

SEDIMENTS

State of North Carolina,
Department of Environment & Natural Resources
John E. Skvarla, III, Secretary

Division of Energy, Mineral, and Land Resources
Tracy Davis, Director

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SEDIMENTS is a newsletter published by the North Carolina Sedimentation Control Commission to provide information and assistance to the regulated community and to facilitate communication among personnel of state and local erosion and sedimentation control programs. SEDIMENTS is available in electronic form at:

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Erosion and Sedimentation Program Launches Online Database



The Land Quality Section (LQS) has implemented a new online database for the Erosion and Sedimentation Program. The Department of Agriculture and Consumer Services (NCDA&CS) and the Department of Environment and Natural Resources (NC DENR) were selected to pilot the AMANDA based Enterprise Certification Licensing Inspection and Permitting System (ECLIPS). This innovative case management system is able to "automate the application, review, approval and issuance of permits, and manage inspections." It has the potential to be used statewide, in the coming years. The new web-based system is beneficial for all, from the developer to the permit reviewer.

ECLIPS will be implemented in three phases. The first phase for the AMANDA based ECLIPS, "Back Office," came online June 23, 2014. "Back Office" will allow the LQS to review, inspect, and issue correspondence to the applicant, through one

electronic system.

The second phase (late August) will be the launch of the AMANDA mobile application. Inspectors will be able to inspect and enter that information into computer tablets. In the future, once data entry is complete, the system will allow immediate email of the inspection report to the financial responsible party, and automatically update the database to near real-time information.

The third phase (late September) will be the "Web Portal." This phase will allow the applicant to upload drawings, calculations, and other information to the web site, and also process payment. Use of the portal should reduce the amount of hard copy plans submitted for an erosion control permit. The system will allow the applicant to track the project application process. The portal will also allow the delegated Local Programs to submit monthly activity reports to the LQS via the web. ◆◆

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2014 General Permit Renewals Underway

DEMLR's Stormwater Permitting Program includes implementation of the federally mandated National Pollution Discharge Elimination System (NPDES) industrial stormwater permitting program. The NPDES program requires certain industrial facilities to obtain stormwater permits if their operations have materials exposed to stormwater. This reduces the risk of pollutants combining with stormwater runoff and entering waterways. The type of industries that must obtain coverage is mandated by the EPA's NPDES Stormwater Regulations and is tied in large part to the Standard Industrial Classification of the site. North Carolina's

program currently has 20 different general industrial stormwater permits covering over 3,000 facilities.

The majority of North Carolina's industrial facilities have general stormwater permits tailored to their specific industry category, taking into account the materials and chemicals that may be used on site. Currently, general permits must be renewed every five years, a process that requires DEMLR stormwater staff to review the existing permit and obtain input from regional staff, the EPA, stakeholder groups and the general public. Once this process is complete, a copy of the new permit and certificate of coverage is sent to each facility owner. ◆◆

Land Quality Announces Section Chief



William E. Vinson (Toby), PE
Land Quality Section Chief

William E. Vinson (Toby), Jr., PE, CPESC, CFM, Chief of the Land Quality Section

Mr. Vinson worked with Land Quality Section as the State Sedimentation Education Specialist, Assistant Regional Engineer in Winston-Salem and the Regional Engineer in Fayetteville. He left the State to work with Mr. Ralph D. Stout, Jr. at Southern Seeding Services Inc. for 10 years. Immediately prior to coming back to the Land Quality Section, he worked as the Erosion Control Engineer/Watershed Manager/Floodplain Administrator for City of Winston-Salem/Forsyth County.

He returned to Land Quality as the Chief Engineer in November 2012. Mr. Vinson was promoted to Chief of the Land Quality Section of DEMLR, effective April 1, 2014. Toby will oversee the statewide administration of the Section's Erosion and Sedimentation Control Program, Stormwater Program, Safe Dams Program and Mining Program.



Land Quality Section Personnel

Sally Castle, Assistant Regional Engineer in the Fayetteville Regional Office, is no longer with the section.

Matthew B. Poling, PE, Assistant State Sediment Specialist in the Raleigh Central Office, is no longer with the section.

Tami Idol, PE, Assistant Dam Safety Engineer in the Raleigh Central Office, is no longer with the section.

Fred Walker, PE is the new Assistant Regional Engineer in the Asheville Regional Office.

Christopher Pullinger, Environmental Specialist in

the Raleigh Regional Office, transferred to the Washington Regional Office.

Chad Broadway is the new Environmental Specialist in the Mooresville Regional Office.

Scott Vinson, Environmental Specialist in the Washington Regional Office, is no longer with the section.

David Cox, Environmental Specialist in the Wilmington regional Office, is no longer with the section.

Jean Conway is the new Environmental Specialist in the Wilmington Regional Office.



LQS Announces State Sediment Specialist

Ashley Rodgers, PE, State Sediment Specialist

Ms. Rodgers is a licensed Professional Engineer and holds a B.S. in Civil Engineering from NC State University as well as a M.S. in Environmental Engineering and Science from Clemson University. She has worked over 8 years in various environmental engineering positions within the Division, including time as Sediment Education Specialist, Assis-

tant State Mining Specialist, and Assistant Regional Engineer and Express Plan Review Engineer in the Raleigh Regional Office. Effective June 23, 2014, Ms. Rodgers was promoted to State Sediment Specialist of the Land Quality Section of DEMLR. In this position, Ashley will oversee the statewide administration of the Section's Erosion and Sedimentation Control Program, and serve as the primary staff contact to the NC Sedimentation Control Commission.



NC Sedimentation Control Commission: February Actions

At its meeting on February 20, 2014, the NC Sedimentation Control Commission (SCC) took the following actions:

Joint Resolution Request

The SCC approved a request from the Towns of Clayton and Pine Level for a joint resolution with Johnston County to exercise and enforce the Erosion and Sediment Control Ordinance within the corporate limits and extraterritorial zoning jurisdiction. The initial terms of the Agreement shall be for a period of one year. Either party may terminate the Agreement at the end of the initial term. The Agreement shall automatically renew for a successive one year term unless notice is given by either party at least four months prior to the end of the current one year term that the party wishes to terminate the Agreement at the end of the current term. This Agreement may be terminated at any time upon mutual agreement of both parties.

Delegated Local Programs

- City of Raleigh: Approved the continuation of Local Delegation.
- Durham County: Approved the continuation of Local Delegation.
- Wake County: Approved the continuation of Local Delegation, with the understanding that DEMLR staff will clarify to the County that they are to comply with all conditions of the signed MOA, specifically concerning that a monthly compliance report be developed whether or not there are current violations.

Note: All Local Delegations approved were also contingent upon following the LQS recommendations to continue to check for self-inspection records on site, provide the new combined self-inspection form for approved erosion control plans, and document when slopes have been graded or areas are left idle

in the comments section of inspection reports to establish a timeframe for ground cover.

Amendment to the Memorandum of Agreement (MOA)

The SCC approved the submitted amendments for the Memorandum of Agreement. Two major changes were made: 1) amended sections to reflect the change in name of the Division of Land Resources to the Division of Energy, Mineral, and Land Resources; 2) eliminated the requirement, "Local governments must adopt the ordinance prior to submission to the Commission for approval."

Amendment to Local Program Ordinance

The SCC discussed proposed amendments to the Local Program Ordinance. The proposed changes included the following: 1) addition of Design Standards for the Upper Neuse River Basin (Falls Lake Watershed), for applicable programs; 2) guidelines for transferring a plan without consent of the plan holder (response to legislative change HB279); 3) notice of civil penalty assessment directs the violator to either pay the assessment or contest the assessment within 30 days by filing a petition with the local program (as directed by procedures within the local ordinances); and 4) proceeds of civil penalties collected by the local programs shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. The amended Local Program Ordinance was allowed to remain in draft form until discussions could resume during the May 2014 SCC meeting.

Resolution to Amend the SPCA

The SCC discussed a proposed resolution to amend the SPCA to increase plan review fees. A workgroup of SCC members was established to do additional research on appropriate plan review fees, which will allow monthly inspections in addition to other job duties. The resolution remained in draft form until the workgroup is able to complete discussions of research findings.

NC Sedimentation Control Commission: May Actions

At its meeting on May 15, 2014, the NC Sedimentation Control Commission (SCC) took the following actions:

Assignment of Erosion & Sediment Control Program to DEMLR Energy Section

The SCC approved assignment of the E&SC Program to DEMLR Energy Section for oil and gas exploration and development land disturbing activities. The approved assignment gave DEMLR authorization to: 1) claim exclusive jurisdiction for the implementation of the Sedimentation Pollution Control Act for land disturbing activities that relate to oil and gas exploration and development on well pad sites, and 2) assign this jurisdiction to the Secretary who will in turn assign it to DEMLR's Energy Section so that erosion and sedimentation control plan review, inspections, and enforcement can be accomplished through a single comprehensive environmental permit and by staff of DEMLR's Energy Section.

Education Projects:

- Approved the proposal for WRRRI to support the NC Sediment Control Commission (SCC) and the Department of Environment and Natural Resources (DENR) Division of Energy, Mineral, and Land Resources (DEMLR) Land Quality Section staff by providing assistance in the continuation of workshops for design professionals. Four one day workshops will be conducted at strategic locations across the state to allow for broader geographical coverage and targeting of audiences (\$49,560).
- Approved the proposal for WRRRI to continue support for the annual workshop and awards luncheon for local

SCC 2014 Meeting Dates

10am, Ground Floor Hearing Room, Archdale Building

- Thursday, August 21
- Thursday, November 20

New SCC Members

Dr. Susan White was appointed by Governor Pat McCrory to fill the role of the Director of the Water Resources Research Institute on the Commission. She will serve as an Ex-Officio member.

Ms. Karla Hammer Knotts, was appointed by Governor Pat McCrory to fill the role of a representative nominated by the NC Home Builders Association. She will serve a term through June 30, 2016.

programs, including meeting facility and attendee travel (\$70,235).

Delegated Local Programs

- Town of Holly Springs: Approved the continuation of Local Delegation.
- Chatham County: Approved the continuation of Local Delegation.

Note: All Local Delegations approved were also contingent upon following the LQS recommendations to continue to check for self-inspection records on site, provide the new combined self-inspection form for approved erosion control plans, and document when slopes have been graded or areas are left idle in the comments section of inspection reports to establish a timeframe for ground cover.

Amendment to Local Program Ordinance

Town of Wake Forest: Approved the submitted amendments for the Erosion Control Ordinance. The major changes included: 1) amended sections to reflect the change in name of the Division of Water Quality to the Division of Water Resources; 2) added sediment basin design and open channel design for Falls Lake Watershed; and 3) added definition for watercourse buffer zone.

Local Program Model Ordinance

The SCC approved the amended Local Program Model Ordinance. The proposed changes included the following: 1) addition of Design Standards for the Upper Neuse River Basin (Falls Lake Watershed), for applicable programs; 2) guidelines for transferring a plan without consent of the plan holder (response to legislative change HB279); 3) notice of civil penalty assessment directs the violator to either pay the assessment or contest the assessment within 30 days by filing a petition with the local program (as directed by procedures within the local ordinances); and 4) proceeds of civil penalties collected by the local programs shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.



The North Carolina Sedimentation Control Commission

The Sedimentation Control Commission (SCC) was created to administer the Sedimentation Control Program pursuant to the NC Sedimentation Pollution Control Act of 1973 (SPCA). It is charged with adopting rules, setting standards, and providing guidance for implementation of the Act. The composition of the Commission is set by statute to encompass a broad range of perspectives and expertise in areas related to construction, industry, government, and natural resource conservation and quality. All members are appointed by the Governor and serve three year terms, except for the Director of the Water Resources Research Institute of the University of North Carolina, who serves as long as he remains Director. The chairman of the SCC is named by the Governor. The following is a list of current members with the organizations they represent:

Chair:

Robin K. Smith
Burnsville

Non-governmental Conservation

Commissioners:

Heather E. Jacobs Deck
Washington

Non-governmental Conservation

Tommy C. Anderson
NC League of Municipalities
NC Association of County Commissioners

Joseph E. Glass
Fayetteville
Professional Engineers of NC

Kevin Martin
Franklinton
NC Environmental Management Commission

Rich McLaughlin
Raleigh
NC State University, Dept. of Soil Science

Charlotte A. Mitchell
NC Mining and Energy Commission

Randy Veltri
Charlotte
NC Public Utilities

Jonathan K. Bivens
Goldsboro
Carolinas Associated General Contractors

Susan N. White
Raleigh
Water Resources Research Institute of
The University of North Carolina

Karla Hammer Knotts
Pineville
NC Homebuilders Association

Charles W. Hughes
LaGrange

LID & Storm-EZ Offer New Options for Development

When it rains there are only a few places for the water to go. It can soak into the ground, be used by plants, evaporate or run off the ground surface. Prior to development, only a small percentage of rain runs off site. When development replaces vegetation with hard surfaces, most of the rainfall travels off site, creating surface runoff. Also known as stormwater runoff, water leaving the site picks up and carries pollutants to the nearest stream or storm drain. Water that enters storm drains is never treated—it also flows to a stream or other waterway.

Low Impact Development, or LID, is an emerging development design option that manages stormwater on site, greatly reducing water quality impacts. Now, for the first time in North Carolina, there is a quantifiable definition of LID: *A development is considered LID when the volume of runoff*

leaving the site after development matches the volume of runoff before development. LID projects should also maintain adequate flows to the streams and wetlands on the site rather than piping stormwater to a single low point.

Storm-EZ is a new spreadsheet tool based on the SCS Discrete Curve Number Method and current research findings on stormwater best management practices, or BMPs. Designers enter data about the site development plan and the BMPs that will be used into the spreadsheet. Then, Storm-EZ reports how closely the project matches the pre-development runoff volumes. Storm-EZ can also be used to judge compliance with the conventional “treated runoff” approach to stormwater (or a hybrid approach of some LID practices used with some end-of-pipe stormwater treatment).

During the month of May, the NCSU Stormwater Group, engineering firm Withers & Ravenel and DEMLR stormwater staff held three LID & Storm-EZ technical workshops. At the workshops, instructors solicited feedback on the Storm-EZ tool to improve it prior to releasing the final version. Three additional workshops are scheduled for July 9-10 in Apex, August 28-29 in Charlotte, and December 3-4 in Raleigh. For more information about the LID & Storm-EZ workshops visit the NCSU Stormwater Group’s training website: <http://www.bae.ncsu.edu/stormwater/training.htm>.

Fall 2014 is the anticipated release date for the final version of Storm-EZ. After its initial release, Storm-EZ will be updated as the need arises.



Minimum Design Criteria Team

The Minimum Design Criteria Team was established to meet the regulatory requirements associated with Session Law 3013-82 (House Bill 480), which requires DENR to convene a team that includes industry experts, engineers, environmental consultants, University of North Carolina faculty and other interested stakeholders. In summary, the law tasks the team with the following:

- To consult with DENR in developing minimum design criteria that encompass all requirements for siting, design, construction and maintenance of stormwater best management practices (BMPs). The criteria shall be developed with the goal of generating state stormwater permits that comply with state water quality standards. DENR

shall submit its recommendations to the N.C. Environmental Review Commission by Feb. 1, 2015.

- To consult with the N.C. Environmental Management Commission (EMC) in developing a fast-track permitting process for issuing state stormwater permits without a technical review when all BMPs comply with all minimum design criteria and the permit application is prepared by a qualified individual. The EMC shall adopt a fast-track permitting rule no later than July 1, 2016.

The Minimum Design Criteria Team has met once a month since March 2014. Thus far, the team has developed general criteria that

apply to all BMPs, as well as specific criteria that apply to wet detention ponds. At the July meeting, the team will discuss specific minimum design criteria for infiltration devices. For more information about the team and to see work products and meeting minutes, please visit:

<http://portal.ncdenr.org/web/1r/state-stormwater/mdc%20team>.

If you have questions or comments about LID, Stormwater E-Z or the Minimum Design Criteria Team, please contact Annette Lucas at annette.lucas@ncdenr.gov or 919- 807-6381.



Newsletter of the North Carolina Sedimentation Control Commission

Division of Energy, Mineral, and Land Resources
512 N. Salisbury Street
1612 Mail Service Center
Raleigh, NC 27699-1612

Phone: (919) 707-9220
Fax: (919) 733-2876
<http://portal.ncdenr.org/web/lr/land-quality.com>



To report possible violations of the
NC Sedimentation Pollution
Control Act, call

1-866-STOPMUD
Comments Hotline

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Send comments to Evangelyn Lowery-Jacobs, NCDENR-Land Quality, 1612 Mail Service Center, Raleigh, NC 27699-1612. Email: evangelyn.lowery-jacobs@ncdenr.gov.

To receive an email notice of *Sediments* issues, please see page 1 for list service instructions.

Personnel of the Land Quality Section of the NC Department of Environment and Natural Resources provide information and assistance for implementation of the NC Erosion and Sedimentation Control Program. For assistance, please contact the Regional Engineer or the Raleigh headquarters listed:

Laura Herbert, PE
2090 US Hwy 70
Swannanoa, NC 28778
(828) 296-4500

Brad Cole, PE
225 Green Street, Ste. 714
Fayetteville, NC 28301
(910) 433-3300

Zahid Khan
610 East Center Ave., Ste. 301
 Mooresville, NC 28115
(704) 663-1699

John Holley, PE
3800 Barrett Drive
Raleigh, NC 27609
(919) 791-4200

Pat McClain, PE
943 Washington Sq. Mall
Washington NC 27889
(252) 946-6481

Dan Sams, PE
127 Cardinal Dr. Ext.
Wilmington, NC 28405-3845
(910) 796-7215

Matt Gantt, PE
585 Waughtown St.
Winston-Salem, NC 27107
(336) 771-5000

Ashley Rodgers, PE
Evangelyn Lowery-Jacobs
Raleigh Central Office
512 N. Salisbury St.,
1612 MSC
Raleigh, NC 27699-1612
(919) 707-9220

Calendar of Events

Department of Bio&Ag Engineering Schedule

http://www.bae.ncsu.edu/training_and_credit/workshops.php

8/14-8/15/2014 Stormwater BMP Inspection & Maintenance Certification, Charlotte, NC

8/21/2014 Sedimentation Control Commission Meeting, Ground Floor Hearing Room, Archdale Building, Raleigh, NC

10/9/2014 Level III: Design of Erosion and Sediment Control Plans, Mills River, NC

10/16-10/17/2014 Stormwater BMP Inspection & Maintenance Certification, Greensboro, NC

11/13-11/14/2014 Stormwater BMP Inspection & Maintenance Certification, Raleigh, NC

11/20/2014 Sedimentation Control Commission Meeting, Ground Floor Hearing Room, Archdale Building, Raleigh, NC

12/4-12/5/2014 Low Impact Development and StormEZ, Raleigh, NC

Department of Soil Science Schedule

<http://soils.ces.ncsu.edu/training/>

6/12/2014 Level I: Erosion & Sediment Control/Stormwater Installer/Inspector, Raleigh, NC

9/9/2014 Level I-R: Recertification for Erosion & Sediment Control/Stormwater Installer/Inspector, Raleigh, NC
Level II-R: Recertification for Erosion & Sediment Control/Stormwater Site Manager

9/10/2014 Level II: Erosion & Sediment Control/Stormwater Site Manager

9/11/2014 Level I: Erosion & Sediment Control/Stormwater Inspector/Installer

10/21/2014 Level I-R: Recertification for Erosion & Sediment Control/Stormwater Installer/Inspector, Raleigh, NC
Level II-R: Recertification for Erosion & Sediment Control/Stormwater Site Manager

10/22/2014 Level II: Erosion & Sediment Control/Stormwater Site Manager