipal and county entities committed to the betterment of our region through the improvement of water quality.
- Lauren Conway, North Carolina State University
Combining Qualitative Analysis to existing Waterways
- Colin Finlay, East Carolina University
Factors influencing nitrogen treatment performance of in-stream and stormwater outfall regenerative stormwater conveyances in the NC Coastal Plain.
- Lauren Hill, Elon University
Best management practices mitigating waterlogged area in South Graham Municipal Park
- Kyre Selin Hagge, East Carolina University
"Together for a common cause? Cooperative Tendencies in transdisciplinary research groups aimed at solving water quality and quantity issues in eastern Carolina."
- Mohammed Khalid, University of North Carolina at Charlotte
Treatment of emerging contaminants from stormwater by using sustainable and low-cost filter media-biochar.

Electronic reporting for NPDES Industrial Stormwater permittees

Industries that are covered under an NPDES Industrial Stormwater permit are required to monitor the quality of stormwater discharged from their facilities and report that data to DEMLR. Historically, the data has been reported on Data Monitoring Report (DMR) forms and sent as a paper copy to the agency. However, during the past year, the Stormwater Program has continued transitioning permittees into the NPDES electronic reporting process as staff resources allow. The Program has approximately 54% of its permittees registered in eDMR and a current participation rate of approximately 29%.¹

The Stormwater Program continues to make progress in reaching the goal of electronically reporting NPDES construction stormwater basic permit and project site data to EPA with its electronic Notice of Intent (eNOI) application form that has been in place since April 2019.

The electronic reporting gap for this sector of permits has been present since 2016, when the federal Electronic Reporting rule required those data be reported electronically to EPA and which North Carolina did not collect or have the ability to convey before 2019. In May 2022, staff collaborated with EPA to overcome data compatibility obstacles and conveyed the first batch of NPDES Construction Stormwater permit data for EPA Region 4 staff, who extended an offer to assist in processing and loading these data into the agency's ICIS database. However, EPA was not able to assist further and DEMLR staff instead turned limited resources toward supporting development of a new permitting system that will combine Sedimentation and Erosion Control Plan with NPDES Construction Stormwater application processes. As the agency transitions to a new combined permitting system anticipated for 2024, data flows to EPA's ICIS database are scheduled to be addressed by DEQ in the development phase following new application release.

Renewal of NPDES General Permits

On March 1, 2024, the Stormwater Program finalized renewal of the NCG110000 Industrial General Permit and on June 1, 2024, renewed Industrial General Permits NCG160000, NCG170000, NCG180000 and NCG200000. Each of these permits have been reorganized and improved so that it is easier to understand and reference in order to assist the industrial permittees.

¹ This rate of participation has been driven in part by the following: 1) staff turnover, 2) resources available to be dedicated to eDMR and registration, and 3) updates to original registrants that have since changed.

On April 1, 2024, the Program renewed the NCG010000 Construction General Permit and companion NCG250000 General Permit (for limited exceptions of construction not subject to the SPCA). In doing so, we also electronically renewed coverage for over 9,000 projects under the NCG010000 General Permit for the very first time in our Laserfiche system.

MS4 Program Activities

North Carolina currently has 121 permittees in the MS4 Program. The permittees include 6 large Phase I municipalities (populations greater than 100,000), 105 Phase II municipalities, 4 military bases, and 6 non-traditional MS4s (NCDOT, NCSU, UNC-CH, etc.). During this reporting period, 25 permits were renewed and 7 permittees were audited for permit compliance. Of the 7 compliance audits, 1 was issued a Notice of Compliance, 2 were issued a Notice of Deficiency, and 4 were issued a Notice of Violation. The 23/24 FY was largely a program re-structuring year, which included working regularly with the EPA to re-write permit language and make initial steps in the next permit designation step. Additionally, re-structuring DEQ's MS4 webpage to better facilitate report submission and interaction with the permittees throughout the State.

Water Supply Watershed Protection Activities

Water Supply Ordinance and Map Approvals

4/25/2024 – City of Smithfield – DEMLR Stormwater Program approved Water Supply Watershed Protection Overlay section of the Unified Development Ordinance (Article 10, Sect 10.92).

6/10/2024 – Orange County – DEMLR Stormwater Program approved water supply watershed protection boundary change request.

6/17/2024 – Mecklenburg County/City of Charlotte – DEMLR Stormwater Program approved Charlotte UDO – Article 23. Main change to ordinance and format was conversion of some text to a different format as well as all of the variance, appeal, and enforcement language being include in Article 27 and 39 instead of in Water Supply section.

Water Supply Compliance, Enforcement and Other Activities

DEQ developed and sent an online survey to the local WSWP programs in March and December of 2020, March of 2021, June of 2023 and May of 2024. The survey data provide an overview of each of the responding local government's program and enables the local governments to upload the most current stormwater ordinances and watershed maps. The results of the survey are being used to educate the state and local governments, especially those programs that may need greater technical assistance, on

aspects such as program components and ordinance language. As of June 2024, 67% of the counties and 42% of the municipalities or 49% of all local governments have responded to the survey. Of those local governments who have responded to the survey, most appear to be adequately implementing their programs. Those local governments who have had no contact with the state regarding the water supply watershed protection program will be prioritized for audit/program reviews.

No enforcement actions occurred during this reporting period. Staff continue to perform compliance activities in addition to maintaining a core focus on customer service and technical assistance. The following program review/audits were conducted:

On September 8, 2023, the state audited the Davie County Water Supply Watershed Protection program and completed and submitted the report on September 22, 2023. On October 25, 2023, the state audited Bermuda Run Water Supply Watershed Protection program and completed and submitted the report on February 28, 2024.

Water Supply Watershed Protection Map

The most recent water supply watersheds have not yet been added to the following map, but stormwater is currently working with CGIA to update the Post Construction Stormwater Permitting map. This work involves ensuring other maps that contribute to Post Construction map (such as water supply watershed protection) are accurate. Completion of the Post Construction Stormwater Permitting map update will result in other maps being updated as well. Information about the Water Supply Watershed Protection Program, including a list of subject local governments and an interactive map can be found at: <https://www.deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/water-supply-watershed-program>

Summary

The Stormwater Program continues to seek out ways to improve our program such that it is more responsive to permittee needs, more efficient, and more protective of water quality. As we neared the end of the fiscal year, Stormwater Program staff also began collaborating with Erosion and Sediment Control staff in the Division to develop a report detailing requirements of both the NC Sediment Pollution Control Act (SPCA) and applicable NPDES stormwater discharges with respect to construction projects. This report was provided as directed by Session Law 2022-11, Section 7.

We appreciate the opportunity to provide this report to the Legislature each year, and we continue to look forward to work with the General Assembly and stakeholders on these matters.