

New Program Questionnaire



This questionnaire is to be completed by local governments requesting authority for administering and enforcing the Sedimentation Pollution Control Act of 1973.

Upon completion, please return this questionnaire to the State Sedimentation Specialist or Assistant Sedimentation Specialist within the DEQ-DEMLR Land Quality Section's Sedimentation Pollution Control Program.

Name of Local Government Requesting
Delegation:

Town of Mooresville

Anticipated date of delegation:

1/1/2026

1. Please provide written answers regarding program implementation upon submitting your request for delegation to include: staffing and full-time equivalents, vehicles, computers, personal protective equipment (PPE), your process for plan reviews, site monitoring schedules, enforcement action plans, and program implementation schedule.

Staffing- 4 positions will be added to deal with the Erosion Control Program. 1 position in the Engineering department and 3 positions in the Stormwater department

- Civil Engineer II-III Position
 - Civil Engineer position (PE preferred) that will be primarily responsible for erosion control plan review and permitting. This position will also cross-train the department's that will be partially dedicated to Erosion Control plan review. This will be a flex responsibility among other existing engineering positions so more than one staff member is familiar with Erosion Control processes
- Erosion Control Supervisor
 - Lives under Stormwater
 - Administrator of Erosion Control Ordinance (delegated responsibility from Planning Director)
 - Works closely with Engineering staff & involved in IDT plan review
 - Documentation of Construction Site Runoff program for Phase II Permit
 - Supervisor to inspector positions
 - Field calls from the public about offsite sediment/mud in the road
 - Distributes to the inspector assigned that project to investigate
 - 80%/20% office to field work mix

- Some field assistance to inspectors and investigation on citizen calls and complaints
 - Stormwater Permit closeout in IDT
 - Tracking/coordinating Post Construction Compliance Turnovers
 - Documentation of O&M Agreements & As-Builts
 - Coordinating HOA turnover meeting
 - Stream Buffer and riparian zone enforcement/consultation
- Erosion Control Inspectors (2)-
 - Lives under Stormwater
 - Attend preconstruction meetings
 - Contractor education on stormwater pollution prevention and construction site runoff (per Phase II permit)
 - Perform erosion control inspections
 - Enforce/issue NOVs for compliance
 - Investigate reports of offsite sediment/mud in road complaints
 - Oversee conversions of sediment basins to permanent SCMs through the construction process
 - Conduct final compliance inspections of post-construction SCMs

Vehicles- three 4-wheel drive small sized trucks (comparable to a Ford Ranger) have been requested in the FY26 budget for the supervisor and 2 inspector positions

Computers- 3 rugged laptop/tablets have been requested in the FY26 budget for the supervisor and inspector positions. Additional docking station and monitors have been requested for the supervisor for in office use. Civil Engineer position will be equipped with a desktop/laptop and monitors for in office use

PPE- \$2,000 has been requested for FY26 for supervisor and 2 inspectors. This will include but is not limited to safety toe boots, jackets, gloves, glasses, hard hats, muck boots, vests, etc.

Plan Reviews- Plan reviews will be conducted digitally through the Town's IDT platform by Engineering Staff. Procedures for Plan Review are included in the adopted ordinance

Monitoring Schedules & Enforcement Action Plans- Inspections will happen at a minimum of once a month. We have requested some procedures from other successful local programs such as Cary and Charlotte-Mecklenburg to develop our SOPs.

Program Implementation Schedule- We will be working with Iredell County on a transition plan in the coming months. Staff, vehicles and equipment are being budgeted for FY26 to bring in staff in July 2025 and a hard takeover date of January 1, 2026.

2. What are you anticipating as your land-disturbing threshold for requiring an erosion & sedimentation control plan? (The State requires an erosion & sedimentation

control plan for disturbances > 1 acre; local programs can require the same or less than 1 acre.)

- An Erosion Control Permit will be required for all land disturbing activities that exceed ½ acre

3. Provide the type of projects expected within your jurisdiction (residential, commercial, industrial, institutional, other_____). *Note: Publicly funded projects are excluded from this delegated authority and can only be approved through the DEQ.*

- All the above

4. Provide the number of applications for plan reviews you expect to receive on an annual basis, or to average on a continual basis.

- Data obtained from Iredell County for FY21-FY24 shows an average of **37** plan reviews falling under Mooresville's jurisdiction per Fiscal Year

5. How many projects to you anticipate having open at any given time in your jurisdiction?

- Approximately 50 to 60 (this is an estimate based off the 55 open projects that meet this threshold the Town currently has in our IDT system)

6. How many disturbed acres are you expecting to have to monitor at any given time within your jurisdiction?

- Approximately 1200-1500

7. Are there any problems or challenges you foresee having to regulate in your jurisdiction? (examples: steep terrain, high-quality waters, riparian buffer rules, problematic soils, cross-jurisdictional coordination, inexperienced designers or contractors)

- The Town is prepared to deal with these types of challenges and has experience working with contractors on various issues that come up throughout the construction process.

8. County governments only: Do you have interlocal agreements in place with those municipalities where you expect to extend your program jurisdiction?

- n/a

9. What tools do you intend to use to get compliance from an uncooperative builder/contractor?

- Educational materials/letters, Notice of Violation, Stop Work Orders, Civil Penalties as outlined in the Town of Mooresville Unified Development Ordinance

10. Do you have a board or commission capable of deciding plan decision appeals and civil penalty appeals?

- See UDO section 2.5.22. Appeal of Administrative Decisions
 - Board of Adjustments is Decision-Making Body
 - "For appeals related to Erosion and Sedimentation decisions, unless otherwise stated by statute or another provision of this UDO, the party seeking to appeal shall file a written notice of appeal with the Planning Department within 15 days of the date that the applicant/owner/other party received the Planning Director's issued decision."

11. Do you have staff who could compute penalty collection costs and remit penalties to the Office of State Budget & Management monthly, if needed?

- Yes, the Town is equipped with staff who can manage these tasks

12. Do you have an ordinance prepared or in draft?

- Erosion Control Ordinance was locally adopted October 2, 2023. Content pertaining to Erosion Control can be found in the Town's Unified Development Ordinance in the following sections:
 - 2.5.22 Appeal of Administrative Decisions
 - 2.5.27 Erosion and Sedimentation Control Permit
 - 5.16 Erosion and Sedimentation Control Standards
 - 8.5.3 Inspections
 - 8.5.4 Enforcement Procedure
 - 8.6.10 Remedies for Erosion and Sediment Control Violations
 - 9.5 Erosion and Sedimentation Control Terms Defined

13. What erosion control experience or training will your staff have or receive? What certifications do your staff possess? Are they encouraged to pursue training and certifications?

- \$3,000 has been requested in the FY26 budget under the Training/Transportation line item for 1 supervisor and 2 inspector positions. The Town plans to hire these positions at the

start of FY26 giving approximately 6 months of transition time to for staff to undergo training

- Some training opportunities that will be recommended for staff include NC State Level I and II ESC for NCDOT Projects, NC Erosion and Sediment Control Workshop, NCDEQ Local Program Workshop and various ESC EnviroCert certifications
- CPESC Certification strongly encouraged for Supervisor position


14. Can you offer periodic training to your regulated community? How otherwise prepared are your consultants or contractors to carry out the requirements of the Sedimentation Pollution Control Act and its rules?

- The community will be educated about these issues through our Phase II NPDES program. Our Stormwater Program Specialist frequently provides educational materials to the public at Town events to educate the public on Stormwater. Erosion Control/Construction Site Runoff Control education will be implemented into this programming
- Educational handouts will be developed to be posted on the Town website for contractors and consultants to access. They will also be distributed on site at pre-construction meetings, during routine site inspections and included with NOVs/educational letters

*Note: After a review of your application, the DEMLR may schedule a meeting with the local government to resolve any remaining concerns.

Marissa Houston, Stormwater Program manager

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A rectangular box containing a handwritten signature in cursive script that reads "Marissa Houston".

Signature of person completing questionnaire