

## Local Program Report to the SCC City of Greensboro, May 7, 2026

On March 11, 2026, personnel from NCDEQ, DEMLR conducted a formal review of the City of Greensboro’s Erosion and Sedimentation Control Program. The City was last reviewed and presented to the Sedimentation Control Commission (SCC) in February 2022. The City requires an erosion and sedimentation control plan for land disturbances of 1.0 acre or greater; or if the disturbance is located within Tier 1 or Tier 2, includes a pond or retention structure, or is located on highly erodible soils with a “k” factor greater than 0.36 within a Watershed Critical Area. The jurisdiction of the program covers the City of Greensboro corporate limits. The City currently has 5 full time staff contributing to the program. The City has the ability to utilize stop work orders (SWO) and holds on building inspections as additional tools to bring sites into compliance. The City also requires that a preconstruction meeting and an initial measures inspection are conducted for all projects. An initial measures inspection occurs once the initial measures have been installed and if the City approves that measures were installed correctly according to the approved plan, mass grading is allowed to begin. At the time of DEMLR’s review, the City reported 167 projects.

**Previous Year Program Activity:**

March 2025 through February 2026			
Plan Reviews or Re-reviews:	221	Building Permit/Inspection holds utilized:	0
Approvals:	74	NOVs issued:	29
Disapprovals:	147	SWO issued:	3
Inspections conducted:	2197	CPAs issued:	0

DEMLR staff reviewed three project files and conducted site inspection on these projects. The following is a summary of the projects reviewed.

**1. West Market Street Apartments:**

This project consists of 7.75 acres for residential development located in the Haw Subbasin of the Cape Fear River Basin. The project file contained the approved plan, letter of approval, design calculations, a copy of the property deed, the Financial Responsibility Ownership form (FRO), a letter of Landowner Consent and previous inspection reports. The registered agent’s information was missing from the FRO form. The City received the complete application package on 4/10/2023 and issued a letter of disapproval on 5/8/2023. The plan underwent 2 additional review cycles before being approved on 8/17/2023. Each review cycle begins when a complete application is received by the City and ends when a formal review decision is issued. Each review cycle was completed within the statutory timeframes. The approved plan appeared to be adequate from a design perspective; however, maintenance notes were not included for all proposed measures. Construction on this project began in October 2023 and the City had conducted 32 inspections prior to the review. No NOVs or CPAs had been issued to this project prior to the review.

On the day of the review, vertical construction of the buildings was underway, and the parking lot areas were being prepped for paving. The sediment basins had been removed, and the underground stormwater control measure had been installed. Drop inlet protection measures had been removed in the parking lot areas but drop inlet protection measures along the perimeter ditch needed to be maintained or repaired. City staff gave a reminder to reinstall inlet protections immediately once paving was complete. Silt fence along the adjacent road had been installed and appeared to be functioning. An undisturbed buffer of grass upslope of the perimeter silt fence was still in place. Wattles had been added in the adjacent roadway curb and gutter to prevent any sediment from entering the active storm drains. One of these wattles needed to be replaced. There were no visible signs of tracking offsite occurring, but some sediment had accumulated in the gutter along this area. Overall, this site was out of compliance with maintenance needs noted and minor offsite accumulation on the adjacent roadway.

## **2. Black Cobra:**

This project consists of 4.61 acres disturbed for commercial development located in the Haw Subbasin of the Cape Fear River Basin. The project file contained the approved plan, letter of approval, design calculations, a copy of the property deed, the FRO form, and previous inspection reports. The acreage shown on the approved plans and that listed on the FRO form differed slightly. The City received the complete application package on 4/25/2025 and issued a letter of disapproval on 4/29/2025. The plan underwent 3 additional review cycles before being approved on 7/29/2025. Each review cycle was completed within the statutory timeframe. However, the letter of approval that was sent did not include language notifying the applicant of their right to appeal. Maintenance notes for all proposed measures were not included in the approved plan. Construction on this project began in September 2025 and the City had conducted 8 inspections prior to the review. No NOVs or CPAs had been issued to this project prior to the review.

On the day of the review, the building foundation was being poured. Curb and gutter throughout the site had been installed and the construction entrance had been removed in preparation for paving the entrance. City staff recommended that additional inlet protection measures be installed to the curb inlet directly downstream from the site during this intermediate period to prevent any minor tracking from entering the active storm drain system. A stockpile had been located adjacent to the sediment basin; the City had previously noted the need for silt fence to be installed around the toe of the pile as there was no alternative area to place the stockpile. Silt fence had been installed; however, it did not appear to be trenched in in some sections. City staff also noted that the area below the retaining wall had been idle during the last inspection and needed to be stabilized. Other idle or completed areas throughout the site were being stabilized. There was a small amount of sediment that appeared to have overtopped one silt fence outlet which needed to be retrieved and the areas disturbed restabilized. It appeared that the perimeter silt fence, silt fence outlets and j-hooks had been repaired or replaced since this loss had occurred and the measures in this area appeared to be functioning. A rock pad below the skimmer device needed to be installed. Inlet protection measures throughout the site had been installed with some needing maintenance. Overall, this site was out of compliance for the minor loss and maintenance and repair items noted.

### **3. McConnel Ridge Phase 2 Single Family:**

This project consists of 23.68 acres disturbed for residential development located in the Haw subbasin of the Cape Fear River Basin. The project file contained the approved plan, letter of approval, design calculations, a copy of the property deed, the FRO form and previous inspection reports. The registered agent information was missing on the FRO form. The City received the complete application package on 4/17/2025 and issued a letter of disapproval on 4/23/2025. The plan underwent 3 additional review cycles before being approved on 10/9/2025. Each cycle was conducted within the statutory timeframe. The approved plan appeared to be adequate. Construction on this project began in November 2025 and the City had conducted 5 inspections prior to the review. No NOVs or CPAs had been issued to this project prior to the review.

On the day of the review, grading was underway. The construction entrance had been installed; however, tracking was noted onto the adjacent phase which was also actively being graded. Silt fence had been installed throughout the site, but some sections needed to be reinstalled or repaired. The city had previously noted the need to install slope drains to convey water to the diversion slope. These slope drains had been installed but needed to be extended all the way to the diversion and a dissipator pad installed at the slope drain outlet. A larger slope had recently been graded adjacent to one diversion, and the fill material was encroaching into the diversion ditch. The diversion needed to be reworked to ensure proper function of the ditch. The skimmer device in two of the skimmer basins appeared to have been installed too high and not in accordance with the approved plan. The City requested that the contractor and design engineer provide verification that the basin and skimmer elevations were installed according to the approved plan. Other basins had been installed and appeared to be functioning. Lot pads that had been graded and completed had been stabilized throughout the site. One silt fence outlet had overtopped, and a small amount of sediment had migrated beyond the limit of disturbance. Overall, the site was out of compliance for the minor loss and maintenance and repair items noted.

#### **Positive Findings:**

During the review DEMLR Staff noted positive aspects of the City of Greensboro's Local Erosion and Sedimentation Control Program including:

- The City requires preconstruction meetings for all projects.
- The City has a stricter criterion than the State when requiring an erosion and sediment control plan. They require plans for all projects which will disturb greater than 1 acre but also projects within a WCA if it is located on highly erodible soils, will include a pond or retention structure, or will take place within Tier 1 or Tier 2 of the WCA.
- The City has the ability to utilize stop work orders and building inspection holds as additional tools to bring sites into compliance.
- The City conducts an inspection of the installation of the initial phase erosion and sediment control measures and must approve of those measures prior to allowing for mass grading to commence.

#### **Issues Noted and Required Actions:**

During the review DEMLR Staff found that the City of Greensboro Erosion and Sedimentation Control Program had deficiencies including:

- The Registered Agent information was not always provided on the FRO form.
- The Letter of Disapproval did not contain language notifying the applicant of their right to appeal the decision.
- Maintenance details were not included for all proposed measures in the approved plan.
- Sections of the local ordinance are devoid or outdated.

The City shall implement the following changes to correct the deficiencies found during the review and noted above:

- Staff should ensure that the registered agent information is provided anytime the FRP is a company or corporation. If an FRP is an out of state company, the registered agent must be located in NC.
- The Letter of Disapproval should include language notifying the applicant of their right to appeal the disapproval decision and how to submit such an appeal in accordance with G.S. 113A-61(c).
- Staff should ensure that the specific maintenance details are included for all proposed measures in the plan.
- The City should update their local ordinance to reflect the most recent Model Ordinance. A redlined version with the most recent changes can be found on the [NCDEQ Local Programs Website](#).

**Recommendations for Improvement:**

DEMLR staff has also compiled a list of recommendations that would help to improve the program:

- It is recommended that the City continues to monitor and provide guidance for NPDES violations including operating without a permit, improper or incomplete self-inspection records and improper concrete washouts. Note possible violations and refer to the NCDEQ Winston-Salem Office when necessary.
- It is recommended to include the date the complete application package was received by the City on each respective letter or approval and disapproval. This serves to further document that the package was received and reviewed within the statutory timeframes.

**Conclusion:**

During the review, DEMLR staff noted the City’s locally delegated erosion and sedimentation control program had a few deficiencies. The City must ensure that the registered agent information is provided on the FRO form. The City also needs to ensure that the letters of disapproval include language notifying the applicant of their right to appeal the disapproval. It is also recommended that the City include the date the complete package was received by the City. The City will also need to work to update the local ordinance to reflect the last changes made to the Model Ordinance such as the reduction of the Remission request deadline from 60 days to 30 days. While the sites that were reviewed were out of compliance, City staff appeared to be knowledgeable of the conditions on site. Previously noted items appeared to have been

addressed, or City staff noted that they had previously noted the same issue during the last inspection and discussed what and when an escalation to the next tier of enforcement would be warranted. City staff appeared knowledgeable and conveyed an understanding of design, standard practices and regulations regarding erosion and sediment control and an ability to conduct adequate inspections. All areas seen by state staff were noted by City staff while onsite. The City demonstrated its ability to effectively implement the local program's delegation authority.

This report has been prepared based on the formal review of the City of Greensboro Local program conducted on March 11, 2026, and will be presented to the SCC during its 2026 Q2 meeting on May 7, 2026. DEMLR staff recommend to "Continue Delegation" of the City of Greensboro erosion and sediment control program.