

## **Update on the Sedimentation Education Program**

### ***Past and Upcoming Workshops***

The local programs workshop took place January 29 and 30, 2008 at the Mid-Pines Inn in Southern Pines. Approximately 115 individuals were in attendance. Local Programs awards were presented to Chatham County (0-3 man-years) and Town of Cary (3+ man-years).

The spring design workshops will be held March 11 and 12, 2008 at the Hilton in Wilmington and April 9 and 10, 2008 at the Holiday Inn Select in Hickory.

### ***Sediments Newsletter***

The second issue of the quarterly newsletter for this fiscal year has been published. The online version is available on the LQS website at:

<http://www.dlr.enr.state.nc.us/pages/sedimentationnewsletters.html>

### ***Revisions to Field Manual***

Several draft sections have been complete. Copies of these sections are attached.

### ***Local Program Fee Schedule***

The local program fee schedule has been updated for 2008. Copies were passed out at the recent local programs workshop for comment and corrections. The final updated version will be posted on the DLR website shortly after this meeting. A draft copy has been attached.

### ***Erosion and Sediment Control Plan Preparation Work Group***

As part of staff's ongoing efforts to improve the quality of plans received and the reviews given, a committee has been formed to discuss and develop the material that should be covered in a training module for erosion and sediment control plan preparation. This committee will also work to develop better guidelines (ex: more detailed plan submittal checklist) and resources needed to resolve problems currently found with plans. This committee consists of three Land Quality Section staff and three members from the design community (PENC/ACEC).

### ***Sedimentation Education Committee***

Previous approved funding recommendations of the SEC to the SCC are as follows:

Local Programs Workshops:	\$	66,486.00
Four Workshops for Design Professionals:	\$	21,534.00
Production of Sediments Newsletter	\$	40,250.00
Funds for Reprinting the Field Manual:	\$	38,120.00
Funds to Reprint the Design Manual:	\$	1,965.96
Support of Temporary Environmental Specialist I	\$	26,688.00
Field Evaluation of Mulches (Research)	\$	7,156.04

All educational funds for 2007-2008 have been allocated.

## DRAFT Local Erosion and Sedimentation Control Ordinances Fees Listing as of January 2008

Local Program	Plan Review Fees and Permits	Revised Plan Fee
Town of Apex	<ul style="list-style-type: none"> <li>• \$425 per disturbed acre</li> <li>• 20 acre maximum</li> </ul>	No fee \$0
City of Asheville	<ul style="list-style-type: none"> <li>• Grading 10,000 sf or more:               <ul style="list-style-type: none"> <li>- \$540 for property size <math>\geq</math> 10,000 sf but <math>\leq</math> 1 acre</li> <li>- \$540 for each additional acre (or portion of an acre) above 1 acre</li> </ul> </li> <li>• Grading &lt; 10,000 sf:               <ul style="list-style-type: none"> <li>- Residential: \$175</li> <li>- Non-Residential: \$270</li> </ul> </li> <li>• Government funded projects are <math>\frac{1}{2}</math> the normal review fee</li> </ul>	No fee \$0
Avery County	<ul style="list-style-type: none"> <li>• \$50 Single Family/ \$125 Small Commercial</li> <li>• Commercial Developments:               <ul style="list-style-type: none"> <li>- \$100 for 2-5 parcels</li> <li>- \$200 for 6-10 parcels</li> <li>- \$200 + \$10 for each additional parcel above 10 parcels/site</li> </ul> </li> </ul>	No fee \$0
Town of Beech Mountain	<ul style="list-style-type: none"> <li>• Subdivision Plan Review Fees               <ul style="list-style-type: none"> <li>- Minor subdivision (1-3 lots) = \$25</li> <li>- All others (up to 10 lots) = \$250</li> <li>- Over 10 lots = \$250 + \$50 per lot (over 10)</li> </ul> </li> <li>• Soil Erosion Fees               <ul style="list-style-type: none"> <li>- Single family home (<math>&gt; \frac{1}{2}</math> acre disturbed) = \$75</li> <li>- Subdivision <math>&gt; \frac{1}{2}</math> acre but <math>&lt; 1</math> acre disturbed = \$150</li> <li>- Subdivision 1-5 acres = \$250</li> <li>- Subdivision over 5 acres = \$250 + \$50 per <math>\frac{1}{2}</math> acre over 5 acres</li> </ul> </li> </ul>	No fee \$0
Town of Boone	<ul style="list-style-type: none"> <li>• \$130 single family/duplex up to 0.5 acres disturbed</li> <li>• \$180 single family/duplex over 0.5 acre</li> <li>• \$200 commercial projects up to 0.5 acre</li> <li>• \$1,100 commercial projects over 0.5 acre (base fee) + \$100 for each acre or part thereof over 5 acres</li> </ul>	\$50 after 2 <sup>nd</sup> revision
Buncombe County	<ul style="list-style-type: none"> <li>• \$400 for 0.25 acre up to and including 1 acre disturbed</li> </ul>	No fee \$0

	<ul style="list-style-type: none"> <li>If greater than 1 acre is disturbed, also \$400 per each additional disturbed acre (prorated)</li> <li>Note: The &lt;1 acre requirement applies to subdivisions only</li> </ul>	
<b>City of Burlington</b>	<ul style="list-style-type: none"> <li>No fee or permit required if &lt; 1 acre disturbed</li> <li>\$225 for 1 to 2 acres disturbed</li> <li>If &gt; 2 acres disturbed, \$225 + \$60 for each additional acre (over 2 acres), rounded to the nearest whole acre</li> </ul>	\$60 for each additional acre added
<b>Cabarrus County</b>	<ul style="list-style-type: none"> <li>Nonrefundable plan processing fee of \$125 per acre or part thereof</li> <li>Technology fee will also be assessed at 3% of the total plan processing fee</li> </ul>	No fee \$0
<b>Caldwell County</b>	<ul style="list-style-type: none"> <li>For any land disturbing activity of 1 acre or more: <ul style="list-style-type: none"> <li>\$550 for any disturbed acre or part thereof</li> </ul> </li> <li>Note: Plan review fees shall be double the normal fee, when land disturbing or clearing begins before a permit is obtained from the County</li> <li>Plan withdrawal: 75% of fee will be refunded</li> <li>Note: Fees are for both erosion and sediment control and stormwater plan review/permitting</li> </ul>	Plan revision: \$250  Project reinspection fee: \$125  Grading permit reinspection fee: \$50
<b>Town of Cary</b>	<ul style="list-style-type: none"> <li>No fee for plan review</li> <li><u>Land Disturbing Permit</u>: \$500 per denuded acre</li> </ul>	No fee \$0
<b>Catawba County</b>	<ul style="list-style-type: none"> <li>\$200 for 1<sup>st</sup> acre</li> <li>\$150 for each additional acre, rounded up to the nearest acre</li> <li>\$30 fee for &lt; 1 acre</li> </ul>	No fee \$0
<b>Town of Chapel Hill</b>	<ul style="list-style-type: none"> <li>Rural Disturbance <ul style="list-style-type: none"> <li>Plan Review \$158 per disturbed acre or part thereof</li> <li><u>Land Disturbing Permit</u>: \$310 per disturbed acre or part thereof</li> </ul> </li> <li>Urban Disturbance <ul style="list-style-type: none"> <li>Plan Review \$272 per disturbed acre or part thereof</li> <li><u>Land Disturbing Permit</u>: \$646 per disturbed acre of part thereof</li> </ul> </li> <li>Intense Urban Disturbance <ul style="list-style-type: none"> <li>Plan Review \$507 per disturbed acre or part thereof</li> <li><u>Land Disturbing Permit</u>: \$1,241 per disturbed acre of part thereof</li> </ul> </li> </ul>	

	<p>* Note: There is an additional \$150.00 flat fee for projects that are in the Neuse River basin (Upper and Lower Eno, Flat River and Little River sub basins) and require a Stormwater management Plan except for Single family Residential on large lots.</p>	
<b>City of Charlotte</b>	<ul style="list-style-type: none"> <li>• \$3,180 per project + \$130 per acre denuded (&gt;10.49 acres = \$3,560 per project + \$75 per acre denuded)</li> <li>• Subdivision Single Family: \$2,650 per project + \$260 per acre (1&lt;19.49 acres), \$3,130 per project + \$210 per acre (≥ 19.5 acres)</li> <li>• Subdivision Commercial: \$3,920 per project + \$50 per acre denuded (&lt; 10.5 acres), \$3,980 per project + \$35 per acre denuded (≥ 10.5 acres)</li> <li>• <u>Administration Fee</u>: \$1,780 per project (Redesign revision to approved plans = full fee)</li> <li>• <u>Note</u>: Other fees, in addition to those listed above, may apply</li> <li>• <u>Note</u>: Grading/erosion control permits are required when 1acre or more is disturbed</li> </ul>	<p>Revisions to approved plans = \$1,780 per project</p> <p>(Redesign revision to approved plans = full fee)</p>
<b>Chatham County</b>	<ul style="list-style-type: none"> <li>• Plan Review: \$250/ acre or part thereof</li> <li>• Land Disturbing Permit: \$250/ acre or part thereof</li> </ul>	\$75 plan resubmission fee
<b>Durham City/County</b>	<ul style="list-style-type: none"> <li>• \$75 per disturbed acre</li> <li>• <u>Land Disturbing Permit</u>: <ul style="list-style-type: none"> <li>- &lt;1 acre \$235</li> <li>- &gt;1 acre \$490 per disturbed acre</li> </ul> </li> </ul>	50% of initial plan review fee
<b>Gaston County</b>	<ul style="list-style-type: none"> <li>• \$225 per disturbed acre, rounded up to the next acre</li> <li>• \$30 per lot for single lots &lt; 1 acre</li> <li>• Fines and double fees for grading without a permit</li> <li>• Additional Phase II Stormwater fees (\$275 per disturbed acre) may apply</li> </ul>	No Fee \$0
<b>Grandfather Village</b>	Information Not Provided	Info Not Provided
<b>City of Greensboro</b>	<ul style="list-style-type: none"> <li>• \$1.25 for every \$1,000 of estimated total construction cost</li> <li>• Max. Fee: \$625</li> </ul>	No fee \$0
<b>City of Greenville</b>	<ul style="list-style-type: none"> <li>• For activities disturbing 1 acre or more: \$100 per acre, rounded to the nearest tenth of an acre</li> <li>• 5,000 sf up to 1 acre – No fee is required, but a land disturbing permit</li> </ul>	No fee \$0

	must still be obtained	
<b>Guilford County</b>	<ul style="list-style-type: none"> <li>• <u>Land Disturbance Permit:</u> <ul style="list-style-type: none"> <li>- 1-3 acres = \$46.30</li> <li>- &gt;3 acres = \$46.30 + \$23.15 for each additional acre &gt;3</li> </ul> </li> <li>• <u>Other Land Disturbing Permits Authorities (includes: Jamestown, Oak Ridge, Pleasant Garden, Sedalia, Stokesdale, Summerfield, and Whitsett):</u> <ul style="list-style-type: none"> <li>- 1-3 acres = \$250</li> <li>- &gt;3 acres = \$250 + \$100 for each additional acre &gt;3</li> </ul> </li> </ul>	No fee \$0
<b>Haywood County</b>	<ul style="list-style-type: none"> <li>• \$350 per acre or part thereof (covers two reviews)</li> <li>• An additional 10% of the total fee is required if the land disturbing activity may affect classified trout waters</li> <li>• If the land disturbing activity is &lt; ½ acre, a plan and permit will be required if the activity requires a building permit for residential or commercial structures</li> </ul>	Third and any subsequent plan reviews as a part of the application process to obtain a land disturbing permit: \$100 per acre or part thereof
<b>City of Henderson</b>	<ul style="list-style-type: none"> <li>• Plan Review Fee: <ul style="list-style-type: none"> <li>- 0.5 – 0.999 acres = \$50</li> <li>- 1-3 acres = \$75</li> <li>- &gt;3 acres = \$100 + \$20 per acre disturbed</li> </ul> </li> <li>• Permit Inspection Fee: <ul style="list-style-type: none"> <li>- 0.5 – 0.999 acres = \$100</li> <li>- 1-3 acres = \$200</li> <li>- &gt;3 acres = \$300 + \$25 per acre disturbed</li> </ul> </li> </ul>	No fee \$0
<b>Henderson County</b>	<ul style="list-style-type: none"> <li>• Land Disturbing Permit Fee: \$400 per acre</li> <li>• Trip charge (when a complaint warrants repairs or permits): \$45 per trip</li> <li>• Sketch Plan Review: No fee</li> </ul>	No fee \$0
<b>City of Highlands</b>	<ul style="list-style-type: none"> <li>• \$300 flat fee, plus any costs over \$250 as a result of review by the Town's Consulting Engineers</li> </ul>	No fee \$0
<b>City of High Point</b>	<ul style="list-style-type: none"> <li>• \$345 for the 1<sup>st</sup> acre</li> <li>• \$115 for each additional acre, rounded up to the nearest whole number</li> </ul>	No fee \$0
<b>Town of Holly Springs</b>	<ul style="list-style-type: none"> <li>• Plan Review Fee: <ul style="list-style-type: none"> <li>- If ≤ 20 acres are disturbed, \$300 per disturbed acre</li> <li>- If &gt; 20 acres are disturbed, \$3,000 + \$100 per acre</li> </ul> </li> <li>• Permit Fee: <ul style="list-style-type: none"> <li>- If ≤ 20 acres are disturbed, \$400 per disturbed acre</li> <li>- If &gt; 20 acres are disturbed, \$4,000</li> </ul> </li> </ul>	Environmental drawing subsequent plan reviews (third review and any subsequent): \$300

	+ \$100 per acre	
<b>Iredell County</b>	<ul style="list-style-type: none"> <li>For activities disturbing 1 acre or more: \$135 per acre disturbed</li> <li>For activities disturbing ½ to 1 acre in a water supply watershed: flat fee of \$50</li> </ul>	\$50 per acre disturbed
<b>Jackson County</b>	<ul style="list-style-type: none"> <li>\$50 for ½-3 acres disturbed</li> <li>\$75 per acre or part thereof for 3-5 acres</li> <li>\$150 per acre or part thereof for 5+ acres</li> </ul>	\$50 per acre disturbed
<b>City of Jacksonville</b>	<ul style="list-style-type: none"> <li>\$200 for 1<sup>st</sup> acre</li> <li>\$100 for each additional acre or part thereof</li> </ul>	No fee \$0
<b>Town of Kill Devil Hills</b>	<ul style="list-style-type: none"> <li>\$100 fee for anything 5500 sf or more</li> <li>Plan also required for ½ acre or more</li> </ul>	No fee \$0
<b>Town of Kitty Hawk</b>	<ul style="list-style-type: none"> <li>Residential development \$150</li> <li>Commercial Development: \$0.01 per disturbed square foot (max permit fee is \$1,000)</li> </ul>	No Fee \$0
<b>Town of Lake Lure</b>	<ul style="list-style-type: none"> <li>Minor Plans (&lt;1 acre disturbed): <ul style="list-style-type: none"> <li>&lt;100 sq ft. = \$0 (no permit required)</li> <li>100 sf – 499 sf = \$10</li> <li>500 sf – 10,000 sf = \$50</li> <li>Over 10,000 sf = \$100 per 10,000 sf</li> </ul> </li> <li>Major Plans (1 acre or more disturbed): <ul style="list-style-type: none"> <li>1 acre = \$400</li> <li>Every additional 10,000 sf = \$100</li> <li>5 acres = \$2,500 per every 5 acres</li> <li>Every additional acre over 5 acres = \$500</li> </ul> </li> </ul>	No Fee \$0
<b>Lincoln County</b>	<ul style="list-style-type: none"> <li>\$50 per application for activities from 1,000 sf up to (but less than) 1 acre that require a building permit</li> <li>\$200 per acre (rounded up to the next acre) for activities 1 acre or more</li> <li>Express permit application fee: \$450 per acre disturbed (up to 8 acres) + \$200 per acre disturbed (for every acre above 8)</li> </ul>	
<b>Macon County</b>	<ul style="list-style-type: none"> <li>\$100 per acre</li> <li>Surety bond required if disturbances is greater than 5 acres</li> </ul>	\$100 per acre
<b>Mecklenburg County</b>	<ul style="list-style-type: none"> <li>\$450 per disturbed acre</li> </ul>	<p>\$150 for minor plan changes</p> <p>\$500 for major plan changes</p>

<b>City of Monroe</b>	<ul style="list-style-type: none"> <li>• Commercial properties above 12,000 sf or any &gt;1 acre tract disturbed area <ul style="list-style-type: none"> <li>- \$300 for 1<sup>st</sup> acre disturbed</li> <li>- \$50 for each additional acre or part thereof</li> </ul> </li> <li>• \$50 fee for Single Family Residential Lot Inspection/Compliance with ESC Installation and Maintenance Agreement</li> </ul>	\$200
<b>Town of Nags Head</b>	<ul style="list-style-type: none"> <li>• \$40 flat fee</li> </ul>	\$40 flat fee
<b>New Hanover County</b>	<ul style="list-style-type: none"> <li>• Residential Subdivision <ul style="list-style-type: none"> <li>- Review fee: \$200 at time of application (includes two reviews)</li> <li>- Additional reviews: \$200</li> <li>- Plan modifications: \$200</li> <li>- Name change: \$200</li> <li>- Transfer of ownership: \$200</li> <li>- Land disturbance fee: \$150 per lot paid at time of plat recordation</li> </ul> </li> <li>• Commercial Development <ul style="list-style-type: none"> <li>- Review fee: \$200 paid at time of application (includes two reviews)</li> <li>- Subsequent reviews: \$200</li> <li>- Plan modifications: \$200</li> <li>- Name change: \$200</li> <li>- Transfer of ownership: \$200</li> <li>- Land disturbance fee: \$400 per acre paid at time of certificate of occupancy</li> </ul> </li> </ul>	<p>\$200 for additional reviews (after 2<sup>nd</sup>)</p> <p>\$200 for plan modifications, name change, or transfer of ownership</p>
<b>City of Newton</b>	<ul style="list-style-type: none"> <li>• \$25 if disturbed area is &gt;20,000 sf but &lt; 1 acre</li> <li>• \$100 for 1 acre disturbed</li> <li>• If &gt; 1 acre is disturbed, \$100 + \$25 for each additional ½ acre, rounded to the nearest ½ acre</li> </ul>	No fee \$0
<b>Orange County</b>	<ul style="list-style-type: none"> <li>• Rural Disturbance <ul style="list-style-type: none"> <li>- Plan Review \$158 per disturbed acre or part thereof</li> <li>- <u>Land Disturbing Permit</u>: \$310 per disturbed acre or part thereof</li> </ul> </li> <li>• Urban Disturbance <ul style="list-style-type: none"> <li>- Plan Review \$272 per disturbed acre or part thereof</li> <li>- <u>Land Disturbing Permit</u>: \$646 per disturbed acre of part thereof</li> </ul> </li> <li>• Intense Urban Disturbance <ul style="list-style-type: none"> <li>- Plan Review \$507 per disturbed acre or part thereof</li> <li>- <u>Land Disturbing Permit</u>: \$1,241 per disturbed acre of part thereof</li> </ul> </li> </ul> <p>* Note: There is an additional \$150.00 flat</p>	No fee \$0

	fee for projects that are in the Neuse River basin (Upper and Lower Eno, Flat River and Little River sub basins) and require a Stormwater management Plan except for Single family Residential on large lots.	
<b>Pitt County</b>	<ul style="list-style-type: none"> <li>• Single Family lot disturbance = \$50 per disturbed acre</li> <li>• \$200 per disturbed acre, or part thereof</li> </ul>	No Fee \$0
<b>City of Raleigh</b>	<ul style="list-style-type: none"> <li>• Plan Review fee: \$120 per disturbed acre, rounded to the nearest 1/10 acre</li> <li>• <u>Land Disturbing Permit</u>: \$240 per disturbed acre, rounded to the nearest 1/10 acre</li> </ul>	\$100/hour
<b>City of Rocky Mount</b>	<ul style="list-style-type: none"> <li>• \$50 per disturbed acre, or part thereof</li> <li>• <u>Land Disturbing Permit</u>: No Fee \$0</li> </ul>	No Fee \$0
<b>Rowan County</b>	<ul style="list-style-type: none"> <li>• \$50 for the 1<sup>st</sup> acre disturbed</li> <li>• \$50 for each additional acre or part thereof</li> </ul>	No Fee \$0
<b>Town of Southern Pines</b>	<ul style="list-style-type: none"> <li>• \$150 for the 1<sup>st</sup> acre</li> <li>• \$75 for each additional acre, or part thereof</li> </ul>	No Fee \$0
<b>Swain County</b>	<ul style="list-style-type: none"> <li>• \$100 per acre</li> <li>• \$50 trip fee</li> </ul>	No Fee \$0
<b>Wake County</b>	<ul style="list-style-type: none"> <li>• Plan Review Fee: \$250 per disturbed acre or part thereof</li> <li>• Land Disturbing Permit: \$250 per disturbed acre or part thereof</li> <li>• Plan Renew Fee (Permit expired and renewal one more year): \$125 per acre with a maximum of 2 renewals</li> <li>• Plan Renew Fee (Permit expired and renewal for two years): \$250 per acre, with a maximum of 1 renewal</li> <li>• Subdivision Construction plan review \$275 per plan (only for Wake County)</li> </ul>	\$75 at 2 <sup>nd</sup> and subsequent resubmissions
<b>Town of Wake Forest</b>	<ul style="list-style-type: none"> <li>• \$400 per disturbed acre or part thereof for activities disturbing &gt;1/2 acre</li> <li>• Additional requirements and fees may apply</li> </ul>	No Fee \$0
<b>Watauga County</b>	<ul style="list-style-type: none"> <li>• \$150 flat fee</li> </ul>	No fee \$0
<b>Winston-Salem/Forsyth County</b>	<ul style="list-style-type: none"> <li>• Single Family Dwelling Permit: \$40</li> <li>• Land Disturbance Permits: <ul style="list-style-type: none"> <li>- \$642 for the 1<sup>st</sup> acre</li> <li>- \$202 each additional acre</li> <li>- \$8,040 maximum fee (38+ acres)</li> </ul> </li> </ul>	No fee \$0





**MINUTES**  
**NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION**  
**TECHNICAL ADVISORY COMMITTEE**  
**JANUARY 9, 2008**  
**14<sup>th</sup> FLOOR CONFERENCE ROOM #3, ARCHDALE BUILDING**  
**RALEIGH, NORTH CAROLINA**

The North Carolina Sedimentation Control Commission Technical Advisory Committee met Wednesday, January 9, 2008 at 9:30 a.m. in conference room #3 on the 14<sup>th</sup> floor of the Archdale Building in Raleigh, North Carolina. The following persons were in attendance for all or part of the meeting:

**TECHNICAL ADVISORY COMMITTEE**

Dr. Joe Rudek, Chairman  
Mr. Harlan Britt  
Mr. Berry Jenkins  
Dr. Dan Line  
Mr. Mack Little  
Dr. Seth Reice  
Mr. Mark Senior

**OTHERS**

Mr. David Harris  
Mr. Gray Hauser  
Ms. Lisa Martin  
Ms. Ashley Rodgers  
Ms. Robin Smith  
Ms. Erin Kimrey  
Mr. Rob Weintraub

**ACTION ITEMS**

**Approval of Minutes from Previous Meeting**

Dr. Rudek called for approval of the minutes from the October 16, 2007 meeting. Mr. Jenkins made a motion to approve the minutes from the October 16, 2007, meeting. The motion was seconded by Mr. Senior and passed unanimously.

**Research Proposals Update**

Dr. Rudek asked LQS staff for an update on the two research proposals that had previously been approved by the Committee. Ms. Rodgers relayed that the proposal for FY07-08 had been approved by the SCC and a contract should be issued within the month. The second proposal, for FY08-09 will most likely go before the SCC at the May meeting. No motions were made.

**Discussion of the Draft Rule for Self-Inspections**

Dr. Rudek and Mr. Hauser began a discussion of the draft rule for self-inspections, which had been sent back for consideration from the Sedimentation Control Commission. Several attendees had concerns regarding the draft rule overreaching the intent of the statute requiring self inspections. The Committee debated two issues: first, the wording of

the draft rule, and second, the sample documentation records. Changes were made to the draft rule such that the draft rule reads:

#### 15A NCAC 04B .0131 SELF-INSPECTIONS

Where inspections are required by G.S. 113A-54.1(e)

- (1) The inspection records shall include the following information and shall be available on site:
  - a. verification and documentation that all temporary and permanent sedimentation and erosion control measures have been installed and maintained without significant deviation from the approved plan, and
  - b. name, address, affiliation, telephone number and signature of the person conducting the inspection and the date of the inspection.
  
- (2) The inspection shall be performed after each of the phases of an approved erosion and sedimentation control plan. The phases of the plan shall be specified as part of the construction sequence of the approved erosion and sedimentation control plan.

Dr. Reice made a motion to accept the draft rule above. The motion was seconded by Mr. Little, and approved unanimously. Mr. Jenkins requested that the revised rule be sent back out to the Technical Advisory Committee. Staff was asked to redo a simplified inspection sheet, but it was not necessary for that item to be completed before rulemaking can begin.

#### Discussion of Baffle Materials

The discussion of baffle materials was postponed to a future meeting, as Dr. McLaughlin was not present. No motions were made.

#### Discussion of 1997 Plan of Action

Dr. Rudek introduced the next item, which was a revisiting of the 1997 Plan of Action. The Sedimentation Control Commission has asked the TAC to update the 1997 Plan of Action considering: any recommendations not achieved in the original plan, and any other items that should be added to the plan. The process for revising and updating the Plan of Action would be:

1. Staff will produce an outline of major components to be addressed in the plan
2. This outline will be sent electronically to TAC members for general comment
3. Final outline will be sent to SCC for discussion
4. Outline will return to TAC for more detailed discussion and revision

Following discussion by the committee of the 1997 Plan of Action, several items from the plan shall be included in the new outline, including:

- Restoration
  - i. A policy statement/resolution from SCC may still be needed. This would give guidance for local programs on when restoration orders can and should be used.
- Local Program evaluation
  - i. Examine the review frequency of local programs by DENR LQS
  - ii. Communications should be clear for local programs on where their authority stops for erosion and sediment control and when/how DWQ should be contacted for turbidity issues.

- iii. A plan may be needed for dealing with defunct local programs (if left with short or no staff, etc.). This could be a relief for local programs as a “rapid response” or gap coverage during such times.
- iv. Consider staffing recommendations to ensure an average time between inspections of a site or a number of inspectors needed per number of sites, etc.
- v. Consider new means of submitting monthly activity reports to DENR (online, etc.).
- Escrow
  - i. Item should be kept in plan of action since it has not been completed.
- Risk Assessment
  - i. Item should be kept in plan of action since it has not been completed.
- Budget
  - i. It needs to be made clear that the number of inspectors is top priority.
  - ii. Staff will need to compile new numbers for staffing needs and budget for different inspection targets (ex: 1 month inspection average, etc.).

Staff will compile an outline of general comments for updating the plan and circulate to the TAC for comment. Staff was also asked to begin putting together new numbers for staffing and budget needs for different scenarios.

A general consensus among the committee was that it might be appropriate to do a 5 year, instead of a 10 year, plan of action. It was also recommended by Dr. Rudek that staff should consider providing an annual report to the SCC on progress toward the new plan of action.

The next TAC meeting was scheduled for Wednesday, February 27, at 9:30 am.

There being no further business, the meeting was adjourned by Dr. Rudek.

Minutes recorded by Ashley Rodgers.