



Sedimentation Pollution Control Program  
*2019 Local Programs Workshop*  
April 23 & 24, 2019

*Division of Energy, Mineral and Land Resources*

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# Division of Energy, Mineral and Land Resources (DEMLR) Updates

- Sedimentation Program Website Changes
- SPCA versus NCG01
- Local Program Reporting



# Website Updates - Forms



## Erosion and Sediment Control Forms

### Application Forms

- Financial Responsibility/Ownership ([MS Word](#) , [PDF](#) , [Fillable PDF](#) )
- Plan Checklist for Designers ([MS Word](#) , [PDF](#) , [Fillable PDF](#) )
- Plan Review Flowchart ([PDF](#) )
- Notice of Plan Review Fee ([PDF](#) )
- Ground Cover ([PDF](#) )
- NPDES Ground Stabilization and Surface Dewatering ([PDF](#) )

### Erosion and Sediment Control

[Local Government Programs](#)

**Forms**

[Laws and Rules](#)

[Enforcement](#)

[Erosion and Sediment Control Planning & Design Manual](#)

[Erosion and Sedimentation Newsletters](#)

[Sedimentation Control Commission](#)

# Website Updates – Local Programs

[Home](#)[Permits & Rules](#) ▾[Outreach & Education](#) ▾[Energy & Climate](#) ▾[Conservation](#) ▾[News](#) ▾[About](#) ▾

## Local Erosion and Sediment Control Programs

### Information About the Local Programs

The NC Sedimentation Control Commission may delegate authority to implement the Sedimentation Pollution Control Act (SPCA) to cities and counties that adopt a local qualifying erosion and sediment control ordinance in compliance with North Carolina state requirements. The staff of the delegated Local Programs perform plan reviews and enforce compliance of the SPCA within their jurisdictions.

[Contact Information for Local Programs](#) 

[Local Erosion and Sedimentation Control Ordinance Fees](#) 

### Resources for Local Programs



Official 2018 Model Local Ordinance ([MS Word - Red Line Version](#) , [MS Word](#) , [PDF](#) )  
*The Model Local Ordinance was first distributed in 2004, with revisions in 2006, 2014 and 2018.*

Create a Local Program ([MS Word](#) , [PDF](#) )

Did you know? ([MS Word](#) , [PDF](#) )

Procedure for Local Program Delegation ([MS Word](#) , [PDF](#) )

### Erosion and Sediment Control

[Erosion and Sediment Control Planning & Design Manual](#)

[Forms](#)

[Sedimentation Control Commission](#)

### Local Government Programs

[Laws and Rules](#)

[Enforcement](#)

[Erosion and Sediment FAQs](#)

[Erosion and Sediment Education](#)

[Erosion and Sedimentation Newsletters](#)

# Website Updates – Education & Training

[Home](#)

[Permits & Rules](#) ▾

[Outreach & Education](#) ▾

[Energy & Climate](#) ▾

[Conservation](#) ▾

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[About](#) ▾

[North Carolina Erosion and Sediment Control Planning and Design Manual](#)

[North Carolina Erosion and Sediment Control Field Manual](#) 

This 156-page manual complements the larger design manual and is a convenient size for field reference for construction and installation of erosion and sedimentation control measures and devices. Design charts are not included in the Field Manual. [Order form](#). Printed copy: \$13\*

[Erosion and Sediment Control - Inspector's Guide](#) 

This 64-page manual helps the inspector understand how to conduct inspections and evaluate projects, what to look for and how to interact with customers. The downloadable publication has embedded navigation hyperlinks; it is not searchable with the Adobe PDF search tool. [Order form](#). Printed copy: \$20\*

## Erosion and Sediment Control Practices Videos

This set of two award-winning videotapes demonstrates the actual construction of twelve of the most commonly installed erosion and sediment control measures. [Order form](#). Price: \$15 (in-state); \$50 (out-of-state)\*

## Erosion and Sediment Control Educational Forms

Many educational and training packets are available as free downloads on the Erosion and Sedimentation Education page. To order printed copies, use the order forms below.

[Order Form for Erosion and Sedimentation Control Education Packets for Teachers](#)  ( [Fillable PDF](#)  )

[Order Form for Erosion and Sedimentation Control Training Packets for Developers, Consultants and Local Governments](#)  ( [Fillable PDF](#)  )

\*Physical copies limited - available while supplies last

[Mining Program](#)

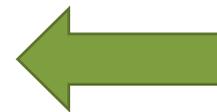
[Dam Safety](#)

[North Carolina Geological Survey](#)

[DEMLR Publications](#)

[Energy, Mineral and Land Resource Enforcement](#)

[Press Releases](#)



## *SPCA versus NCG01*

### Similarities:

- Share common goal of protection of water quality & property
- Similar/overlapping violations



# *SPCA versus NCG01*

## Similarities:

- **“Tract”** means all contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.
- **“Common plan of development”** means a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times and on different schedules under one common plan. The “common plan” of development or sale is broadly defined as any announcement or piece of documentation indicating construction activities are planned to occur on a specific plot regardless of ownership of the parcels.



# *SPCA versus NCG01*

## Differences:

- State program versus federal program (NPDES)
- Materials handling (solid & hazardous wastes)
- Inspection frequencies
- Record-keeping & reporting
- Herbicides & Pesticides
- Surface withdrawals from basins/traps
- Ground stabilization timeframes



# *SPCA versus NCG01*

Effective April 1, 2019:

Erosion control plan approvals

&

NCG01 permit coverage

are two separate application processes

but hold a

dependent relationship



## *SPCA versus NCG01*

### Differences, cont.:

- SPCA applies to all land-disturbing activities and requires an approved erosion & sediment control plan for disturbances that exceed one+ acres.
- NCG01 applies to land-disturbing activities and requires an approved erosion & sediment control plan for disturbances that equal or exceed one+ acres or those that are part of a common plan of development or sale of that size.



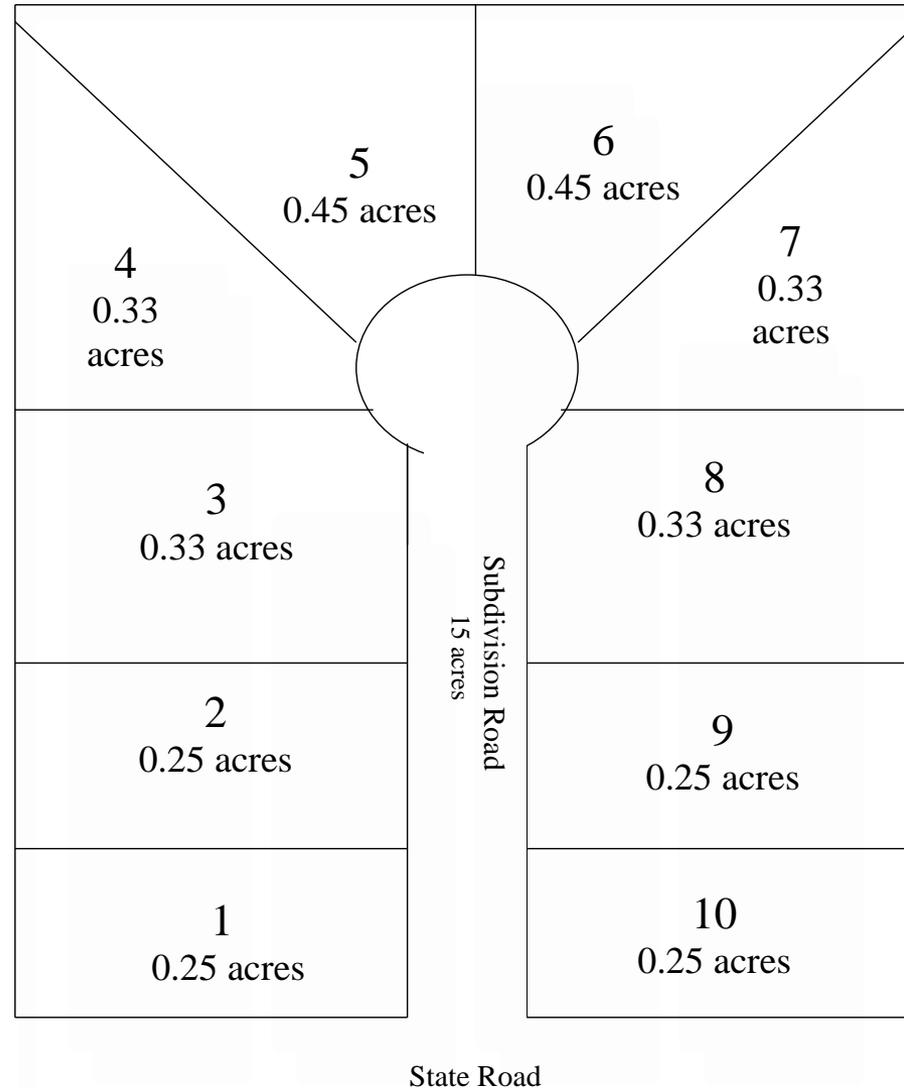
# *Common Plans of Development or Sale*

What are “Common Plans of Development or Sale” ?

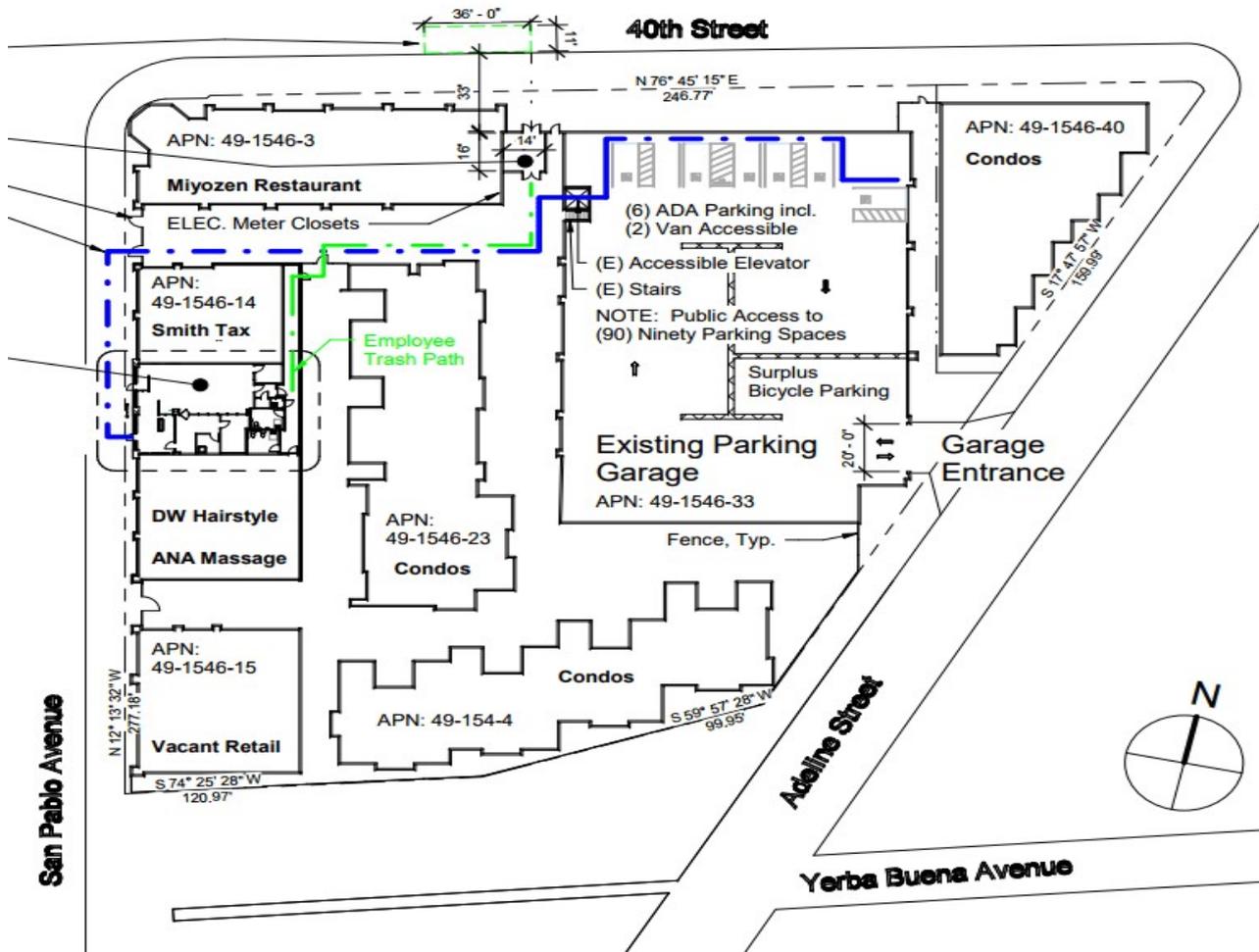


# Common Plans of Development or Sale

Residential  
Subdivision



# Common Plans of Development or Sale?



Mixed-Use Tract



# *Common Plans of Development or Sale?*



Single commercial lot



# Common Plans of Development or Sale?

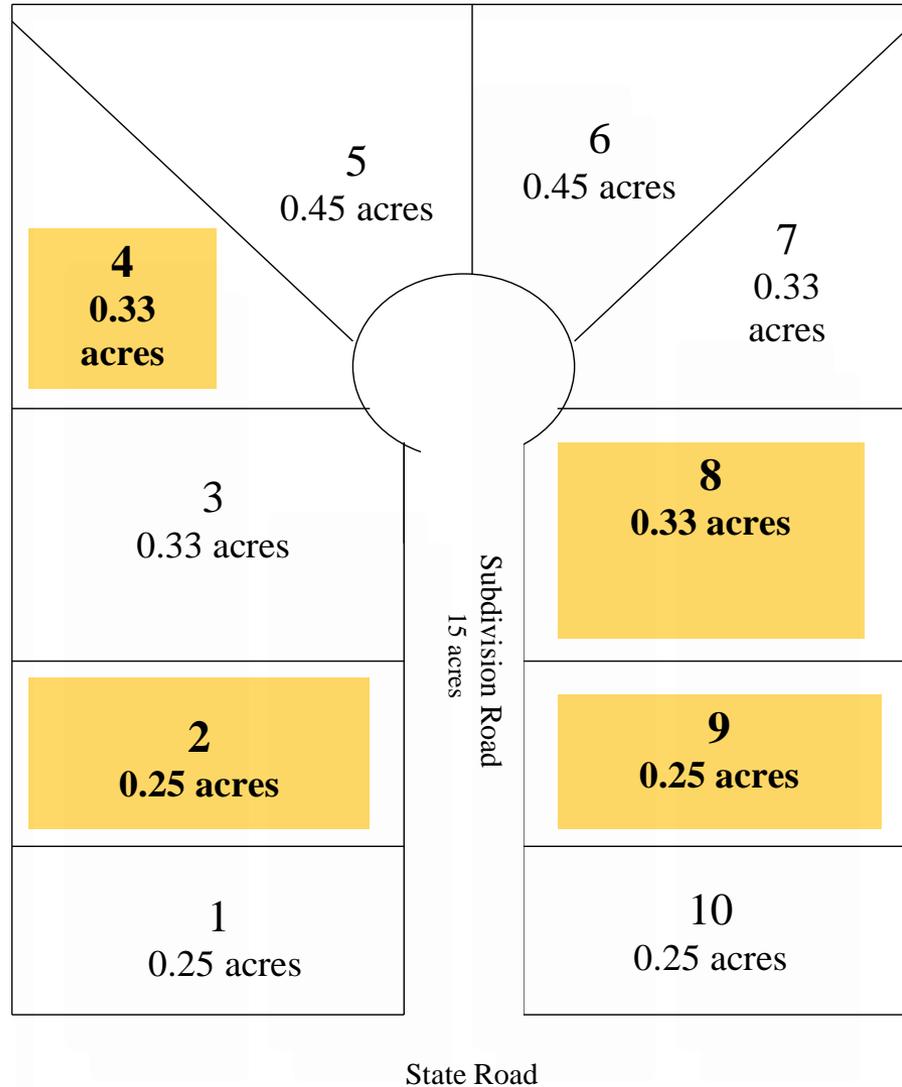


Commercial lot < 1 acre



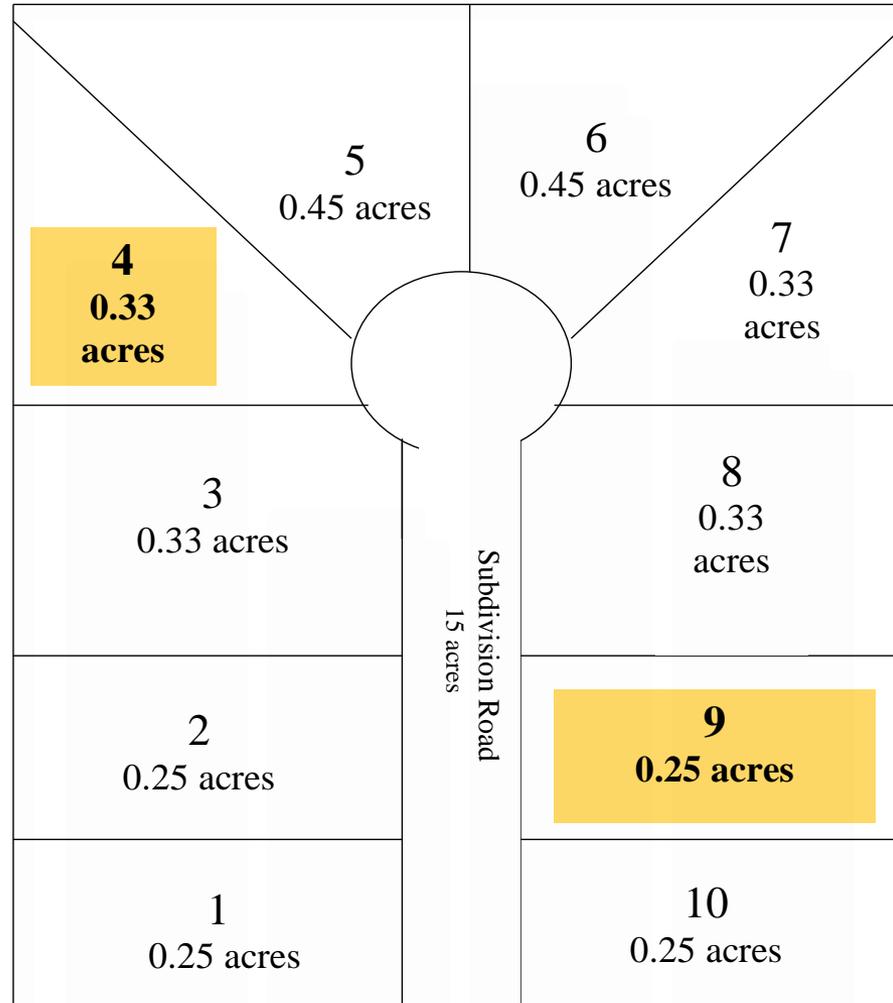
# SPCA versus NCG01

Total disturbance =  
1.16 ac by builder;  
Other builders active



# SPCA versus NCG01

Total disturbance =  
0.58 ac by builder;  
Other builders active



State Road



## *References to "Common Plans of Development or Sale"*

### **Virginia DEQ**

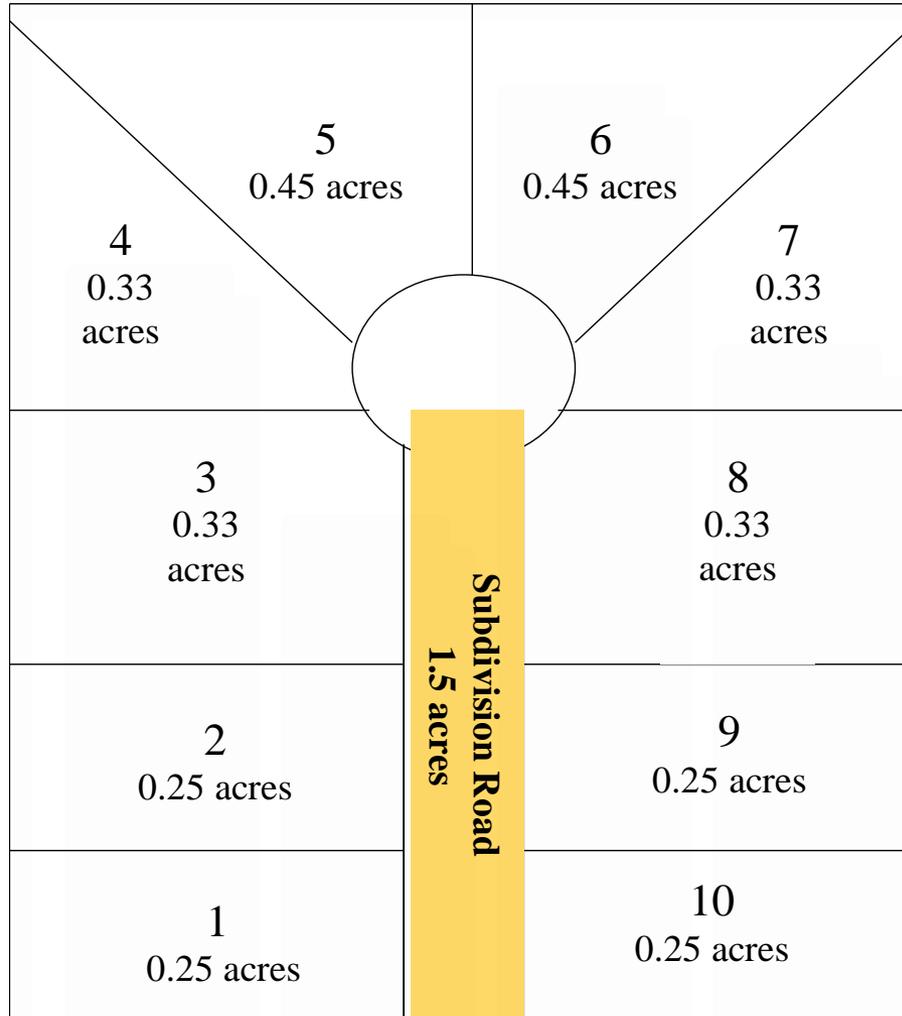
<https://www.deq.virginia.gov/Programs/Water/StormwaterManagement/VSMPPPermits/ConstructionGeneralPermit.aspx>

Permit coverage is required if one acre or greater of land will be disturbed, regardless of the size of the individually owned or developed sites. For example, if a developer buys a 20-acre lot and builds roads with the intention of building homes or other structures in the future, or if the land is parceled off or sold, and construction occurs on plots that are less than an acre by separate, independent builders, these activities would still be subject to stormwater permitting requirements.



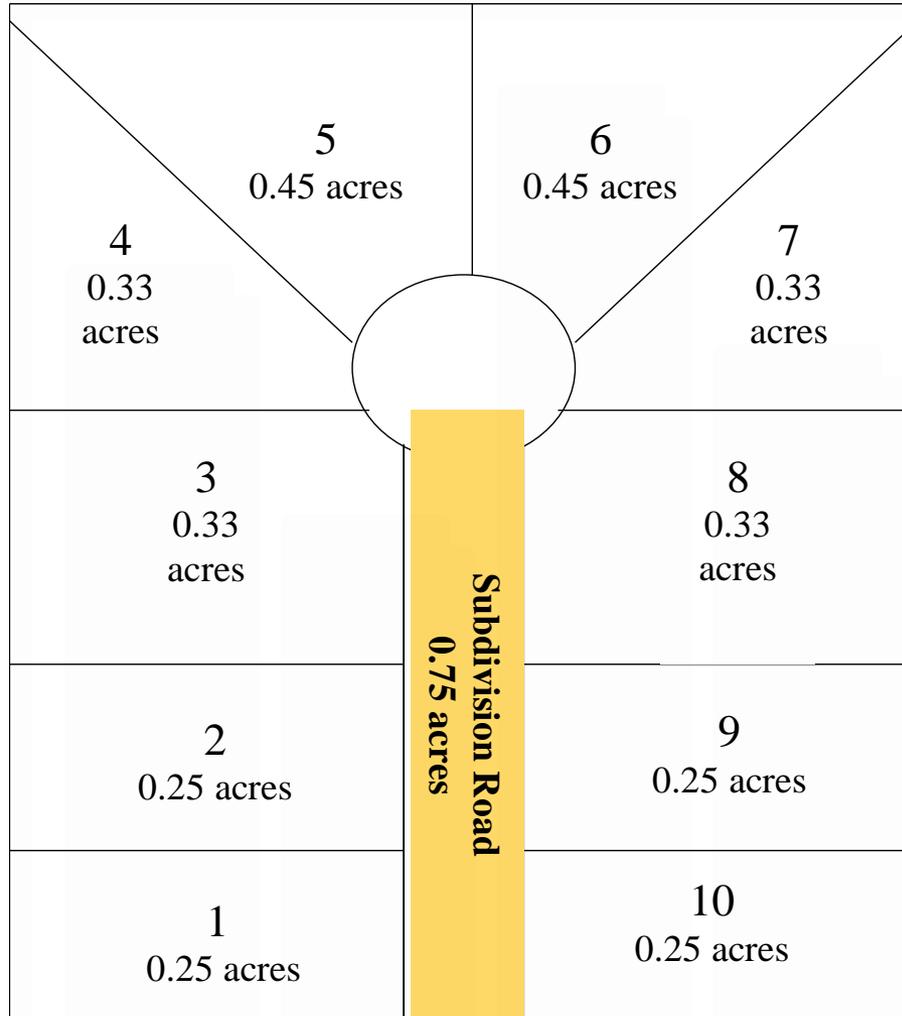
# SPCA versus NCG01

Total disturbance =  
1.5 ac



# SPCA versus NCG01

Total disturbance =  
0.75 ac



State Road



# *References to "Common Plans of Development or Sale"*

## **Virginia DEQ**

A larger common plan of development or sale applies to various types of land development including but not limited to residential, commercial or industrial use.



# *References to "Common Plans of Development or Sale"*

## **Virginia DEQ**

Operators of these land-disturbing activities are automatically authorized to discharge under the general permit....However, operators must comply with the terms and conditions of the general permit including the preparation of a Stormwater Pollution Prevention Plan (SWPPP).

*(a.k.a. a glorified E&SC plan)*



## *References to "Common Plans of Development or Sale"*

### **Tennessee Dept. of Environment & Conservation**

<https://www.tn.gov/environment/permit-permits/water-permits1/npdes-permits1/npdes-stormwater-permitting-program/npdes-stormwater-construction-permit.html>

Permitted activities have included housing subdivisions, commercial and industrial buildings, golf courses, utility lines, sewage treatment plants, and roads. Various land clearing activities such as borrow pits for fill material have also been covered under this general permit.



# *References to "Common Plans of Development or Sale"*

## **Texas Commission on Environmental Quality**

[https://www.tceq.texas.gov/permitting/stormwater/construction/common\\_plan\\_of\\_development\\_steps.html](https://www.tceq.texas.gov/permitting/stormwater/construction/common_plan_of_development_steps.html)

A construction activity is part of a larger common plan of development if it is completed in one or more of the following ways:

- in separate stages
- in separate phases
- in combination with other construction activities



# Combined SPCA Self-Inspection & NCG01 Monitoring Form

DEMLR Monitoring Form Rev. 08012013

## INSPECTION AND MONITORING RECORDS FOR ACTIVITIES UNDER STORMWATER GENERAL PERMIT NCG010000 AND SELF-INSPECTION RECORDS FOR LAND DISTURBING ACTIVITIES PER G.S. 113A-54.1

<b>Project Name</b>			<b>Land Quality or Local Program Project/Permit #</b>	
<b>Approving Authority</b>		<b>Date of Plan Approval</b>	<b>Expiration Date, if applicable</b>	
<b>NCG010000 Certificate of Coverage Number</b>			<b>Date of Issuance</b>	
Coverage under the NCG010000 permit must be renewed annually, if issued after April 1, 2019 until Notice of Termination is filed and approved.				

### PART 1A: Rainfall Data

Day / Date	Rain Amt (inches) Daily Rainfall Required, except for Holidays or Weekends. If no rain, indicate with a "zero"
M	
T	
W	
Th	
F	
Sat (Optional)	
Sun (Optional)	

### PART 1B: Phase(s) of the Plan

Check ALL applicable box(es) that apply to completed & current phases	X
Initial installation of erosion and sediment control measures	
Clearing and grubbing of existing ground cover	
Completion of any grading that requires ground cover	
Completion of all land-disturbing activity, construction or development	
Permanent ground cover sufficient to restrain erosion has been established	

<p><b>Are there any site or project conditions that limit completion of inspection?</b> If yes, explain conditions and areas of site that were inaccessible.</p>	
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# Combined SPCA Self-Inspection & NCG01 Monitoring Form

DEMLR Monitoring Form Rev. 08012013

Reference	Part 2C: Non-Storm Water Pollutant Controls	Yes	No	N/A
J	Concrete, stucco, paint, etc. washouts: Are washouts installed and operating properly with no repairs needed?			
K	Solid & hazardous wastes: Are trash, debris, and hazardous materials properly managed?			
L	Sanitary waste: Are portable toilets properly located and operating with no visible repairs needed?			
Reference	Corrective Actions and Locations	Date Inspected	Date Noted as Corrected	

For any items listed in this section, a full description of off-site sedimentation is required. This includes, but may not be limited to: location, estimated amount of sediment that has left the site, apparent causes of the sediment loss, and what corrective actions need to be taken to prevent this from recurring.

Reference	Part 2D: Off-Site Sedimentation	Yes	No	N/A
M	Are sediment or other pollutants noted beyond site boundaries?			
N	Have BMPs retained sediment and other pollutants from entering receiving waters?			
Reference	Corrective Actions and Locations	Date Inspected	Date Noted as Corrected	



## *Local E&SC Program Reporting*

No more reporting of NPDES data – only # of projects that qualify for coverage under NCG01

“Monthly Tracking, Quarterly Reporting”

**New!** Templates for program start-ups available in SharePoint



# Local E&SC Program Reporting

Monthly Activity Report

Local Erosion and Sediment Control Program

Program \_\_\_\_\_

County \_\_\_\_\_

Year 	2019												
Months 	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
New Sedimentation Control Plans Received													0
Sedimentation Plan Reviews (or Re-Reviews)													0
Sedimentation Plans Approved													0
Sedimentation Plans Disapproved													0
Total Disturbed Acres Permitted													0
Sedimentation Inspection Reports													0
Notices of Violations													0
Cases Referred for Enforcement													0
Stop Work Orders Issued/Building Permit Suspension													0
Construction Stormwater Permits (NCG01) Received													0
Total Number of Active Projects													0
<del>Total Number of Active Projects covered under NCG01</del>													0

Projects received that qualify for NCG01 coverage





*Questions?*

